U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

March 7, 2024

MR. JOHN R. GREENEWALD JR.
SUITE 1203
27305 WEST LIVE OAK ROAD
CASTAIC, CA 91384

FOIPA Request No.: 1401549-000
Subject: Emails Sent to and/or From James Comey

Dear Mr. Greenewald:

The FBI has completed its search for records subject to the Freedom of Information Act (FOIA) that are responsive to your request. The enclosed 1574 pages of records were determined to be responsive to your subject and were previously processed and released. Please see the selected paragraphs below for relevant information specific to your request as well as the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

☐ In an effort to provide you with responsive records as expeditiously as possible, we are releasing documents from previous requests regarding your subject. We consider your request fulfilled. Since we relied on previous results, additional records potentially responsive to your subject may exist. If this release of previously processed material does not satisfy your request, you may request an additional search for records. Submit your request by mail to **Initial Processing Operations Unit; Record/Information Dissemination Section; Information Management Division; Federal Bureau of Investigation; 200 Constitution Drive; Winchester, VA 22602. You may also email your response to** foipaquestions@fbi.gov**.** Please include the FOIPA Request Number listed above in your correspondence.

☑ Please be advised that additional records responsive to your subject exist. If this release of previously processed material does not satisfy your request, you must advise us that you want the additional records processed. Please submit your response within thirty (30) days to **Initial Processing Operations Unit; Record/Information Dissemination Section; Information Management Division; Federal Bureau of Investigation; 200 Constitution Drive; Winchester, VA 22602. You may also email your response to** foipaquestions@fbi.gov**.** Please include the FOIPA Request Number listed above in your correspondence. **If we do not receive your decision within thirty (30) days of the date of this notification, your request will be closed.**

☐ One or more of the enclosed records were transferred to the National Archives and Records Administration (NARA). Although we retained a version of the records previously processed pursuant to the FOIA, the original records are no longer in our possession.

If this release of the previously processed material does not satisfy your request, you may file a FOIPA request with NARA at the following address:

National Archives and Records Administration
Special Access and FOIA
8601 Adelphi Road, Room 5500
College Park, MD 20740-6001

Reference file number [INSERT FILE NUMBER] in your correspondence.

☐ Records potentially responsive to your request were transferred to the National Archives and Records Administration (NARA), and they were not previously processed pursuant to the FOIA. You may file a request with NARA using the address above. Please reference file number [INSERT FILE NUMBER] in your correspondence.

☐ One or more of the enclosed records were destroyed. Although we retained a version of the records previously processed pursuant to the FOIA, the original records are no longer in our possession. Record retention and disposal is carried out under supervision of the National Archives and Records Administration (NARA) , Title 44, United States Code, Section 3301 as implemented by Title 36, Code of Federal Regulations, Part 1228; Title 44, United States Code, Section 3310 as implemented by Title 36, Code of Federal Regulations, Part 1229.10.

☐ Records potentially responsive to your request were destroyed. Since this material could not be reviewed, it is not known if it was responsive to your request. Record retention and disposal is carried out under supervision of the National Archives and Records Administration (NARA) according to Title 44 United States Code Section 3301, Title 36 Code of Federal Regulations (CFR) Chapter 12 Sub-chapter B Part 1228, and 36 CFR 1229.10.

☐ Documents or information referred to other Government agencies were not included in this release.

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. **"Part 1"** of the Addendum includes standard responses that apply to all requests. **"Part 2"** includes additional standard responses that apply to all requests for records about yourself or any third party individuals. **"Part 3"** includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

Additional information about the FOIPA can be found at www.fbi.gov/foia. Should you have questions regarding your request, please feel free to contact foipaquestions@fbi.gov. Please reference the FOIPA Request number listed above in all correspondence concerning your request.

Please be advised that if you are seeking a new search for records, you may wish to narrow the scope of your request based on material that you have already received, e.g., timeframe or locality. Additionally, be advised that "unusual circumstances" may apply. See 5 U.S.C. § 552 (a)(6)(B)(iii). These "unusual circumstances" will delay our ability to make a determination on your request within 20 days. See 5 U.S.C. § 552 (a)(6)(B). Additionally, the payment of pertinent fees may apply to your request. See 5 U.S.C. § 552 (a)(4)(A)(viii). The application of "unusual circumstances" is not a determination of how the FBI will respond to your substantive request.

If you are not satisfied with the Federal Bureau of Investigation's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: https://www.justice.gov/oip/submit-and-track-request-or-appeal. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of this response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by emailing the FBI's FOIA Public Liaison at foipaquestions@fbi.gov. The subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified. You may also contact the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



This document is made available through the declassification efforts
and research of John Greenewald, Jr., creator of:

The Black Vault



The Black Vault is the largest online Freedom of Information Act (FOIA) document clearinghouse in the world. The research efforts here are responsible for the declassification of hundreds of thousands of pages released by the U.S. Government & Military.

Discover the Truth at: **http://www.theblackvault.com**

Michael G. Seidel
Section Chief
Record/Information Dissemination Section
Information Management Division

Enclosures

FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum provides information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes standard responses that apply to requests for records about individuals to the extent your request seeks the listed information. Part 3 includes general information about FBI records, searches, and programs.

Part 1: The standard responses below apply to all requests:

(i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIPA [5 U.S.C. § 552(c)]. FBI responses are limited to those records subject to the requirements of the FOIPA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.

(ii) **Intelligence Records**. To the extent your request seeks records of intelligence sources, methods, or activities, the FBI can neither confirm nor deny the existence of records pursuant to FOIA exemptions (b)(1), (b)(3), and as applicable to requests for records about individuals, PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that any such records do or do not exist.

Part 2: The standard responses below apply to all requests for records on individuals:

(i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.

(ii) **Requests for Records about any Individual—Witness Security Program Records.** The FBI can neither confirm nor deny the existence of records which could identify any participant in the Witness Security Program pursuant to FOIA exemption (b)(3) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(3), 18 U.S.C. 3521, and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

(iii) **Requests for Confidential Informant Records.** The FBI can neither confirm nor deny the existence of confidential informant records pursuant to FOIA exemptions (b)(7)(D), (b)(7)(E), and (b)(7)(F) [5 U.S.C.§ § 552 (b)(7)(D), (b)(7)(E), and (b)(7)(F)] and Privacy Act exemption (j)(2) [5 U.S.C.§ 552a (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records would reveal confidential informant identities and information, expose law enforcement techniques, and endanger the life or physical safety of individuals. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

(i) **Record Searches and Standard Search Policy.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching systems, such as the Central Records System (CRS), or locations where responsive records would reasonably be found. The CRS is an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled by the FBI per its law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization, comprising records of FBI Headquarters, FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide; Electronic Surveillance (ELSUR) records are included in the CRS. The standard search policy is a search for main entity records in the CRS. Unless specifically requested, a standard search does not include a search for reference entity records, administrative records of previous FOIPA requests, or civil litigation files.

a. *Main Entity Records* – created for individuals or non-individuals who are the subjects or the focus of an investigation
b. *Reference Entity Records*- created for individuals or non-individuals who are associated with a case but are not known subjects or the focus of an investigation

(ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.

(iii) **Foreseeable Harm Standard.** As amended in 2016, the Freedom of Information Act provides that a federal agency may withhold responsive records only if: (1) the agency reasonably foresees that disclosure would harm an interest protected by one of the nine exemptions that FOIA enumerates, or (2) disclosure is prohibited by law (5 United States Code, Section 552(a)(8)(A)(i)). The FBI considers this foreseeable harm standard in the processing of its requests.

(iv) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheet. These criminal history records are not the same as material in an investigative "FBI file." An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

(b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;

(b)(2) related solely to the internal personnel rules and practices of an agency;

(b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;

(b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;

(b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or

(b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

(d)(5) information compiled in reasonable anticipation of a civil action proceeding;

(j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;

(k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;

(k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;

(k)(4) required by statute to be maintained and used solely as statistical records;

(k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;

(k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1374160-000

Total Deleted Page(s) = 17
Page 21 ~ b5;
Page 22 ~ b5;
Page 374 ~ b6; b7C;
Page 415 ~ b7E;
Page 416 ~ b7E;
Page 417 ~ b7E;
Page 418 ~ b7E;
Page 419 ~ b7E;
Page 420 ~ b7E;
Page 468 ~ Referral/Consult;
Page 469 ~ Referral/Consult;
Page 470 ~ Referral/Consult;
Page 471 ~ Referral/Consult;
Page 472 ~ Referral/Consult;
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Page 475 ~ Referral/Consult;

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Monday, April 10, 2017 3:11 PM
To:	James B. Comey; McCabe, Andrew G. (DO) (FBI); Bowdich, David L. (DO) (FBI); Baker, James A. (OGC) (FBI)
Subject:	WP: Sessions orders Justice Dept. to end forensic science commission, suspend review policy

Sessions orders Justice Dept. to end forensic science commission, suspend review policy

By Spencer S. Hsu

April 10 at 1:57 PM

Attorney General Jeff Sessions will end a Justice Department partnership with independent scientists to raise forensic science standards and has suspended an expanded review of FBI testimony across several techniques that have come under question, saying a new strategy will be set by an in-house team of law enforcement advisers.

In a statement Monday, Sessions said he would not renew the National Commission on Forensic Science, a roughly 30-member advisory panel of scientists, judges, crime lab leaders, prosecutors and defense lawyers chartered by the Obama administration in 2013.

A path to meet needs of overburdened crime labs will be set by a yet-to-be named senior forensic adviser and an internal department crime task force, Sessions's statement said.

The announcement came as the commission began its last, two-day meeting before its term ends April 23, and as some of its most far-reaching final recommendations remained hanging before the department.

Justice officials said, for example, that no decision has been made on a call for new, departmentwide standards for examining and reporting forensic evidence in criminal courts across the country. But the department has decided to suspend work on setting uniform standards for forensic testimony.

[U.S. to commit scientists and new commission to fix forensic science]

Sessions in his statement said the shifts were intended to build on the commission's work while also weighing other approaches to assessing forensic science findings now central to many crime investigations and court proceedings.

“The availability of prompt and accurate forensic science analysis to our law enforcement officers and prosecutors is critical to integrity in law enforcement, reducing violent crime, and increasing public safety,” Sessions said in the statement. “We applaud the professionalism of the National Commission on Forensic Science and look forward to building on the contributions it has made in this crucial field.”

The action marked the latest break by Sessions, a former federal prosecutor, with Obama-era priorities. The former Alabama senator last week announced top aides will review agreements reached with troubled police forces nationwide to ensure the pacts to overhaul departments do not counter the Trump administration's goals of combating violent crime and promoting police safety and morale.

Obama, a constitutional law scholar, had championed changes to forensic science.

Attorney General Jeff Sessions has been implementing big changes at the Justice Department. Here's what you need to know about the former senator and early President Trump supporter. (Thomas Johnson/The Washington Post)

In September, a White House science panel called on courts to question the admissibility of four heavily used techniques, including firearms tracing, saying claims about their reliability had not been scientifically proven. The Justice Department last year also announced a wider review of testimony by experts across several disciplines after finding that nearly all FBI experts for years overstated and gave scientifically misleading testimony about two techniques the FBI Laboratory long championed: the tracing of crime scene hairs based on microscopic examinations and of bullets based on chemical composition.

The wider review has been suspended pending review by the incoming administration and a strategy to be devised by the internal task force with input through public comments, Office of Legal Policy senior counsel Kira Antell said at the start of Monday's commission meeting in Washington.

“We plan to consider all options,” Associate Deputy Attorney General Andrew D. Goldsmith said, including using a different commission, a Justice Department office or a group composed of representatives from many agencies. Sessions has made clear that “good forensics is not only important because it enables us to convict the guilty, but also to clear the innocent” and prioritized “prompt access to high-quality forensics technology” to reduce “troubling” crime lab backlogs, Goldsmith told commissioners.

In his statement about the future of forensic sciences, Sessions highlighted the need to survey crime lab workloads, backlogs and equipment needs as a way to increase the labs' capacities to do work, and the need for reliability and “specificity” of results.

Even before the announcement not to renew the national commission, several commission members from outside the Justice Department warned against ending its work, saying the Trump administration has made several moves to reduce the role of science and independent scientists in policymaking.

[Scientists are conspicuously missing from Trump's government]

In a letter Thursday, six leading research scientists on the panel urged re-upping the commission for another two-years saying “for too long, decisions regarding forensic science have been made without the input of the research science community.”

“Limiting the ‘relevant scientific community' to forensic practitioners is a disservice to that field and to the criminal justice system,” they wrote, led by Thomas D. Albright, an internationally recognized neuroscientist specializing in vision and the brain at the Salk Institute for Biological Studies.

[Read letter from scientists here]

The full commission declined to recommend its renewal, on a 16 to 15 vote in January, the Justice officials noted.

The commission jointly led by the Justice Department and the Commerce Department's National Institute of Standards and Technology or NIST, has prompted several changes.

Following one recommendation, NIST launched a $20 million research effort to solidify understanding of whether techniques used more than 100,000 times a year in U.S. crime labs work as advertised — starting with the question of how often claimed matches of pattern-based evidence such as complex DNA profile mixtures may be in error, followed by studies of firearms and bitemark tracing.

Sessions's predecessor as attorney general, Loretta E. Lynch, also accepted commission recommendations to set new accrediting and ethical codes for forensic labs and practitioners.

Several commission members who have worked in criminal courts and supported the input of independent scientists said the department risks retreating into insularity and repeating past mistakes, saying that no matter how well-intentioned, prosecutors lack scientists' objectivity and training.

U.S. District Judge Jed S. Rakoff of New York, the only federal judge on the commission, said “it is unrealistic to expect that truly objective, scientifically sound standards for the use of forensic science … can be arrived at by entities centered solely within the Department of Justice.”

In suspending reviews of past testimony and the development of standards for future reporting, “the department has literally decided to suspend the truth,” said Peter S. Neufeld, co-founder of the Innocence Project, which has reported that nearly half of 349 DNA exonerations involved misapplications of forensic science. “As a consequence innocent people will languish in prison or, God forbid, could be executed,” he said.

However, the National District Attorneys Association, which represents prosecutors, applauded the end of the commission and called for it to be replaced by an Office of Forensic Science inside the Justice Department. Disagreements between crime lab practitioners and defense community representatives on the commission had reduced it to “a think tank,” yielding few accomplishments and wasted tax dollars, the association said.

The commission was created following critical reports by the National Academy of Sciences about a dearth of standards and funding for crime labs, examiners and researchers, problems it partly traced to law enforcement control over the system.

Although examiners had long claimed to be able to match pattern evidence — such as with firearms or bitemarks — to a source with “absolute” or “scientific” certainty, only DNA analysis had been validated through statistical research, scientists reported.

In one case, the FBI lab in 2005 abandoned its four-decade-long practice of tracing bullets to a specific manufacturer's batch through chemical analyses after its method were scientifically debunked. In 2015, the department and bureau reported that nearly every examiner in an elite hair analysis unit gave scientifically flawed or overstated testimony in 90 percent of cases for two decades before 2000.

The cases include 32 defendants sentenced to death. Of those, 14 have been executed or died in prison.

Separately on Monday, the national commission heard from Keith Harward, an ex-Navy sailor exonerated last year after serving 33 years of a life sentence for rape and murder in Newport News, Va. Harward was convicted after six separate experts including a leader in the field concurred that bite marks on a victim

matched his teeth to a “medical certainty.” DNA testing identified a different sailor as the true, lone, perpetrator. No court in the United States has barred bite mark evidence, despite 21 known wrongful convictions, a proposed moratorium in Texas and research showing that experts cannot consistently agree even on whether injuries are caused by human teeth.

The Justice Department and commission's moves have had impact.

FBI Director James B. Comey last year asked U.S. governors to ask state and local crime labs to review their hair comparison cases, and reviews of past convictions are underway in at least a dozen states, according to the National Association of Criminal Defense Lawyers.

“We want to make sure there aren't other innocent people in jail based on our work,” Comey wrote in a June letter. “Unfortunately, in a large number of cases, our examiners made statements that went too far in explaining the significance of a hair comparison and could have misled a jury or judge.”

In backing the expanded Justice Department testimony review, then-deputy attorney general Sally Yates said last February that its goal was to determine whether “the same kind of ‘testimonial overstatement' … could have crept into other disciplines.”

“The authority afforded to scientific experts is second to none, and we must make sure that our statements are clearly supported by sound science,” Yates said.

In another example, the Defense Forensic Science Center, formerly called the U.S. Army Criminal Investigation Laboratory, has funded new research establishing error rates for firearms tracking and last month announced it would begin reporting fingerprint results using statistical probabilities instead of declaring one-to-one matches to individuals, a departure from FBI practice.

Read more:

Judge orders D.C. to pay $13.2 million in wrongful FBI hair conviction case

James B. Comey

From: James B. Comey
Sent: Tuesday, July 5, 2016 5:11 PM
To: [redacted] (DO) (FBI)
Cc: Kortan, Michael P. (DO) (FBI); Quinn, Richard P. (DO) (FBI); Rybicki, James E. (DO) (FBI); Burton, Dawn (DO) (FBI); [redacted] (DO) (FBI); [redacted] (DO) (FBI) b6 b7C
Subject: RE: Monday coverage

Thanks man.

-------- Original message --------
From: [redacted] (DO) (FBI)" [redacted] b6 b7C b7E
Date: 07/05/2016 4:06 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Cc: "Kortan, Michael P. (DO) (FBI)" [redacted], "Quinn, Richard P. (DO) (FBI)" [redacted], "Rybicki, James E. (DO) (FBI)" [redacted], "Burton, Dawn (DO) (FBI)" [redacted], [redacted] (DO) (FBI)" [redacted], [redacted] (DO) (FBI)" [redacted]
Subject: Monday coverage

Sir, Please see the coverage from today's major news outlets. I have not included an analysis of twitter coverage, as it would be impossible to ascertain any useable takeaway. However, much of the main stream coverage is centered around two themes: No charges, but Comey called her "extremely careless." The lead paragraphs in virtually all of the stories we've found today contain the same themes in the first graphs. The coverage, as of late this afternoon, is below. Please let me know if you have any questions. I will send another update tonight as coverage warrants.

1) ***Washington Post***: FBI Recommends No Criminal Charges in Clinton Email Probe

FBI Director James B. Comey said Tuesday that his agency will not recommend criminal charges against Hillary Clinton for her use of a private email server as secretary of state but called Clinton and her staff "extremely careless" in handling sensitive material. The announcement means that Clinton will not have to fear criminal, legal liability as her campaign moves forward, though Comey leveled sharp criticism at the past email practices of the presumptive Democratic presidential nominee and called into question

many of the defenses she has raised in recent weeks.

2) ***NY Times***: FBI Recommends No Charges For Clinton

WASHINGTON — The F.B.I. director, James B. Comey, said on Tuesday that the bureau would not recommend criminal charges in Hillary Clinton's handling of classified information, lifting an enormous legal cloud from her presidential campaign, hours before her first joint campaign appearance with President Obama. But Mr. Comey rebuked Mrs. Clinton as being "extremely careless" in using a personal email address and server for sensitive information, declaring that an ordinary government official could have faced administrative sanction for such conduct.

3) ***NY Times*** (Sidebar Story): James Comey's Rebuke of Hillary Clinton Fits a 3-Decade Pattern

For 15 minutes on Tuesday morning, as the political world held its breath, the F.B.I. director, James B. Comey, laid out in clinical detail how the Democratic candidate for president had misused her private email account. He did not announce until the very end of his statement that he was recommending that Hillary Clinton, who could be his boss if she is elected in November, should not be subject to criminal charges. To those who know Mr. Comey, it was a classic performance. Throughout his three decades as a law enforcement official, Mr. Comey, 55, has refused to shy away from thorny issues, often clashing with White House and Justice Department officials about some of the most high profile national security matters.

4) ***WSJ:*** FBI Won't Recommend Criminal Charges Against Hillary Clinton (Paywall)

FBI Director James Comey said Tuesday that Hillary Clinton was "extremely careless" in handling classified information while secretary of state and added scores of emails on her personal server contained highly classified information—but he said the FBI won't recommend criminal charges against the presumptive Democratic presidential nominee.

5) ***WSJ*** (outside analysis) Takeaways from the FBI Director's Statement on Hillary Clinton's Use of Private Email

The good news for Democrats in FBI Director James Comey's statement Tuesday is that he isn't recommending criminal charges in the Hillary Clinton email saga. That said, this issue isn't going away anytime soon. Any Democrats who think the Clinton folks can now put this behind them need to get their heads examined. I am reasonably confident that, as I type this, the Republican National Committee and GOP super PACs are cutting ads based on Mr. Comey's remarks to the media–particularly the part when he said that the FBI investigation into the former secretary of state's use of private email found that Mrs. Clinton and her colleagues were "extremely careless in their handling of very sensitive, highly classified information." The next big gem for Republicans? Mr. Comey's suggestion that "hostile actors" probably gained access to Mrs. Clinton's

personal e-mail account.

6) ***AP***: No Charges Recommended in Clinton Email Probe, FBI Says

WASHINGTON (AP) — The FBI won't recommend criminal charges against Hillary Clinton for her use of a private email server while secretary of state, agency Director James Comey said Tuesday, lifting a major legal threat to her presidential campaign. But Comey called her actions "extremely careless" and faulted the agency she led for a lackadaisical approach to handling classified material. Comey's decision almost certainly brings the legal part of the issue to a close and removes the threat of criminal charges. Attorney General Loretta Lynch said last week that she would accept the recommendations of the FBI director and of career prosecutors.

7) ***LA Times***: FBI Recommends No Prosecution in Hillary Clinton Email Case

The FBI is recommending that no charges be brought against Hillary Clinton in connection with her email use while secretary of State, FBI Director James Comey said Tuesday. “No reasonable prosecutor” would bring such a case, Comey said. Although the FBI is not recommending charges, the FBI director did strongly criticize Clinton’s handling of classified information in her email, calling it “extremely careless.”

8) ***LA Times***/Analysis: Email Issue to Linger with Clinton Until Election Day

For months, Hillary Clinton’s foes — Republican and Democrat alike — hung their hopes on the prospect she would be indicted for using an unsecured home server to handle her emails as secretary of State. The threat was cited by backers of Donald Trump as a response to his myriad and many stumbles; however poorly he performed or whatever discouraging news turned up in opinion surveys, they suggested, a criminally charged Clinton would be in even worse political shape come November.

9) NPR: FBI Recommends No charges for Hillary Clinton in Email Server Case

Hillary Clinton and her staff were "extremely careless" in handling classified data over a private email server while she was secretary of state, FBI Director James Comey said Tuesday — but the FBI is recommending that no charges be brought against her. Comey said his agency found more than a hundred emails that contained information that was classified at the time they were sent and received — emails that should not have been on "any kind of unclassified system," Comey said. He also said the FBI considered it possible that Clinton's email domain had been hacked by a "hostile actor."

10) NBC News: FBI Recommends No Criminal Charges Against Hillary Clinton

Hillary Clinton was careless when she used a personal email server during her tenure in the State Department — but there is no evidence she committed a crime, the FBI chief announced Tuesday. The FBI "did not find clear evidence that Secretary Clinton or her colleagues intended to violate laws governing the handling of classified information," James Comey said. But "there is evidence that they were extremely careless in their handling of very sensitive, highly classified information. Although there is evidence of potential violations of the statutes regarding the handling of classified information, our judgment is that no reasonable prosecutor would bring such a case," Comey said.

11) CNN: FBI Director: Clinton "Extremely Careless," But No Charges Recommended

FBI Director James Comey said Tuesday that he would not recommend charges against Hillary Clinton over her use of private email servers while secretary of state, removing a huge shadow hovering over her presidential campaign. But Comey administered an extraordinary tongue-lashing to Clinton and her aides, rebuking them for being "extremely careless" in the handling of classified information and saying the presumptive Democratic nominee should have known an unclassified email system was no place to conduct sensitive government business.

12) ABC News: FBI Probe Contradicts Clinton's Claim She Never Sent Classified Emails

Today's bombshell announcement from FBI Director James Comey regarding Hillary Clinton's use of a private email server underscores discrepancies between what the agency found in its yearlong investigation and what Clinton has publicly said about her email use. Even though the FBI said it "cannot find a case that would support bringing criminal charges," there were several areas where Comey made it clear that Clinton and her team mishandled her email.

13) CBS News: FBI: No Charges Against Hillary Clinton Are Appropriate for Email Server Use

The Federal Bureau of Investigation (FBI) is recommending to the Justice Department that no charges should be brought against Hillary Clinton for her use of private email servers as secretary of state, FBI Director James Comey announced Tuesday. "Our judgment is that no reasonable prosecutor would bring such a case," Comey said after detailing the FBI's findings in its investigation of Clinton's use of personal email servers.

"No charges are appropriate in this case." Comey announced that the FBI has completed its investigation of Clinton's use of a personal email server and is now referring the matter to the Justice Department to decide whether to prosecute. Comey made clear he didn't coordinate his statement with the Justice Department or any other part of the government.

James B. Comey

From:	James B. Comey
Sent:	Monday, September 12, 2016 2:37 PM
To:	Kortan, Michael P. (DO) (FBI); Rybicki, James E. (DO) (FBI); Burton, Dawn (DO) (FBI)
Subject:	RE: THE 2016 'POLITICO 50' UNVEILED TODAY

Thanks. Important not to put too much stock in either being called a hero or a goat; assessments will change with personal preferences of the assessors.

From: Kortan, Michael P. (DO) (FBI)
Sent: Monday, September 12, 2016 10:51 AM
To: James B. Comey [redacted]; Rybicki, James E. (DO) (FBI) [redacted]; Burton, Dawn (DO) (FBI) [redacted] b7E
Subject: FW: THE 2016 'POLITICO 50' UNVEILED TODAY

One day later you're a hero with Politico.....

From: [redacted] [mailto:booking@politico.com] b6 b7C b7E
Sent: Monday, September 12, 2016 8:42 AM
To: Kortan, Michael P. (DO) (FBI) [redacted]
Subject: THE 2016 'POLITICO 50' UNVEILED TODAY

FOR IMMEDIATE RELEASE
September 2016



THE 2016 POLITICO 50 UNVEILED TODAY

Ted Cruz and Bernie Sanders Top POLITICO's 3rd Annual List

"Do ideas still matter in the year of Donald Trump?" That's the question POLITICO Magazine grapples with in our third annual POLITICO 50 list of thinkers and doers changing American politics in 2016- and the answer we offer is a resounding yes.

In the midst of an often bizarre and sometimes downright depressing election, this list represents something altogether surprising: a collection of people who, no matter their widely divergent views, offer powerful examples of how and why ideas continue to make a difference in politics and policy. For our number one spot on this campaign-year edition of the list, we've chosen an unlikely pairing of ideological opposites: U.S. Senators **Ted Cruz** and **Bernie Sanders**, who most

powerfully used the platform of a presidential race to remind America that actual ideas, shouted clearly, over and over, can build movements.

SEE THE FULL LIST:

http://politi.co/1KcgGfH

From U.S. Senators **Ted Cruz** and **Bernie Sanders** leading ideological movements- to Speaker **Paul Ryan** working to prove the GOP is still a party of ideas- to former Fox News host **Gretchen Carlson** holding TV news and her employer accountable- to **DeRay Mckesson** and **Brittany Packnett** leading the Black Lives Matter movement- to FBI Director **James Comey** being a straight shooter in a town that needs them - to Medium Founder and CEO **Evan Williams** cutting out the media middleman- to Hamilton composer, lyricist, and actor **Lin-Manuel Miranda** showing us how rap can rewrite history- the people on this year's POLITICO 50 list are transforming American politics.

Special Features from the POLITICO 50 Issue:

"Do Ideas Still Matter In the Year of Trump?"- Let's face the facts: 2016 has not been about ideas. Where will it leave the two parties when it comes to big ideas in politics? Michael Grunwald explores if ideas will ever shape our politics again. http://politi.co/2c979tO

What's Wrong With America's White People?- POLITICO's Susan B. Glasser and Glenn Thrush moderate an expert discussion on the question: Do poor white Americans suddenly feel more disgruntled than ever, or are the rest of us just now paying attention? Featuring POLITICO 50 members Carol Anderson, Anne Case, Angus Deaton, Nancy Isenberg and J.D. Vance. http://politi.co/2cawimQ

Trump Before Trump - If you're looking for an intellectual antecedent for Donald Trump, Pat Buchanan (No. 7 on our list) and his populist "America First" campaigns are a good place to start, says Jeff Greenfield. http://politi.co/2c8IFB3

Yes, Immigration Hurts American Workers- George Borjas (No. 17) says the problem with the current immigration debate is that neither side is revealing the whole picture. Trump overlooks that an influx of immigrants can potentially be a net good for the nation. Clinton ignores the hard truth that not everyone benefits when immigrants arrive. http://politi.co/2c9501e

How the Democrats Lost Touch on Trade - One of the most startling developments of this most peculiar campaign season has been the emergence of trade as an electrifying political issue. Author Thomas Frank (No. 15) explains how the American public grew furious over trade deals beloved by the political class. http://politi.co/2c94AYU

Conservatives Don't Own the GOP- To put it mildly, this election cycle has revealed serious fault lines and weaknesses on the right, and the Republican Party will be working to make sense of it all for years. Yuval Levin (No. 27) explores how conservatives lost Republican voters and how to win them back. http://politi.co/2cJ0Y3E

What's With Hillary Clinton's Woman Problem? - Does Hillary Clinton have a woman problem? With only a couple of months until a November election that could put the first woman in the White House, the answer, amazingly enough, is yes. Jill Filipovic explores why young female voters are wary of Clinton, and why feminists like Gloria Steinem, Madeleine Albright and Lena Dunham (No. 22) are still fighting for gender solidarity in the campaign. http://politi.co/2ca9ELh

Black Lives Matter Isn't Just a Hashtag Anymore - Activist Brittany Packnett (No. 3) writes about what happened when the Black Lives Matter movement met the cold realities of politics, and the challenge of bringing a spirit of protest to the realm of policy. http://politi.co/2c968SC

What Everyone Still Doesn't Get About the Islamic State - Journalist Rukmini Callimachi (No. 30) has become an indispensable guide to understanding the Islamic State, and cutting through the fog of misinformation from politicians. Reporter Graeme Wood talks with Callimachi about what it's like to try to penetrate one of the world's most dangerous and shadowy organizations-and what we're still getting wrong. http://politi.co/2caaMi8

American Growth Has Slowed Down. Get Used to It. - Growth has been our American mantra, but it might just prove to be an elusive slogan. Economist Robert J. Gordon (No. 16) says to beware of politicians bearing promises of a return to a vanished past. http://politi.co/2cmbNYR

The POLITICO 50 Reading List - What are the smartest minds in politics reading? We asked the members of The POLITICO 50 list to name the best books they've read this year. Here are their answers. http://politi.co/2cJia9h

POLITICO 50 Survey- What does our POLITICO 50 list think of Hillary Clinton vs. Donald Trump, President Obama's unfinished business and the biggest policy fights on deck for 2017? We asked. http://politi.co/2cmeFoT

###

Media Contact: [redacted]

b6
b7C

POLITICO, 1100 Wilson Blvd, Arlington, VA 22209

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James B. Comey

From:	James B. Comey
Sent:	Wednesday, January 11, 2017 10:34 PM
To:	[redacted] (DO) (FBI)
Cc:	Burton, Dawn (DO) (FBI); Rybicki, James E. (DO) (FBI)

b6
b7C

Please note on today's calendar that I received a phone call from Reince Priebus at 1:30 and one from President Elect Trump at 5 pm.

Thanks

James B. Comey

From:	James B. Comey
Sent:	Tuesday, February 7, 2017 6:42 PM
To:	Burton, Dawn (DO) (FBI)
Subject:	RE: Encryption and Law Enforcement Working Group hosted by the MCCA and MCSA

Thanks.

-------- Original message --------
From: "Burton, Dawn (DO) (FBI)" [redacted] b6 b7C b7E
Date: 2/7/17 4:32 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Cc: "Rybicki, James E. (DO) (FBI)" [redacted], '[redacted]DO) (OGA)" [redacted]
Subject: Encryption and Law Enforcement Working Group hosted by the MCCA and MCSA

Boss - In anticipation of your remarks tomorrow at MCCA and MCSA, below are a few notes gathered from the meeting of the Encryption and Law Enforcement Working Group today. AD Sleeper and EAD Piehota participated in the morning session and STB staff remained through the day to capture the discussion. Please let us know if you would like additional information. Thanks, dawn.

- The Director of Government Affairs for MCSA suggested the organizations develop draft encryption legislation and asked if the FBI might be willing to provide legislative drafts to give them a starting point.

- Extensive discussion among participants about whether the political environment has changed given the new administration, particularly, the incoming AG.

- The Manhattan DA's office representatives indicated Cy Vance has spoken with President Trump and the President offered his support with regard to encryption matters (DA's office also provided WH a copy of their white paper at President's request)

Dawn M. Burton
Deputy Chief of Staff
Office of the Director
[redacted] b7E

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Saturday, March 18, 2017 11:20 AM
To:	James B. Comey; Burton, Dawn (DO) (FBI)
Subject:	Re: Roger's opening
Attachments:	03.20.17 Statement.docx

Current version attached. Changes are in different color fonts so it may not show up on your Samsung. Working on getting the DIRNSA statement on this system.

From: James B. Comey
Sent: Saturday, March 18, 2017 10:36 AM
To: Rybicki, James E. (DO) (FBI); Burton, Dawn (DO) (FBI)
Subject: Roger's opening

I can't seem to find it. Can you email a copy? And a copy of our final of mine a day my tweet answer. Gracias

James B. Comey

From:	James B. Comey
Sent:	Tuesday, May 2, 2017 6:30 PM
To:	Brower, Gregory (OGC) (FBI); Rybicki, James E. (DO) (FBI); Bowdich, David L. (DO) (FBI); McCabe, Andrew G. (DO) (FBI); Baker, James A. (OGC) (FBI); Burton, Dawn (DO) (FBI)
Subject:	RE: FYI...Late Breaking Input from SJC Members

I will need guidance on:

Hate crimes trends
Dakota pipeline surveillance issue

-

-------- Original message --------
From: "Brower, Gregory (OGC) (FBI)" <[redacted]>
Date: 5/2/17 6:14 PM (GMT-05:00)
To: "James B. Comey" <[redacted]>, "Rybicki, James E. (DO) (FBI)" <[redacted]>, b7E
"Bowdich, David L. (DO) (FBI)" [redacted], "McCabe, Andrew G. (DO) (FBI)"
<[redacted]>, "Baker, James A. (OGC) (FBI)" [redacted], "Burton, Dawn (DO) (FBI)"
[redacted]
Subject: FYI...Late Breaking Input from SJC Members

Whitehouse -- Russia, Cyber (Chinese IP theft), "Climate Denying" investigation

Franken -- Hate crimes, FBI role in Dakota Access pipeline protester surveillance, facial recognition technology (accuracy? Plans for use?)

Klobuchar -- Russia, cyber threats to elections, hate crimes (why surge? FBI cooperation with state/locals?), sex trafficking

McCabe, Andrew G. (DO) (FBI)

From:	McCabe, Andrew G. (DO) (FBI)
Sent:	Tuesday, May 2, 2017 6:37 PM
To:	James B. Comey; Brower, Gregory (OGC) (FBI); Rybicki, James E. (DO) (FBI); Bowdich, David L. (DO) (FBI); Baker, James A. (OGC) (FBI); Burton, Dawn (DO) (FBI); Abbate, Paul M. (DO) (FBI)
Subject:	RE: FYI...Late Breaking Input from SJC Members

Paul:

I think both of the below are in your lane. The D will need a quick hit on these in the morning.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

From: James B. Comey
Sent: Tuesday, May 02, 2017 6:30 PM
To: Brower, Gregory (OGC) (FBI) [redacted]; Rybicki, James E. (DO) (FBI) [redacted]; Bowdich, David L. (DO) (FBI) [redacted]; McCabe, Andrew G. (DO) (FBI) [redacted]; Baker, James A. (OGC) (FBI) [redacted]; Burton, Dawn (DO) (FBI) [redacted] b7E
Subject: RE: FYI...Late Breaking Input from SJC Members

I will need guidance on:

Hate crimes trends
Dakota pipeline surveillance issue

-

-------- Original message --------
From: "Brower, Gregory (OGC) (FBI)" [redacted]
Date: 5/2/17 6:14 PM (GMT-05:00)
To: "James B. Comey" [redacted], "Rybicki, James E. (DO) (FBI)" [redacted], "Bowdich, David L. (DO) (FBI)" [redacted], "McCabe, Andrew G. (DO) (FBI)" [redacted], "Baker, James A. (OGC) (FBI)" [redacted], "Burton, Dawn (DO) (FBI)" [redacted] b7E
Subject: FYI...Late Breaking Input from SJC Members

Whitehouse -- Russia, Cyber (Chinese IP theft), "Climate Denying" investigation

Franken -- Hate crimes, FBI role in Dakota Access pipeline protester surveillance, facial recognition technology (accuracy? Plans

for use?)

Klobuchar -- Russia, cyber threats to elections, hate crimes (why surge? FBI cooperation with state/locals?), sex trafficking

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Monday, May 16, 2016 1:26 PM
To:	James B. Comey
Subject:	Transcript

Director Comey Remarks During May 11 'Pen and Pad' Briefing with Reporters
https://www.fbi.gov/news/pressrel/press-releases/director-comey-remarks-during-may-11-pen-and-pad-with-reporters

Washington, D.C.
May 14, 2016

FBI National Press Office
(202) 324-3691

Director Comey: I'm not here, by the way, to talk about any pending investigation. To and including the investigation in connection with Secretary Clinton's use of a private e-mail server. You're welcome to ask me about that, but I promise you you're going to get the same answer which is that I'm not going to talk pending investigation. That I remain close to that investigation, to ensure that it's done well and has the resources that are needed.

As I've told you all before my goal in any investigation is to do it well and do it promptly. Especially investigations of intense public interest. All that remains true. It remains under investigation, and I have nothing else to say about that.

I actually came this morning from ... We did our memorial service 'cause police week is kicking off. It's always a good event for us, but always heartbreaking to see the families of people. One of the special agents who was killed in a terrible cold case [squad] shooting at [Washington], here in DC. One of the kids work for us, which is a wonderful thing.

The only thing else I wanted to hit at the outset with you is, I also got a briefing this morning on the quarterly stats for homicide, in the nation's largest cities. I've talked to you about this before and I was very worried about last fall. I am in many ways more worried, 'cause the numbers are not only going up they're continuing to go up in most of those cities faster than they were going up last year. I worry very much, it's a problem that most of American can drive around. From the Las Vegas trip you can't tell that more than 60 people have been murdered in Las Vegas this year. From the miracle mile in Chicago you can't hear the sounds of gunshots that have killed over 200 people so far this year. Lots of other cities, as I've said most of them ... I think it was 42 or 3 I got briefed on. Most of them have seen an increase. It's again, happening in certain parts of the cities. The people dying are almost entirely Black and Latino men. We can't drive around that problem.

I raise it with you all because I hope it's being reported on at local levels, but in my view, it's not in the attention of the national level it deserves. I don't know what the answer is, but holy cow do we have a

problem. Obviously I continue to believe it's really important that law enforcement and communities, especially communities of color, continue to talk to each other. The bureau's still trying to be a part of that drive and that conversation. Mike has arranged for me to go down to the 16th street Baptist church in Birmingham, week after next, as part of trying to continue that conversation. Especially about race and law enforcement. I'm sure some of you will hear about that when I do it.

That's it. Now I'll be quiet. We'll try to do our usual organized way. I usually begin at my left hand.

Pete: On Apple, two questions if I may. First of all, was your on the spot math in London correct? Was it in fact 1.3 million or whatever we all figured out it was?

Director Comey: Mike loved that I was just winging that.

Pete: Secondly, with the two cases having collapsed for obvious reasons, aren't we left with a court order in Brooklyn that says that Apple doesn't have to respond to an All Writs act order? Is that where we still are? That Apple is not responding to All Writs act orders in the Federal Government?

Director Comey: First, I'm not going to get into ... I probably shouldn't have been cute trying to estimate for you how much it costs. It costs a lot of money. My wife discovered that many of you misreported my salary, which is $178,100.00. She wanted to know where the extra 4 grand was. It cost a lot of money. In my view it was well worth it.

So to your answer your question Pete, about the cases. Yeah, there is a court order that's not been vacated. The decision by the Magistracy Judge in Brooklyn, that I'm sure will be cited and discussed, certainly in cases if there are future cases in that jurisdiction. I have no doubt elsewhere. As I've said many times before, the San Bernardino case was about that phone.

Given the prevalence of devices that we can't unlock, in law enforcement investigations, I'm sure there's going to be other court cases. We're collecting data on ours. I think Amy has testified to this, first six months of this fiscal year, the number's about 4000 devices were examined by FBI experts. About 500 of 'em could not be unlocked. I expect that number just to grow as the prevalence of this technology grows with new models. We got to continue to grapple with this as a country. I'm sure there will be cases and cases where that decision will be a feature. I've said before, I think litigation is a poor place to try to resolve issues that involve values we all hold dear. In individual investigations, I'm highly confident that prosecutors are going to pursue court orders to try to get into devices, where they have a search warrant.

Pete: Can I just follow up on that and ask you? We understand why you wanted to get on the phone in San Bernardino, you've made that quite clear that you didn't think the investigation wouldn't be thorough without doing so. Having done that now, did you find any breakthrough evidence in it?

Director Comey: I'm not going to say. Even in hindsight I'm very glad we got into the phone. It was important.

[Shall I] give you a pen?

Speaker 3: Just piggy backing what Pete was asking, have you had to use that same tool that you used to get into the San Bernardino phone and other phones yet?

Director Comey: I don't think we have yet. We're trying to figure out a mechanism where we can use the tool to help in other investigations. Again, it's a narrow thing which is a 5C operating at on iOS 9 system.

We're trying to figure out how we can help state and local law enforcement, if they have a court order. How we can do that and still maintain the viability of the tool. That work is underway right now. I expect in the near future we'll have figured out how we're going to do it.

Then we'll tell local law enforcement, “If you send us a phone here are the rules”. Look, I want to make sure that if there are ways to use it in appropriate cases we do, but I don't think we've used it yet.

Speaker 4: In [inaudible]. Two very good questions. In terms of the basic narrative of San Bernardino. Is that still as you described it earlier a no information about direction from overseas, control from overseas, but simply inspired by [inaudible]?

Director Comey: Right. Nothing's changing in our assessment of it.

Speaker 4: Then, on the issue of the violence. Why do you think that this story hasn't gotten as much attention? Does the country truly understand the impact of what I call chronic plague play where you literally have hundreds of people being shot and killed in greater numbers maimed [inaudible].

Director Comey: I don't know. The answer to the first part of the question. The second part of the question is, I think because it hasn't been talked about on the national level a whole lot. I'm sure people don't fully appreciate what's going on. As I've said, there's been lots of local conversations and reporting. Chicago's has a ton of it. Chicago has generated some national attention, but I don't think there's been a whole lot of reporting looking at ‘What's going on?' and ‘Why does Dallas see a dramatic spike and Houston doesn't?'.

Remember I talked to you all about, last fall, the map in the calendar makes no sense. It's a complicated hard issue but the stakes couldn't be higher. A whole lot of people are dying, and I don't want to drive around it.

Sorry, go ahead.

Speaker 4: Can you elaborate please, on the public statement from Amy Hess a couple weeks ago about the VEP? I think you've heard some rumblings from the technologist community about how is it possible for the bureau to spend a lot of money on this device, this tool and not fully grasp the mechanics of how it works? Can you elaborate on how that's possible and why that decision was made in this particular situation?

Director Comey: Sure. Sometimes you can buy a tool that helps you accomplish something. Sometimes you can buy the guts of the tool, right? The software behind it, the code behind it. There's a difference between those two things. Our goal, I know you've all heard me say this many times, the goal in San Bernardino was to investigate the case and get into that phone. We bought what was necessary to get into that phone. We tried not to spend more money than we needed to spend, but we spent the money we needed to to get into that phone. We did not in any form or fashion, structure the transaction of the thing with an eye towards avoiding the VEP. I would be shocked if anybody even thought about the VEP or the VEP at the time this was going on. We bought what we needed to buy, to get into the phone.

Speaker 4: Why isn't it important to understand the certain mechanics and the basics of how it gets you into the phone, just for potential future purpose?

Director Comey: Why is it important?

Speaker 4: Why isn't it important? It seems like that might be desirable to know how it works from start to finish.

Director Comey: I suppose it could be, but it might cost you a whole lot money. If your interest is in investigating a particular terrorist attack [inaudible] phone, I don't know why you would spend that dough. The bureau is not in the interest of trying to purchase all kinds of vulnerabilities. We're in the business of trying to investigate cases in any way.

I was over here and now I'll go back across.

Speaker 3: Perfect set up. Thank you Eric. I wanted to ask a question right off the bat.

Given that some of the tech policy experts are saying that if you don't disclose the vulnerability to the software maker, that increases the security risks for consumers, companies, anyone who might be using the phone or running the software on their computers. Should there be a policy ... Do you think it would be wise, from a policy perspective to say, "When you are purchasing exploits you should at the same time try to get as much information about the underlying vulnerability? Make sure you have the technical details on the underlying vulnerability so that you can at least submit it to the VEP, so they can make a decision about the disclosure?". For the purposes of weighing security risks versus law enforcement equities.

Director Comey: I don't know. I don't think I've thought about that long enough to give you an intelligent answer. Among the things I'd want to ask, if folks were chewing on it as a policy matter is, if you can get it for free, okay. What if you have to spend multiples of the poor director's salary to get that? I just haven't thought about it well enough. It was not a consideration here. The goal was to get a tool to get us into the phone.

Speaker 3: Do you think you would have to spend much more money, in this case, to get that information from the-

Director Comey: I don't know. My guess is we'd have to spend more, but I don't know. I don't know whether that was even part of the conversations with the private party. Again, our goal was, "You have a tool that you demonstrated to us to get us into the phone, how much does that cost? How do we get that quickly so we can get into the phone?". I don't even know if it was a consideration. As far as the policy question, I haven't thought about that well enough to give you a good answer.

Eric: Two different issues, just following up on Peter on the rising bylaws. In the last year you linked that issue to police possibly backing off, the so called Ferguson effect . Now seeing the increase continue, you've got crosswise with the White House on this last year, do you stand by that? That it could be a Ferguson effect? What do you think now?

Director Comey: I resist the term Ferguson effect, because to me I think that is still what I'm talking about, the viral video effect and changes in the way police may be acting and in the way communities may be acting, in terms on how much information they share with police. Could well be at the heart of this, or could well be an important factor in this. The reason I resist Ferguson effect is Ferguson, at least to my recollection, wasn't about videos. I think it is the potential effect of marginal pullbacks by lots and lots of police officers that is changing some cities. I continue to hear that privately from-

Eric: Did you hear anything in the briefings [to] say that made you more convinced of that or more questioning of that?

Director Comey: No, I just continue to hear. I've heard it from the folks who briefed me. I've heard it lots in conversations, privately, with police leaders. That they perceive lots of places in the country, a change in

the way police are doing their work. As I said, and in the way communities are interacting with police. It's a perception, I don't know if it's true or not, that folks are less likely to tell police when they see things. There's a perception that police are less likely to do the marginal additional policing that's suppresses crime. The getting out of your car at 2 in the morning and saying to a group of guys, “What are you doing here?”. Instead doing your job, right? Responding to 911 calls, making arrests. What's continuing to be suggested to me in private is, there's lots of impacts to police departments at the margins and communities.

Again, I don't know for sure whether that's an answer. What I'm hopeful of and I've seen some signs of it is that academics will dive into this. The media will dive into this. Something has happened. Sometimes people say to me, “Wow, the increases of off of historic lows”. How does that make any of us feel any better, right? A whole lot of more people are dying this year, than last year. Last year, than the year before. I don't why for sure. [crosstalk]

Eric: I know you don't want to talk about the Hillary e-mails but I'm asking anyway.

Director Comey: [Are you ashamed?]

Eric: Yeah, I try not to. You've indicated publicly, in Niagara Falls and a few other places that you were going to finish this up on your own schedule. You were in no rush. The convention wasn't a factor, nothing else was a factor. Is there a concern in the director's office that this investigation is now the subject of so much scrutiny and speculation that you're affecting a presidential election, in a negative way?

Director Comey: All I would do Eric is repeat what I said before. In any investigation, especially one of intense public interest, and I felt this about San Bernardino. We want to do it well and we want to do it promptly. I feel pressured to do both of those things. What I said at some places, I don't tether to any particular external deadline. Look, I understand the interest in this particular investigation. I do feel the pressure to do it well and promptly. As between the two, we will always choose well. That's the same general answer I hope I've [been giving] before.

Speaker 6: Following up on the violent crime issue-

Director Comey: You screwed up my [bouncing].

Speaker 6: I'm sorry. I was curious, ‘cause the property crime was down according to some of the statistics, 4.2 percent. Is there a threat of over simplification in terms of blaming this on the viral video effect? If, when you're talking about the cities that are mostly responsible for the hike in homicides ... The hike in homicides, at least half are responsible or three cities are responsible for about half of that spike. Is there a way that there's an over simplification here? Given that we've seen a big drop in property crime numbers from last year.

Director Comey: I don't know. Anytime you talk about crime there's always a worry of over simplification. I'll say it again, I don't know what is driving this. It could be, it's simply a collection of individual factors in different cities. It's hard for me to believe that there isn't something broad that's affecting it. Maybe there could be. Maybe we're seeing a jump in homicide in different cities all over the country are driven by factors in those particular areas. Again, Chicago's had a huge increase. Again, when you see the numbers, I think you'll see a significant number of cities have seen a significant jump in their homicide rate. This quarter against last year, and last year was an increase. I don't know. There's always a danger of over simplification, these are really hard questions. Academics wrestle with it. I'm just urging, I think everybody's got to wrestle with it ‘cause something's going on. That's my message.

Speaker 7: If this really is trivial to viral video effect. What's the public policy solution there? Right? Private citizens have the right to report police officers operating in public?

Director Comey: Of course. There's nothing wrong with scrutiny. If that is a part of what's going on in these cities and I've said this publicly many times, it's incumbent upon leaders in the police organizations and in the communities to agree. We all want the same kind of policing. We want up close, respectful, appropriate policing. We want police officers to get out of their car, at midnight or 2 a.m., walk up to the 5 guys at the street corner and say, “Hey, do you guys live around here?”. Have a conversation with them up close. Everybody wants that. If there's something going on in the community where there's fewer and fewer of those conversations, leadership in the police needs to make sure that their officers understand that's what's expected. Leaders in the community need to say, “That's exactly what we want. We want you out of your cars talking to these people in an appropriate, respectful way”.

Sometimes what I've said I think has been misconstrued, I'm not against scrutiny of police, I think that's fabulous and has worked some important changes in the last couple years and I hope it continues to. What I'm worried about is, we all agree we want the same kind of policing, and if it's not happening we need to talk about why. That's it. I'm going to keep bouncing though, ‘cause I promise [inaudible].

Speaker 8: An issue related to that is the pledge to develop a database on police encounters with residents. Are you concerned that it's taking too long to get that up and going? The last we've heard that it's like a workable database won't be up and running for at least 2-3 years.

Director Comey: Yeah.

Speaker 8: What's your-

Director Comey: I'd love to do it tomorrow, but the good news is everyone in law enforcement agrees we've got to build it. The hard part is the execution of it, not the willingness. Actually the thing that you were worried about most is that folks don't want to do it, that's not the case. People want to do it. Big departments, small departments, at the federal level. There's good progress being made, but yeah, it's going to take ... I don't know exactly what the estimate would be. It's going to take us probably at least two years to get it up and running. That does frustrate me, because I think as I said to police organizations, there's nothing more inherently governmental than law enforcement's use of deadly force in encounters with citizens. We, in government, ought to be collecting that data and sharing in an transparent way with everybody. The good news is everybody agrees with that. The execution? We'll do it as fast as we can do it.

At the same time, we're also pushing to get better crime data for the country. Which will take ... I hope we can get it done in three years. Everybody in law enforcement is committed to five years, from this past fall. We will be in at NIBRS world, which is a richer data world for all of us. The country will be much better off.

Speaker 8: Isn't participation an issue, and then right now you don't get even total participation even in crime data collection?

Director Comey: Yeah, it's voluntary. Sure.

Speaker 8: Correct, and this case too. Aren't there departments out there who are hesitant to provide data on deadly encounters with residents?

Director Comey: No department has told me that yet. I've heard from all the police organizations and

sheriff organizations that everybody's on board with this. We'll see as we get down to the delivery, but it is voluntary except we have an opportunity to talk about it publicly. You can imagine the circumstance that nearly everyone's doing it, and we can point out who's not doing it. Talk about it.

Catherine.

Catherine: On the e-mails director Comey, are you doing a security inquiry?

Director Comey: I'm sorry?

Catherine: On the e-mails are you doing a security inquiry?

Director Comey: I don't know what that means?

Catherine: So it's a criminal investigation?

Director Comey: We're conducting an investigation. That's the bureau's business. That's what we do. That's probably all I can say about it.

Catherine: The reason I ask is because Mrs. Clinton consistently refers to it as a security inquiry, but the FBI does criminal investigations. I just want to see if you can clear that up.

Director Comey: Right, it's in our name.

Catherine: Okay.

Director Comey: I'm not familiar with the term security inquiry.

Speaker 10: Three quick things. One, would it be possible to get the data you're referencing in terms of the last quarter? Just so we're all on the same page.

Director Comey: Sure, it's not my data I got it from the major city chiefs, but Mike will follow up to see if we can get you that data.

Speaker 10: Two, I think you used the words you were ‘too cute' perhaps talking about how much you spent on Apple. I know you're an advocate of transparency in government. It was tax payer money, I assume that was used to pay to crack the phone. Why not say how much it cost? Just flat out.

Director Comey: A variety of reasons that I don't want to get into. I'm not comfortable giving you the precise number.

Speaker 10: Okay.

Director Comey: What difference? Let's imagine-

Speaker 10: You already said that it's more 1.3 million if you just factor out my salary. Why not just clear that up and just be transparent about how much it actually cost?

Director Comey: I think I've been transparent enough that people understand it cost a lot of money. For a number of reasons I don't want to give [inaudible].

Speaker 11: You're worried about making it more expensive for the next time?

Director Comey: [crosstalk]

Speaker 10: A negotiating point.

Director Comey: A number of reasons.

Speaker 10: It's related-

Director Comey: I don't want to waste your tax payers money. Go ahead.

Speaker 10: [crosstalk] weighing an amendment to rule 41, so that you guys can remotely access computers not in an jurisdiction. What would you say to privacy advocates who are very concerned about this potential change?

Director Comey: Yeah, I'd want to correct your characterization of it. It does nothing to change any of the FBI's authorities. We still need to get a search warrant. Make a showing of probable cause. Explain to the court what we're doing and how. It's just the question is, what judge can issue a search warrant. In complex computer crime cases, given the nature of the dark web for example and given the nature of huge bot nets, it is problematic for some of our most important investigations. If we have to go to dozens of different magistrate judges in a bot net case, or if we're unable to go to a magistrate judge 'cause we can't say for sure where the computer is. Even if we have probable cause to believe that computer is involved in serious criminal activity. It's to solve that problem where the digital age has made physical location, a less of a determinant than it is in the pre-digital age.

That's what I worry about. If folks talk about it like it changes the FBI authorities. Not a teeny bit, not at all. It's question is what judge we can go and make the showing to.

Go to Paula.

Paula: First question, last night the stabbings in Massachusetts. Have you seen any link to terrorism in that case yet and the motives?

Director Comey: I don't know enough to say.

Paula: Following up on that, how was the status of the FBI's relationship with Apple and other tech companies? I know you've said that you want to continue to have a conversation. It basically seems that things are becoming increasingly acrimonious. You double down in the EDNY case, but then you guys pulled out cause he said that he would give you the password. Microsoft came out and sued you. Tech overwhelmingly sided with Apple. How are things specifically with Apple, and then generally the tech industry?

Director Comey: Actually pretty good. We have differences in litigation, but I think that's why litigation is not a productive place to discuss collision among values, [pre-values]. Overall, I'd say our relationship with Apple and the tech companies are productive and appropriate. Often times tech companies are victims, and we're investigating things people are trying to do to them. I hope the tech companies think we do that well. Often times, we're serving them with lawful process and they're cooperating with lawful process. I characterize it as overall well. It's not a monolith. With some, especially for litigation, it can be tenser than

others. Not that folks would imagine, actually. Yeah, so that's my verdict on it.

I'll bounce over here, sir.

Speaker 13: Have you seen anything going on on the hill, on the encryption issues that Senator Burr Feinstein had a draft working proposal? Have you seen that? Is it something that you would support?

Director Comey: I've seen it. The bureau doesn't take position on legislation so I have nothing to offer there. One of the things I like about it, is it continues to drive the conversation that I think we need to have. How we, as a country want a govern ourselves. That's it. I have to stop there 'cause it's department of justice's job to take position on litigation.

I'll go across to you.

Speaker 14: Couple of questions. First on the iPhone case. Do you personally know yourself who the third party contractor was who unlocked the iPhone for the FBI?

Director Comey: Yeah. [crosstalk] personally know yourself. Yes.

Speaker 14: You have that knowledge?

Director Comey: I have a good sense of who the person.

Speaker 14: A good sense, or you know the identity of the contractor?

Director Comey: I have a good sense. I couldn't give you people's names.

Speaker 14: What's the name of the company let's say that they're with?

Director Comey: I don't want to answer that one.

Speaker 14: Another one, the FBI's shared responsibility committees were reportedly supposed to be rolled months ago. It seems like that has run into some delays. The pilot launch is still in process. What's the delay? Does it have to do with the criticism that those projects have received from civil rights advocates?

Director Comey: I don't think so. First of all, I don't have any reason to think it's connected to criticism. Last time I got briefed on it that we're trying to pilot it in ... I forget, 3 to 5 cities, I think. To see how it works. I hope that the folks who are concerned about it will engage, and dig into the details of it. I think if they dig into it they'll be like, "Oh that sounds pretty sensible". Unless I'm missing something, nothing about any criticism or controversy has delayed what we're trying to do.

Actually, explain to everybody, I think that you get this. What we're trying to do is, we're trying to use our good offices to connect providers. Social service providers, medical providers, counseling providers. Who may be in an appropriate situation able to take a referral from us of someone that we're looking at who we don't think we need to use the criminal justice system to incapacitate, and see if they can redirect. Especially that young person, troubled person. We see it as trying to foster some sort of off ramp. There won't be a lot of these cases, but in cases where we find someone we think, "Hope we don't have to lock that person up. Maybe we can get them the help that they need". That's the idea.

Not to be run by the bureau, but the reason we're driving it is because we know everybody. The idea is SAC

in your community, pull that group together tell them, “When you have an appropriate referral you'll send somebody to them”.

Speaker 14: If not criticism, do you know why the delay?

Director Comey: I don't.

I'm going to keep bouncing. Bounce.

Speaker 15: I guess today the FBI agent association is going to be one of those law enforcement agencies on the Hill that's speaking out against the sentencing reform bill. Do you share a stance with them at all, or do you think that some of the issues that you were talking about with the homicides rising in cities, is it all playing into people speaking out against some of those issues in particular?

Director Comey: I don't know. I don't know what their concerns are. As I said, I wouldn't comment on specific legislation. What I've said publicly is, my general sense is that the ideas animating that the work in the Senate and the House seems sensible and general to me. I don't know what their particular concerns are. I don't connect the two to arise in to what they're talking about in the hill. Which, to my mind, my recollection focuses in a good way trying to reduce recidivism, trying to give people skills and drug treatment. Those kind of things in jail. Which I think is one of the few things people across the spectrum agree upon. I don't know if that.

Mam.

Speaker 16: Just a follow up on that actually. I wanted to ask about the criminal justice reform records as well. How much do you think the rising homicides rates should factor into those discussions on the hill? Do you think they should impact the course of these proposed reforms?

Director Comey: Yeah, to the extent that the conversations on the hill are trying to reduce recidivism and trying to get people skills and treatment or whatnot. I see them as in a way they're connected, because it's about trying to reduce repeat offense. That's probably what I would say about that. More generally, I don't know enough about the specifics beyond that kind of stuff to offer a reaction.

I got to keep bouncing. [crosstalk]

Mike: I got two questions. First on the e-mails, I know you don't want to talk about any details. Normally conduct investigations if it leads to criminal charges. We all learn what you found. In this case, given the scrutiny that you've acknowledged, regardless of whether this results in criminal charges, do you foresee a mechanism by which you can give a public accounting or report to tell us what you found?

Director Comey: I don't want to say at this point, Mike.

Number two.

Mike: Number two, right. Back in January when the Iran nuclear accord was signed, the White House said it had secured a commitment from the Iranians to provide information, assistance, on locating Bob Levinson who was not returned as part of the swap. It's now been 4 months. Have the Iranians provided any new information that would help you identify what had happened to Bob Levinson?

Director Comey: Not something I can comment on. Bob Levinson remains top of my mind. Literally every

day, I think about Bob.

Go ahead.

Speaker 18: Thanks for doing this. I just wanted to clarify something that you said, that I thought you said at the top, that you're evaluating whether or not the iPhone hacking tool can be used in other cases? I just want to clarify that that's what you said. Then I have an additional question.

Director Comey: Yeah. We're trying to figure out, in theory it can be used in any case where there's a court order for a 5C running iOS9. We're trying to figure out what mechanism, what way should we build that accomplishes that goal. Allows law enforcement around the country, with court orders, to be able to use our tool.

The reason it's a little tricky is one of the great thing about our criminal justice system is discovery. If we use it in a criminal case in such a way that it becomes a feature of litigation, then the nature of the tool may be exposed and it's utility may be significantly decreased. We're trying to be thoughtful about how to do that. Is it enough to help our colleagues in state local law enforcement in such a way where we say, “Look we're never going to testify”. I'm just imagining this. “We're never going to testify. Send it to the lab. We'll open it, if we can. We'll send it back to you, but to the extent that you need to establish chain of custody or have witness testimony to use what's on that phone. You're not going to be able to”. That's one possibility.

Another is we'll say, “We'll take the risk and we will be prepared to testify and risk the tool being exposed”. Then it's utility diminishing. That's what we're sorting through right now. Does that make sense?

Speaker 18: Yes it does. Are you looking to see if they can be used beyond the 5C? If it can be used on other models?

Director Comey: I think we've already checked that out as part of our own work. My recollection is we're highly confident that it works only on a 5C, running on iOS9.

Speaker 18: I just wanted to ask one additional question just on the encryption issue. We've been talking about the data arrest issue. The data that resides on like a phone. What about the data in the motion side of things? How much is this a concern for you when you're dealing with surfaces like What's App, that's doing end to end encryption of text messages? How are you viewing that as being ... Is it as significant as data at rest or more significant? Are you looking at bringing court cases on that side of the equation?

Director Comey: Thank you for that. It's hugely significant. I would sort it this way. The data at rest problem affects non-national security law enforcement overwhelmingly. The data in motion, at least today, overwhelmingly affects our national security work. Terrorists and their fellow travelers are increasingly using end to end encrypted apps. What's happening is those two circles though, are slowly coming together. Increasingly drug gangs and carjacking gangs are using data in motion facilities that are encrypted. To over simplify, data in motion tends to affect national security work. Primarily, data at rest tends to affect criminal work primarily, but the two are coming together, because encryption of both data at rest and data in motion becoming ubiquitous.

You take What's App. What's App has over a billion customers. Overwhelmingly good people, but in that billion customers are terrorists and criminals. That now ubiquitous feature of all What's App products will affect both sides of the house.

Speaker 19: Including the Brussels attackers, right? They were using What's App?

Director Comey: Yeah, I don't want to say. It's a huge feature of criminal ... Excuse me, a terrorist trait craft. By its ubiquitousness, if that's even a word.

Pete: Ubiquity.

Director Comey: It's ubiquity? It's affecting the criminal work in huge ways.

Speaker 18: Are you thinking about bringing a case against What's App? Is this under consideration?

Director Comey: I'm not, but it's going to be inevitably. It will be an impediment to criminal wire tap orders. In criminal cases and national wire tap orders in national security cases. Whether there will be litigation cases down the road, I don't know. That collision is going to happen, just the way it's happening in data at rest.

Speaker 20: You spoke about the off ramp option earlier and these intervention groups. Can you describe a little bit more when you would foresee that being used? Is it the kind of option, had it been available, that that [PI] would've used in cases that it did bring through the criminal system?

Director Comey: Yeah, thank you. I don't of an example where we would have used it. So, no I don't. Which is why I imagine it's going to be of a marginally utility going down the road. The idea is, let's imagine we have a 16 year old that we've either encountered online or someone has reported to us is expressing affiliation for ISIL. We look at it and say, “Actually this kid hasn't moved towards trying to be a killer. He's actually just confused and screwed up, and he's looking for sources of meaning. It's early yet. What if we could introduce him to the share responsibility committee and see if they could help the kid as a possible off ramp”. That's the idea. I honestly don't imagine it happening a lot. Going backwards I can't think of a case where we would've used it.

Speaker 20: Can I ask you about some comments that were made by one of your predecessors up in New York City? The very reticent of mayor Giuliani. He mentioned that while he was running U.S. attorney's office there, a fair amount of information that they dealt with in certain types of investigations was classified. That, at least on occasion he was fairly confident that some lawyers in office probably took home some of the information that was classified, when they were feeling overworked or behind the 8 ball. You think that ever happened when you were in charge of that office?

Director Comey: The place got much better when I took over. I honestly don't know what he's talking about, but there's no doubt the government investigates it all the time. Administrative investigations, sometimes criminal investigations, of mishandling of classified information. I don't know of a case where it happened. The incidents of classified information are cases in SDNY were sufficiently unusual. I think people showed great care. That's my reaction.

Last bounce. You're bounced in early, but I'm going to bounce back.

Speaker 21: I'm taking another shot at the Clinton e-mails. It's impossible to separate this from the presidential race. We're only 6 months out at this point. Do you feel a personal responsibility to the American people to wrap this up or get it to a solution as quickly as possible here?

Director Comey: I'm going to stick with what I said earlier. Yeah, I couldn't have said it any better.

Mike: Just following up on that What's App-

Director Comey: So we're going to reverse bounce now, Mike.

Mike: On the What's App. To what extent did the conspirators in Paris and Brussels use encrypted apps such as that?

Director Comey: I'm not in a position where I feel comfortable giving you details. I'm going to avoid the particular investigation, and I'll just state it at the general. Highly confident that the use of encryption, both for data at rest and data in motion, is now a central trait craft of ISIL and other terrorist groups. Especially ISIL.

Speaker 23: Speaking of ISIS. The last time we talked you said you'd seen the leveling off of foreign traveler cases. Where does that stand? Backing up from just that isolated part of it, what is your sense now about the volume of ISIS recruitment in the United States? Is it still at the same level? Have you seen any change there?

Director Comey: I think the ISIL, so called Islamic state brand, has lost significant power in the United States. We are seeing that trend is continued since we talked about it in October, whereas-

Speaker 23: That trend you mean for travelers?

Director Comey: That is the drop in the numbers of people traveling or attempting to travel. I'll probably screw up the numbers but you'll get the idea. You imagine 14 in the first half of 2015, we were seeing 6, 8, 10 a month. People trying to travel or successfully travelling. Since last August, it's averaged about 1 a month. That trend is now sustained and it's gone on for ... Coming up on a year, this August. There's no doubt that has happened that is lasting in terms of the attractiveness of the nightmare, which is the Islamic state, to people from the United States. That's true.

Their ability to motivate troubled souls, to inspire them, remains a persistent presence in the United States. We have north of a thousand cases where we're trying to evaluate where somebody is on the spectrum of consuming to acting. That number continues to tick up slowly. We haven't seen a material change there. There's still a presence online and troubled people are still turning to this and at least being interested in it. They've lost their ability to attract people to their caliphate from the United States, in a material way.

Speaker 23: Just to be crystal clear, in terms of people trying to go physically you're seeing a steep decline in that?

Director Comey: Correct.

Speaker 23: In terms of people consuming the social media who might be at some point conspired to do something that's still a problem?

Director Comey: Yes, it still is a problem. I don't know the numbers well enough to characterize whether the rate of increase has changed. It's just ticks up slowly. We have not seen the diminution that we see in the traveler world, in the radicalizing online world.

Catherine.

Catherine: Yes, I have an ISIS related question. These kill lists have gone from military to government, now

to the average Americans. How would you assess the credibility of this threat? Is it really down to local and state to notify people, or do you see a larger role for defense in this?

Director Comey: There's a we, often with our joint terrorism task force partners, in New York. We just recently did it with NYPD. We have a duty to warn, which we take very seriously. We go and try to find anybody on any list that's put out in the United States.

ISIL's been engaged in this so called doxxing since the beginning. Which is interesting is that their lists have gotten less specific and more like they just pulled it out of the phone book or found it on a website somewhere. Which is an interesting trend. I don't know exactly what that shows. You remember two years ago they were focused on particular lists of service members, now they're drifting towards just putting out hundreds of hundreds of people that they just pulled off some-

Catherine: Like municipal databases is what someone was talking about.

Director Comey: Yeah. Now they're sort of publishing portions of the phone book, but look, we take it very seriously. I'm sure it ruins a whole lot of people's days. We go find those folks and say, “Joe Smith, just want you to know that your name was on this list. We don't have any specific credible threat that's focused on you, but we want you to know this. If you see anything that concerns you please call us”. We do that with hundreds and hundreds of people.

Catherine: Given what you were just saying, that there's upwards of a thousand cases, right? Of people we're trying to figure out where they are on the spectrum as it relates to ISIS. How concerned are you about a Paris style or Brussels style attack happening in the United States? We haven't met since before that and now obviously a lot has changed.

Director Comey: It's something that we focus on every day. We've been doing this now for two years, and how long have I been in this job? 8 months? You remember way back, two years ago, we talked about how we the FBI see three strands to this thread. The effort to attract people to come to the caliphate. The effort to use social media and others to inspire people to act. The third is people who've traveled to the war zone, gotten the worst kind of training, coming back out to kill people. That terrorist Diaspora, I've talked about for a long time. Someday it's going to be much larger than the terrorist Diaspora out of Afghanistan by the Mujahedeen after the 1980s.

What we see in Paris and Brussels is a manifestation of that element of the threat. The killers who travel and then return to engage in acts of violence. We have far fewer people in real numbers and dramatically far fewer per capita from the United States that have gone there. That's not our only focus. We're focused on those people. We're also very much focused on people coming back to the EU and then making a hop over here.

We see no evidence of a plot like that in the United States. First of all we know that they acknowledge privately, the ISIL savages how hard it is to get into the United States, but they very much want to. We know that third prong of the thread is something that we have to worry about every single day.

Catherine: [Do you have] have a concern though? There is an ongoing issue with information sharing regardless of what officials say publicly. There's still behind the scenes issues there. Can you just elaborate on that and what your concerns are with the information sharing and with their lack of a comprehensive database of terrorists?

Director Comey: I've had lots of conversations with European colleagues about this. I worry when I talk to

them about it that I sound arrogant, and I really don't mean to. Three thousand people were murdered in our country 15 years ago. We as a country then set out to change the way we approach counter terrorism dramatically. We've invested probably hundreds of billions dollars since then, in this country. That has bought us a capability that is really good. Not perfect, but really good. That took us 15 years of effort. Our European colleagues have not gone on that journey. Paris and Brussels is spurring them to move farther down that journey. What we're trying to do is help them in any way that we can. Show them what we've learned, what we've done over the last 15 years. That the answer has to be breaking down all silos that separate information and operations from each other. We've done it across cities. Think of the progress we've made in the relationship between NYPD and FBI in 15 years.

What they have to do in Europe is take that, and replicate it across over 20 countries, many different cultures. It's a very hard thing to do. I know they're motivated to do it. Our goal is to help them as much as we can. Without sounding like we know the world, but help them as much as we can make that journey and as fast as they can. It's hard. Think about what we've done in 15 years. It's really hard.

Catherine: It also affects us, it's not just them because you said your big concern is that someone from the EU zone could make it into the US. That there's not adequate information sharing with the US. Someone could hypothetically slip through, right?

Director Comey: Oh sure. That's why we spend so much time trying to build information sharing agreements with partners all over the world, not just in Europe. Why we spend so much time investing in our legal attaché operations, our relationships with our [characters 00:47:51] and partners. That's the answer. We have to. Europe is hours from here by an air flight. We think of it as part of the same thread environment. This is something else that I've shared with our European partners. One thing we've done in this country is decide to be safe as Americans. We have to understand any threat anywhere in the world.

I begin each morning with a briefing about terrorist related threats worldwide. If there's a threat in Madagascar, that isn't particularly aimed at Americans, I'm going to hear about it. Our theory is a threat anywhere could be a threat here or a threat to Americans overseas. What I've said to our European counterparts is that's the way we've approached the world now after the pain of 3000 people murdered in our country. We think about it worldwide, and please ask us. We will share with you what we know.

I'm picking on Madagascar ‘cause I don't know anyone in Madagascar. We may know something about Madagascar that you wouldn't have imagined that the FBI know about Madagascar, but it's because of the way America's decided to think about the terrorism threat. Think about it globally, so we can be safe, that allows us to help you in ways you might not expect.

Speaker 24: Mister Director, I have a question about something relating to crime in terms of law enforcement's ability to get information to protect people when they need help. The case of last week, involving the federal police officer who went on a shooting spree.

Director Comey: In Maryland, yeah.

Speaker 24: In Maryland. Turns out that there was a protective order issued. The order required him to turn in all weapons. As we reported the story out this week, we found out that there was basically an honors system. That he was to turn in the weapons that he had. There were two registered for the state of Maryland, but he had other weapons. He turned in 7 or 8. He withheld information about a gun that he bought legally, that they found out about after the fact. You have a situation where his wife went to the court and said, “I know he has these weapons”.

The court said, “You must turn in those weapons”. There was information out there about the weapon that was ultimately used to kill at least 2 people allegedly in Montgomery, Maryland that the law enforcement did not have access to. Does that strike you as a system that needs fixing? Where law enforcement can get the information that they need to protect people?

Director Comey: I don't know enough, certainly about the particulars to comment. It all depends on what policy judgments have been made, and what laws reflect those policy judgments, which is not my thing.

Then I'll go across there.

Speaker 25: Couple of questions. First on transparency. The section 702 of the FISA amendment [staff] as you know is coming up for pre-authorization next year. Yesterday there was a hearing on the hill. One of the points that was raised ... I think the major point of controversy is the U.S. person query. I believe that on the NSA and CIA have apparently tracked the rough number of U.S. person queries on the 702 data, the prison data. The FBI's cannot, correct? Can you tell me if you think why you can't do it? Are you thinking of changing that so that you can track the number of queries made? Why wouldn't you as the interest of transparencies, since other agencies are able to do so?

Director Comey: All I can say about this is at this point is that the DNI is driving an effort to see what we can accomplish in that regard. It's largely a system problem, can you build your system in such a way to track it without grinding the entire operation to a halt? I know that work is underway now, to figure out ... If we can't get a precise number is there an estimate that we can get that would be useful to people? I'm a huge fan of transparency. Especially around something like 702, which to me of the two things of we're discussed. Remember we had a little conversation about a 215 and 702. 702 is far more important. It's important to tell people as much as we possibly can about how it's used. I think more will come on that space is the answer.

Speaker 26: Just to clarify two of the answers you've given on the iPhones. You've said at the very beginning that there, it I'm sure, that there are roughly 500 phones in investigations that you cannot get into now. Is that right?

Director Comey: Correct. Our CART examiners, and Mike will get you the exact numbers, but it's something like 4000 phones in the first 6 months of this fiscal year. I think the number's about 500, it might be 480 or something. That couldn't be opened.

Speaker 26: You said you're looking, then you said separately you're looking now at the tool that you bought. That you won't tell us how much you paid for but that's separate. Whether or not that can be used to get into a phone. How many of those 500 are potentially can be upwards of those? How many are 5C iOS9s?

Director Comey: I think, and you can get the answer on this, I think the answer is none. I don't think any in that set ... I think that's right, but I could be wrong about that. You'll have to check that with the STD people.

Speaker 26: Then [separately] back on the Hillary e-mails for a second. The [portrays] investigation, what impact has that had on the current investigation into secretary Clinton's e-mails in terms of lessons learned, the visions that obviously came up with the [inaudible] FBI and across the street? The questions of what criminal charges should and would be brought? That has to be looming over you at this point.

Director Comey: I have no comment. What else ... All the way down the end.

Speaker 27: To go back to some of the issues that were race and diversity mentioned, at least passing at the

beginning. It's been about a year, more than a year since you gave your speech February, I think last year. How's the FBI doing on recruiting African American and Latino agents? It seems like the numbers continue to mildly trend lower. Are you monitoring that? Can it be reversed? Maybe should it be reversed? Would the country be better off if people are interested in going into law enforcement to have them on the front lines of these police departments that are dealing with these hundreds and hundreds and hundreds of murders than necessarily coming to the FBI?

Director Comey: I hope both. First of all, yes it can be. Too early to say whether we're going to be able to change the inflection of the line. Lots going on in the FBI to try and change that. I'll probably have a better sense at the end of this year, as to whether we're seeing a change. Anecdotally I feel, change in that area, change in the people who are expressing interest ... I don't know whether that's our reference or the show Quantico? More to come at the end of the year. I think both are possible.

In fact, I went and spoke to the national organization of black law enforcement executives in Atlanta. I said, "I have to confess to you, our interests are not aligned, because what I want to have happen is you hire great people of color, give them some years of training. Our average age of entry is 29 for special agents. Then I want to steal them". I'm hoping both. That the people will be attracted to law enforcement and understand that it's a tremendous way to community service. I think both can be true. In a way the more successful local law enforcement is at attracting a diverse workforce, the better that will set us up to be fed by that talent. That's how I think about it.

I'll go here and then I'll go there.

Catherine I called on you.

Catherine: I'm hopeful that you can answer this one.

Director Comey: Is it Hillary Clinton related?

Catherine: Yeah, but this is a really important issue though.

Director Comey: I don't doubt that all of your questions are important. I'm just telling you I'm predicting the answer. As short as you can.

Catherine: I actually keep my questions very short. [crosstalk 00:56:06] I consistently hear from security clearance holders that if they had done a fraction of what had been done by Mrs. Clinton's team that they would already be in jail. Can you assure people that Mrs. Clinton and her team are being held to the same standard? That there isn't a special set of rules because they are powerful and politically connected?

Director Comey: I'm not going to comment, other than to say there are no special set of rules for anybody that the FBI investigates.

Go ahead.

Speaker 28: Just a really quick encryption related question. What is your stance for [inaudible] passage of the [Feinstein] legislation. Is that something that you think makes a lot of sense and ...

Director Comey:

Yeah, I don't want to comment on it for the reasons I said I think when Brian asked, because we don't

comment on particular legislation. I think it's good that the conversation is staying alive. One of the things I worried about post San Bernardino litigation is, it would be a shame if we stopped talking about this. It's going to be a bigger and bigger feature of all of our lives. Both the way we live, outside of the criminal justice system and then the way in which we investigate.

Hold on I was going to go to him. Kevin.

Kevin: Speaking of Donald Trump, are you-

Catherine: Now you want another e-mail question right?

Director Comey: Yes, definitely. Go ahead.

Kevin: [crosstalk] That's not e-mail but are you comfortable with him getting security briefings as a nominee.

Director Comey: Yeah, I'm not going to comment on that.

Mam.

Speaker 30: To clarify that more than a thousand cases that are open we're trying to evaluate where someone is radicalizing. Are all of those Islamic state cases, potentially Islamic state sympathizers?

Director Comey: Sometimes we can't tell. I would estimate about 80 percent of them we know are Islamic state related.

Speaker 30: 80 percent?

Director Comey: Yeah.

Speaker 30: Then is there any equivalent scope-

Director Comey: Sometimes with people there's a mix that watching [Iraqi 00:58:01] videos, that kind of thing. It's harder to tell.

Speaker 30: Is there any equivalent scope you can give us for how many investigations you have open into domestic extremists? Anti government individuals. There's obviously been more indictments since the standoff in Oregon. Can you give a sense of how many investigations you have open into that type of group?

Director Comey: Yeah, I can't. We have a lot, but I don't know the number off the top of my head. I don't know, my instinct tells me it's less than a thousand, but Mike would have to check that for you.

Speaker 30: About Clinton ... No I'm just kidding. We we're just talking about travelers. The FBI has arrested several people who wanted to go fight with ISIS in Syria. Some of them have been sentenced 5, 7, eight years. How concerned are you that these people who wanted to go overseas will then get out of prison in the U.S. and be even more dangerous inside the US?

Director Comey: Optimistically, that after serving a long prison term they'll be older, less [unmoored] and then subject to a supervised release term. One of the strengths of the federal criminal justice system is a long supervised release terms by really good probation officers. I think there's a reasonable prospect that

by virtue of their age, by virtue of their learning that lesson, by virtue of their supervision they will be materially different from a risk perspective. There's always a worry.

Speaker 30: Even given the radicalization in prison that we've seen in so many cases?

Director Comey: Yeah, we don't see a lot of radicalization though in the ISIL world, in American prisons. It's something we worry about and watch very carefully, but I actually do not sit here worrying a whole lot about people radicalizing in federal prisons, especially.

Speaker 31: May I ask you a question about San Bernardino?

Director Comey: Sure.

Speaker 31: Given the [inaudible] interest in some kind of an attack, well before ISIS came on the scene. Do you, as FBI director, put the San Bernardino attack in an ISIS inspired category or not? If so, why?

Director Comey: I do now, because having gone through all we've gone through it does appear that a dominant influence on them was the ISIL propaganda and ISIL poison. This comes back to the question earlier. Often times early in an investigation or even afterwards it's hard to untangle, because there will be [Iraqi] videos, al-Shabaab material, that kind of stuff in the mix. We make a judgment based on our assessment of what was the primary motivator for these people. Fairly typical path for people is they'll start with [Iraqi] videos, which live forever on the Internet. Then that'll be a gateway to particular interests in a particular group.

Speaker 31: Was that the fact here?

Director Comey: I don't remember clearly enough to tell you. I don't.

Speaker 32: Looking back do you think, “Gosh, we should have seen this, we missed something”, any of that?

Director Comey: Yeah, none of that yet. In San Bernardino, we've thought about it very hard, which highlights the challenge we face is, we cannot see something that we missed in these two killers. That obviously, sometimes you've asked me in the past what I worry about most. We're worried about most the ones that we can't see. That we built this very good counter terrorism in the United States over 15 years, but it can't see everything. Then you add to that the increasing ubiquity, if I may use Pete's word, of encryption both in motion and at rest. That makes it even tougher to see.

Speaker 30: Any indication they were using encryption?

Director Comey: I don't know what I want to say. I can't say at this point. I know the answer, but I don't want to say it.

Speaker 32: Last November [inaudible] one time close associate Vladimir Putin was found dead in the Washington hotel room, the DC [inaudible]. Found that it was a result of blunt force injuries to his neck and torso. DC police is still investigating. Is the FBI participating in that investigation?

Director Comey: We are monitoring it. The DC police have the lead, but we've been kept informed.

Speaker 32: Have you had reason to believe that his death was the result of actions by parties, directed by parties, outside the United States?

Director Comey: I don't want to comment until the DC police have finished their work.

Speaker 33: Director, just to follow up on the vulnerability equities process. Do you think the fact that the bureau can purchase and exploit, but not the underlying vulnerability and thus not be able to submit to the VEP amounts to a loophole in the process? Which is supposed to be ... Was set up to help [brokering], weighing of the equities amongst law enforcement intelligence agencies and cyber security interests to protect the public, to determine whether vulnerability used by the government should be disclosed? Secondly, has the bureau ever purchased an exploit before and still submitted the underlying flaws to the White House [to approve]?

Director Comey: The second part I'm not going to say. The first part, I don't think of it that way. This process is an informal process set up inside the government to help us figure out when we should share with companies vulnerabilities and not? We don't a vulnerability, is that a loophole? I wouldn't think of it that way. Maybe if you were shaping your investigative conduct to avoid triggering the VEP process. I don't know, That didn't happen here so I don't think of it that way. Yeah?

Speaker 34: To follow up briefly on Pete's question, is you conclusion that the San Bernardino killers were inspired by ISIL, informed by which you found on the phone in connection with the tool that allowed you in?

Director Comey: Yeah, I'm not going to say.

Speaker 35: One more question.

Director Comey: I've worn them out.

[crosstalk]

Speaker 36: Beyond what was publicly disclosed in terms of the couple swearing allegiance to an ISIS leader. Can you give us any sense of how you came to the conclusion that the dominant influence was ISIS propaganda in relation to San Bernardino?

Director Comey: I can't. A huge feature is exploiting their media and understanding their-

Speaker 36: From that? Came from that?

Director Comey: What they've been looking at, what they've been following.

Speaker 36: Did you just say the family can't, you can't assure people that it'll be wrapped up before the election?

Director Comey: No I said I can't answer that. I'm not going to answer questions like that.

Speaker 36: I think that seems just that it could last beyond the election.

Director Comey: No I'm not commenting is what I meant to say. You can squeeze any words you said on that one. I'm just not commenting.

All right everybody, we'll see you again in 9 months.

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Tuesday, June 14, 2016 1:50 PM
To:	James B. Comey
Subject:	Article

https://www.washingtonpost.com/world/national-security/russian-government-hackers-penetrated-dnc-stole-opposition-research-on-trump/2016/06/14/cf006cb4-316e-11e6-8ff7-7b6c1998b7a0_story.html

Russian government hackers penetrated DNC, stole opposition research on Trump By Ellen Nakashima June 14 at 11:30 AM

Russian government hackers penetrated the computer network of the Democratic National Committee and gained access to the entire database of opposition research on GOP presidential candidate Donald Trump, according to committee officials and security experts who responded to the breach.

The intruders so thoroughly compromised the DNC's system they also were able to read all e-mail and chat traffic, said DNC officials and the security experts.

The intrusion into the DNC was one of several targeting American political organizations. The networks of presidential candidates Hillary Clinton and Donald Trump were also targeted by Russian spies, as were the computers of some GOP political action committees, U.S. officials said. But details on those cases were not available.

A Russian Embassy spokesman said he had no knowledge of such intrusions.

Some of the hackers had access to the DNC network for about a year, but all were expelled over the past weekend in a major computer clean-up campaign, the committee officials and experts said.

The DNC said that no financial, donor or personal information appears to have been accessed or taken, suggesting that the breach was traditional espionage, not the work of criminal hackers.

The intrusions are an example of Russia's interest in the U.S. political system and its desire to understand the policies, strengths and weaknesses of a potential future president — much as American spies gather similar information on foreign candidates and leaders.

The depth of the penetration reflects the skill and determination of the United States' top cyber adversary as Russia goes after strategic targets from the White House and State Department to political campaign organizations.

“It's the job of every foreign intelligence service to collect intelligence against their adversaries,” said Shawn Henry, president of CrowdStrike, the cyber firm called in to handle the DNC breach and a former head of the FBI's cyber division. He noted that it is extremely difficult for a civilian organization to protect itself from a skilled and determined state such as Russia.

“We're perceived as an adversary of Russia,” he said. “Their job when they wake up every day is to gather

intelligence against the policies, practices and strategies of the U.S. government. There are a variety of ways. [Hacking] is one of the more valuable because it gives you a treasure trove of information."

Russian President Vladimir Putin has spoken favorably about Trump who has called for better relations with Russia and expressed skepticism about NATO. But unlike Clinton, whom the Russians probably have long had in their spy sights, Trump has not been a politician for very long, so foreign agencies are playing catch-up, analysts say.

"The purpose of such intelligence gathering is to understand the target's proclivities," said Robert Deitz, former senior councillor to the CIA director and a former general counsel at the National Security Agency. "Trump's foreign investments, for example, would be relevant to understanding how he would deal with countries where he has those investments" should he be elected, Deitz said. "They may provide tips for understanding his style of negotiating. In short, this sort of intelligence could be used by Russia, for example, to indicate where it can get away with foreign adventurism."

Other analysts noted that any dirt dug up in opposition research is likely to be made public anyway. Nonetheless, DNC leadership acted quickly after the intrusion's discovery to contain the damage.

"The security of our system is critical to our operation and to the confidence of the campaigns and state parties we work with," said Rep. Debbie Wasserman Schultz (D-Fla.), the DNC chairwoman. "When we discovered the intrusion, we treated this like the serious incident it is and reached out to CrowdStrike immediately. Our team moved as quickly as possible to kick out the intruders and secure our network."

The Clinton campaign did not immediately respond to a request for comment. A spokeswoman for the Trump campaign referred questions to the Secret Service.

DNC leaders were tipped to the hack in late April. Chief executive officer Amy Dacey got a call from her operations chief saying that their information technology team had noticed some unusual network activity.

"It's never a call any executive wants to get, but the IT team knew something was awry," Dacey said. And they knew it was serious enough that they wanted experts to investigate.

That evening, she spoke with Michael Sussmann, a DNC lawyer who is a partner with Perkins Coie in Washington. Soon after, Sussmann, a former federal prosecutor who handled computer crime cases, called Henry, whom he has known for many years.

Within 24 hours, CrowdStrike had installed software on the DNC's computers so that it could analyze audit data that could indicate who had gained access, when and how.

The firm identified two separate hacker groups, both working for the Russian government, that had infiltrated the network, said Dmitri Alperovitch, CrowdStrike co-founder and chief technology officer. The firm had analyzed other breaches by both groups over the last two years.

One group, which CrowdStrike had dubbed Cozy Bear, had gained access last summer and was monitoring the DNC's email and chat communications, Alperovitch said.

The other, which the firm had named Fancy Bear, broke into the network in late April and targeted the opposition research files. It was this breach that set off the alarm. The hackers stole two files, Henry said. And they had access to the computers of the entire research staff — an average of about several dozen on any given day.

The computers contained research going back years on Trump. “It's a huge job” to dig into the dealings of somebody who has never run for office before, Dacey said.

CrowdStrike is not sure how the hackers got in. The firm suspects they may have targeted DNC employees with “spearphishing” emails. These are communications that appear legitimate — often made to look like they came from a colleague or someone trusted — but that contain links or attachments that when clicked on deploy malicious software that enables a hacker to gain access to a computer. “But we don't have hard evidence,” Alperovitch said.

The two groups did not appear to be working together, Alperovitch said. Fancy Bear is believed to work for the GRU, or Russia's military intelligence service, he said. CrowdStrike is less sure of whom Cozy Bear works for but thinks it might be the Federal Security Service or FSB, the country's powerful security agency, which was once headed by Putin.

The lack of coordination is not unusual, he said. “There's an amazing adversarial relationship” among the Russian intelligence agencies, Alperovitch said. “We have seen them steal assets from one another, refuse to collaborate. They're all vying for power, to sell Putin on how good they are.”

The two crews have “superb operational tradecraft,” he said. They often use previously unknown software bugs — known as “zero-day” vulnerabilities — to compromise applications. In the DNC's case, the hackers constantly switched tactics to maintain a stealthy presence inside the network and used built-in Windows tools so that they didn't have to resort to malicious code that might trigger alerts. “They flew under the radar,” Alperovitch said.

The two groups have hacked government agencies, tech companies, defense contractors, energy and manufacturing firms, and universities in the United States, Canada and Europe as well as in Asia, he said.

Cozy Bear, for instance, compromised the unclassified email systems of the White House, State Department and Joint Chiefs of Staff in 2014, Alperovitch said.

“This is a sophisticated foreign intelligence service with a lot of time, a lot of resources, and is interested in targeting the U.S. political system,” Henry said. He said the DNC was not engaged in a fair fight. “You've got ordinary citizens who are doing hand-to-hand combat with trained military officers,” he said. “And that's an untenable situation.”

Russia has always been a formidable foe in cyberspace, but in the last two years “there's been a thousand-fold increase in its espionage campaign against the West,” said Alperovitch, who is also a senior fellow at the Atlantic Council. “They feel under siege.”

Western sanctions, imposed after Russia's annexation of Crimea in Ukraine, have hurt the economy and led the government to increase its theft of intellectual property to limit the impact of import restrictions, he said. And Russia's growing isolation has increased the need for intelligence to understand and influence political decisions in other countries, he added.

CrowdStrike is continuing the forensic investigation, DNC lawyer Sussmann said. “But at this time, it appears that no financial information or sensitive employee, donor or voter information was accessed by the Russian attackers,” he said.

The firm has installed special software on every computer and server in the network to detect any efforts by the Russian cyber spies to break in again. “When they get kicked out of the system,” Henry predicted, “they're going to try to come back in.”

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Monday, July 18, 2016 7:14 AM
To:	James B. Comey
Subject:	FW: Fox

-----Original Message-----
From: Rybicki, James E. (DO) (FBI)
Sent: Monday, July 18, 2016 7:11 AM
To: Kortan, Michael P. (DO) (FBI) [redacted]; Quinn, Richard P. (DO) (FBI) [redacted] b7E
Subject: Fox

Are you guys on this? I can confirm that the Director was not with the DHS Sec and TSA Administrator.

Fox News (7/16, 10.55M) reports, "Homeland Security Secretary Jeh Johnson inspected the main venue, the Quicken Loans Arena, with FBI Director James Comey and Transportation Security Administrator Peter Neffenger, walking through aisles and looking over the main stage on which Donald Trump is expected to accept the GOP's presidential nomination."

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Monday, July 25, 2016 3:32 PM
To:	James B. Comey
Subject:	FW: SL press questions

From: Quinn, Richard P. (DO) (FBI)
Sent: Monday, July 25, 2016 3:29 PM
To: Rybicki, James E. (DO) (FBI) [redacted]; Campbell, Joshua S. (DO) (FBI) [redacted]; Mcdermott, Renae M. (DO) (FBI) [redacted]; [redacted] (DO) (FBI) [redacted]; Burton, Dawn (DO) (FBI) [redacted] (DO) (FBI) [redacted]
Subject: RE: SL press questions

b6
b7C

All,

OPA is in contact with SL about proposed answers, in particular to those questions with a national nexus.

We will have refined talkers later tonight that can be shared with D in advance of his prep session at the office tomorrow.

Rich

Jim Salter (Associated Press)

1. Emails were hacked from the Democratic National Committee and Hillary Clinton's campaign has suggested that Russian hackers were to blame. Some have taken that a step further to say that Vladimir Putin is trying to help Donald Trump get elected. Is the FBI willing to publicly blame Russia?

2. At the GOP convention last week, Donald Trump made safety and security a top priority. Is there anything the FBI and the federal government can do to make Americans more secure, and to address the rash of violence?

3. Police have been under attack in recent weeks. What can be done to better protect police? Is there a need to revise best practices for officers to avoid being ambushed? What are some thoughts about changes police can make immediately (working in pairs, mandatory body armor, limiting protest sites, etc.)?

Andy Banker (Local FOX) wants to ask about progress on things since Director Comey spoke with St. Louis reporters 2 years ago:

1. People from US, including St. Louis area, traveling to become trained and radicalized -- to bring terror back home.

2. Also, any concerns about Syrian refugees and level of confidence in our ability to flag potential terrorists who

may be using refugee status as "cover".

3. I think we've looked at terrorist as ISIS only -- Dallas & Baton Rouge have reminded us there's more to worry about; is there any way to stop these attacks -- the Baton Rouge killer left quite a social media trail prior to his shooting spree.

4. Also, worldwide targets seem to be on a smaller scale: Nice, Munich. What does that say to people in St. Louis?

5. Any regrets on Clinton case? How does he respond to critics in Missouri and elsewhere that if it John or Suzy Q public involved in something like this -- they would have been indicted? In other words, Clinton wasn't indicted because she was a major party's nominee for president. Is he at all comfortable with how this all looked: her husband meeting Attorney General on an airport tarmac a few days before her interview with investigators -- the timing of the interview (on the 4th of July weekend) -- and then his announcement just a couple of days later?

Mike Bush (Local NBC)

1. It seems there is a mass shooting or a mass casualty event either here or abroad every week. Those are the ones that happen, but how many are stopped before they happen?

2. How have things changed over the last few years. Is it more difficult to stop these events. Are terrorists getting smarter?

3. We see these police shootings on home video and that leads to protests, here in St. Louis and around the country. In your opinion, do we have a use of force problem in this country?

4. It's highly unusual for the FBI to make public their findings when investigators have decided no charges should be brought but that's what you did in the Hillary Clinton email scandal. You were criticized for doing it in some circles. Why did you think it was appropriate?

5. GOP Lawmakers said the "Average Joe" would have been led off in handcuffs had they done what Hillary Clinton had done. To that you say?

6. Donald Trump has said that he will be the law and order President and he alone can fix our problems. I'm just curious as someone whose job is law and order, how you react to that?

Rachel Lippmann (Local NPR radio)

1. The federal government has partnered with a number of cities, including St. Louis, to help charge individuals in federal rather than state court. Given that violent crime is up in many cities, including those partnering with the FBI, can this be considered a success? Why?

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Tuesday, July 26, 2016 4:35 PM
To:	James B. Comey
Subject:	USA TODAY: Obama puts FBI in charge of responding to cyber attacks

Obama puts FBI in charge of responding to cyber attacks

Gregory Korte, USA TODAY 4:07 p.m. EDT July 26, 2016

A presidential directive signed by President Obama Tuesday will put the FBI in charge of responding to all cyber threats and give the federal government a more active role in investigating, preventing and mitigating attempts to hack into U.S.-based computer networks.

Obama's homeland security adviser, Lisa Monaco, said the change was necessary because it's not always clear whether those responsible for a hacking incident are other countries, terrorists or criminals.

"This directive establishes a clear framework to coordinate the government's response to such incidents," Monaco told a cybersecurity conference at Fordham University in New York Tuesday. "It spells out which federal agencies are responsible. And it will help answer a question heard too often from corporations and citizens alike — 'In the wake of an attack, who do I call for help?'"

While in the works for months, the directive comes just days after the transparency organization Wikileaks revealed 20,000 e-mails stolen from the Democratic National Committee. Security experts suspect Russia was behind that attack, which roiled the Democratic National Convention by showing that the national party actively conspired to hurt Vermont Sen. Bernie Sanders' presidential campaign. That, in turn, led to the resignation of DNC chairwoman Debbie Wasserman Schultz on the eve of the convention to nominate former Secretary of State Hillary Clinton for president.

Two other agencies will also have significant roles in helping to prevent and mitigate the effect of cyber intrusions: The Department of Homeland Security and the Cyber Threat Intelligence Integration Center, a multi-agency coordinating body in the intelligence community.

"We're harnessing all elements of national power, just as we do in dealing with other threats, like terrorism," Monaco said. "No tool is off the table."

The order will also attempt to define for the first time what constitutes a "significant cyber incident" triggering a federal response. It's an incident "likely to result in demonstrable harm to the national security interests, foreign relations, or economy of the United States or to the public confidence, civil liberties, or public health and safety of the American people."

Obama issued the guidance through a presidential policy directive, a form of executive order used in national security matters and usually kept secret. In fact, the issuance of the directive, numbered PPD-41, implicitly acknowledged the existence of 10 secret orders issued by Obama in the past year. The last known directive was PPD-31, which made changes in hostage policy in June 2015. Twenty-nine of Obama's 41

presidential policy directives remain classified.

James B. Comey

From:	James B. Comey
Sent:	Wednesday, July 27, 2016 8:16 AM
To:	Burton, Dawn (DO) (FBI)
Subject:	RE: Update from ICCS Cyber Conference

Thanks.

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-------- Original message --------
From: "Burton, Dawn (DO) (FBI)" [redacted]
Date: 07/27/2016 7:05 AM (GMT-05:00)
To: "James B. Comey" [redacted]
Cc: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: Fwd: Update from ICCS Cyber Conference

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Director - Please see below for notes from [redacted] on the speakers and Q and A yesterday at the ICCS conference. Thanks, dawn.

--

-------- Original message --------
From: [redacted] (DO) (FBI)" [redacted]
Date: 07/26/2016 5:44 PM (GMT-05:00)
To: "Burton, Dawn (DO) (FBI)" [redacted], "Quinn, Richard P. (DO) (FBI)" [redacted], "Kortan, Michael P. (DO) (FBI)" [redacted], [redacted] (DO) (FBI)" [redacted]
Cc: [redacted] (DO) (FBI)" [redacted], '[redacted] (DO) (FBI)" [redacted]
Subject: Update from ICCS Cyber Conference

b6
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b7E

By way of update for the Director's speech tomorrow, neither Jim Trainor nor Lisa Monaco addressed the DNC hack, save to confirm that FBI is investigating. Monaco named FBI in particular as lead responder in significant intrusion impacting national security, per PPD, as expected.

Much discussion on the impact of DNC hack during final panel today with Ted Koppel and Keith Alexander. Lots of media present and all focused on hack. All assume it is Russia and want to know what can be done about it.

There are index cards by each seat for questions for the Director so that seems to be the plan, as opposed

to the free-for-all from today. Questions to be moderated by Father McShane and ADIC Rodriguez.

Cy Vance spoke about impact of encryption on state and locals, per his report of earlier this year. Proposed following solution: Tech companies should keep operating systems encrypted but still be able to answer lawful search warrants issued by neutral judges, as they did before September 2014. No back door for law enforcement. Only ability to respond.

Let me know if you need anything from me.

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Friday, September 2, 2016 5:28 PM
To:	James B. Comey
Cc:	Burton, Dawn (DO) (FBI)
Subject:	Upcoming Hearings
Attachments:	HOGR Transcript (07.07).docx; Overlapping Members.docx

Director: In anticipation of your 9/27 and 9/28 hearings, attached is the transcript of your 7/7 testimony before House Government Reform. The 2nd doc (labeled "Overlapping Members") contains the portions of the transcript dealing with members who were present at the 7/7 hearing and are also members of House Judiciary (Chaffetz is a member of HJC but not included in this doc because he speaks throughout).

Your member and issue books for these hearings will be ready the week of 9/12.

House Oversight and Government Reform Committee - Hearing
Subject: FBI Probe of Clinton's Private Email Server
Witnesses: FBI Director James Comey testifies
Location: 2154 Rayburn House Office Building
Time: 10:00 am EDT, Date: Thursday, July 7th, 2016
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CHAFFETZ: The Committee on Oversight and Government Reform will come to order.

Without objection, the chair is authorized to declare a recess at any time.

I want to thank Director Comey for being here, and doing so on short notice.CHAFFETZ: My -- I have the greatest admiration for the FBI. My grandfather was a career FBI agent.

I'd say I'm here because we're mystified and confused by the fact pattern that you laid out and the conclusions that you reached.

It seems that there are two standards. And there's no consequence for these types of activities and dealing in a careless way with classified information. It seems to a lot of us that the average Joe, the average American, that if they had done what you laid out in your statement, that they'd be in handcuffs and they might be on their way to jail and they probably should.

And I think there is a legitimate concern that there is a double standard. If your name isn't Clinton or you're not part of the powerful elite, that Lady Justice will act differently. It's a concern that Lady Justice will take off that blindfold and come to a different conclusion.

Hillary Clinton created this mess. Wasn't Republicans. It wasn't anybody else. She made a very conscious decision. On the very day that she started her Senate confirmation, she set up and got a domain name. And set up a system to avoid and bypass the safety, security, and the protocol of the State Department.

Classified information is classified for a reason. It's classified because if it were to get out into the public, there are nefarious actors, nation states, others that want to do harm to this country. And there are people who put their lives on the line protecting and serving our country. When those communications are not secure, it puts their lives in jeopardy.

This classified information is entrusted to very few, but there is such a duty and an obligation to protect that, to fall on your sword to protect that. And yet, there's -- there doesn't seem to be any consequence.

I was talking to Trey Gowdy and he made a really good point with us yesterday. Mr. Gowdy said, you know, in your statement, Mr. Director, you mentioned that there was no precedent for this. But we believe that you have set a precedent and it's a dangerous one.

The precedent is if you sloppily deal with classified information, if you're cavalier about it -- and it wasn't just a innocent mistake, this went on for years -- that there's going to be no consequence. We -- we're a different nation in the United States of America. We are self-critical. Most nations would never do this. But we do it in the spirit of making ourselves better. There will be all kinds of accusations about political this and political that.

I -- I have defended your integrity, every step of the way. You are the definitive voice. I stand by that. But I am mystified and I am confused because you listen to your fact pattern and come to the conclusion that there is no consequence, I don't know how to explain that.

We'll have constituents ask us, they'll get mad, they're -- you know, they're frustrated. They've seen this happen time and time again. I don't know how to explain it. And I hope that it -- through this hearing, we can stick to the facts and understand this because there does seem to be two standards, there does seem to be no consequence, and I want to understand that. And I want to be able to explain it to the person that's sitting at home. And that's where we're here.

And so I yield back. I now recognize the ranking member, Mr. Cummings.

CUMMINGS: Director Comey, thank you for being here today.

I want to begin by commending you and the public servants at the FBI for the independent investigation you conducted. You had a thankless task. No matter what recommendation you made, you were sure to be criticized.

There's no question that you were extremely thorough. In fact, some may even say you went too far in your investigation. But of course, that was your job. That is your job.

Secretary Clinton has acknowledged that she made a mistake in using a personal e-mail account. You explained on Tuesday that she and her colleagues at the State Department were extremely careless with their e-mails. But after conducting this exhaustive review, you determined that no reasonable prosecutor would bring a case based on this evidence. And you and the career staff recommended against prosecution.

Based on the previous cases you examined, if prosecutors had gone forward, they would have been holding the secretary to a different standard from everyone else. Amazingly, amazingly, some Republicans who were praising you just days ago for your independence, for your integrity, and your honesty, instantly turned against you because your recommendation conflicted with the predetermined outcome they wanted.

In their eyes, you had one job, and one job only: to prosecute Hillary Clinton. But you refused to do so. So now you are being summoned here to answer for your alleged transgressions. And in a sense, Mr. Director, you're on trial. Contrary to the claims of your critics, there is absolutely no evidence that you made your recommendation for political reasons; no evidence that you were bribed or coerced or influenced; no evidence that you came to your conclusion based upon anything but the facts and the law.

I firmly believe that your decision was not based on convenience, but on conviction. Today, House Republicans are doing what they always do, using taxpayers' money to continue investigating claims that

have already been debunked just to keep them in the headlines one more day. When they hear a political siren, they rush towards it over and over again, even if the evidence is not there.

Exhibit A. Majority Leader Kevin McCarthy, who admitted on national television that Republicans established the Benghazi Select Committee to bring down Secretary Clinton's poll numbers. I didn't say that. McCarthy said it. The fact was confirmed by a Republican staffer on that committee who reported that he was fired in part for not going along with the hyper-focus on Secretary Clinton.

I give House Republicans credit. They certainly are not shy about what they are doing. They've turned political investigations into an art form. If our concerns here today are with the proper treatment of classified information, then we should start with a review of our previous hearing on General David Petraeus, who pled guilty last year to intentionally and knowingly compromising highly classified information.

The problem is, Mr. Director, we never had that hearing. This committee ignored that breach of national security because it did not match the political goals of House Republicans. If our concerns today were with finally addressing a broken classification system in which security levels are arbitrarily changed up and down, that would have been a legitimate goal. That would have been a valuable addition to reforming and improving our government. After all, we are the Government Reform Committee.

We could have held hearings here on Zika -- the Zika virus, preventing gun massacres like the one in Orlando, or a host of other topics that could actually save people's lives. But that's not why we're here. That is not why our chairman called this emergency hearing 48 hours after you made your recommendation.

Everyone knows what this committee is doing. Honestly, I would not be surprised and I say this with all seriousness, I would not be surprised if tomorrow Republicans set up a new committee to spend $7 million-plus on why the FBI failed to prosecute Hillary Clinton.

Director Comey, let me conclude with this request. Even with all that I have said, I believe that there is a critical role for you today. I've listened carefully to the coverage on this issue. And I've heard people say as recently as this morning, three hours ago, that they were mystified by your decision. As a matter of fact, the chairman repeated it a minute ago.

So there is a perceived gap between the things you said on Tuesday and your recommendation. There's a gap, Mr. Director. So in this moment, and this is a critical moment, I beg you to fill the gap. Because when the gap is not filled by you, it will be filled by others. Share with us, the American people, your process and your thinking. Explain how you examine the evidence, the law, and the precedent. Describe in clear terms how you and your team career professionals arrived at this decision.

If you can do that today, if you can do that, that could go a long way towards people understanding your decision.

Finally, I want to make it clear that I condemn these completely unwarranted political attacks against you. They have attacked you personally. They have attacked your integrity. They have impugned your professionalism. And they have even suggested that you were somehow bought and paid for because you made your recommendation based upon the law and the facts.

I know you're used to working in a world of politics, but these attacks have been beyond the pale.

So, you do not deserve this. Your family does not deserve it. And the highly skilled and dedicated agents of the FBI do not deserve it. I honor your professionalism and your service to our country. And again, even if it takes until hell freezes over, I beg you to close the gap. Tell us what happened between what you found and your decision so that not only the members of this panel and this Congress will understand, but so that Americans will understand.

And if you do that, if you do that, then it will be all worth it today.

With that, I yield back.

CHAFFETZ: I think -- hold on one second. With -- with your indulgence, to the ranking member, for which I have the greatest respect, you asked for a hearing on General Petraeus and how that was dealt with. You got it. We will have one in this oversight committee and the record will reflect that in the Judiciary Committee, I repeatedly questioned Attorney General Holder. I repeatedly questioned the FBI director about the disposition of that case, probably more than any member in the House or Senate. And if you want a hearing, we'll do that.

CUMMINGS: Does the gentleman yield?

CHAFFETZ: Yes.

CUMMINGS: Thank you.

CHAFFETZ: Number two, you complained that we haven't done a hearing on Zika. The Oversight and Government Reform Committee I believe was the very first committee to actually do a hearing on Zika that was chaired by Mr. Mica. And I'm proud of the fact that we did a Zika hearing and we did it first.

CUMMINGS: Does the gentleman yield?

CHAFFETZ: Sure.

CUMMINGS: Can we have another one? Because the problem is still there.

CHAFFETZ: Absolutely.

CUMMINGS: Big time. Thank you.

CHAFFETZ: Absolutely, absolutely.

MICA: Mr. Chairman, I just -- a unanimous consent request that we put the date of the hearing in the record at this time that I chaired, thank you, on Zika.

CHAFFETZ: Absolutely. And the ranking member knows that we have held multiple hearings on the criminal justice -- on criminal justice reform. You asked for it. You're passionate about it. And we did do that as well. So to suggest we haven't addressed some of those issues I think is inaccurate.

CUMMINGS: I don't think I did that, Mr. Chairman. But again, as late as yesterday with the problem in Minnesota, with an African American man being killed, I'd like to have some hearings still on the criminal justice system. Thank you.

CHAFFETZ: I thank the gentleman, without objection.

I'm going to work with you on that, as I have every step of the way.

CUMMINGS: Thank you, Mr. Chairman.CHAFFETZ: Without objection, the chair is authorized to declare a recess at any time.

We'll hold the record open for five legislative days for any members who would like to submit a written statement.

We'll now recognize our distinguished witness for our first panel.

I am pleased to welcome the Honorable James Comey, the director of the Federal Bureau of Investigations. We welcome Director Comey, and thank him for being here.

Pursuant to committee rules, all witnesses are to be sworn before they testify. If you'll please rise and raise your right hand. Do you solemnly swear or affirm that the testimony you're about to give is the truth, the whole truth, and nothing but the truth?

Thank you.

Let the record reflect that the witness answered in the affirmative.

Mr. Comey, the floor is yours. You can take as long or as short as you'd like. If you have a written statement that you would like to submit afterwards, we're happy to do that as well. It will be made part of the record. The time is now yours. Director Comey, you're recognized.

COMEY: Thank you Mr. Chairman, Mr. Cummings, members of the Committee.

I am proud to be here today representing the people of the FBI who did this investigation as they do all their work in a competent, honest, and independent way. I believe this investigation was conducted consistent with the highest traditions of the FBI. Our folks did it in an apolitical and professional way, including our recommendation as to the appropriate resolution of this case.

As I said in my statement on Tuesday, I expected there would be significant public debate about this recommendation. And I'm a big fan of transparency, so I welcome the conversation we're going to have here today. And I do think a whole lot of folks have questions about, "so why did we reach the conclusion we did and what was our thinking?" I hope to get an opportunity to address that and explain it. People can disagree, can agree, but they will at least understand that the decision was made and the recommendation was made the way you would want it to be, by people who didn't give a hoot about politics, who cared about what are the facts, what is the law, and how similar people, all people have been treated in the past.

Maybe I can say a few words at the beginning that would help frame how we think about this. There are two things that matter in a criminal investigation of a subject. What did the person do, and when they did that thing, what were they thinking? When you look at the hundred years plus of the Justice Department's investigation and prosecution of the mishandling of classified information, those two questions are present. What did the person do? Did they mishandle classified information? And when they did it, did they know they were doing something that was unlawful.? That has been the characteristic of every charged criminal case involving the mishandling of classified information.

I'm happy to go through the classifications in particular. In our system of law, there's a thing called mens rea. It's important to know what you did and when you did it. This Latin phrase "mens rea" means, "What were you thinking?"

We don't want to put people in jail unless we prove that they knew they were doing something they shouldn't do. That is the characteristic of all the prosecutions involving mishandling of classified information.

There was a statute passed in 1917 that on its face makes it a crime, a felony for someone to engage in gross negligence. So that would appear to say, well, maybe in that circumstance you don't need to prove they were doing something unlawful, maybe it's enough to prove they were really, really careless beyond a reasonable doubt. At the time Congress passed that statute in 1917, there was a lot of concern in the House and Senate about whether that was going to violate the American tradition of requiring that before you go and lock somebody up, you proved they knew they were doing something wrong. So there was a lot of concern about it.

The statute was passed. As best I can tell, the Department of Justice has used it once in the 99 years since reflecting that same concern. I know from 30 years with the Department of Justice, they have grave concerns about whether it's appropriate to prosecute somebody for gross negligence, which is why they've done it once that I know of in a case involving espionage.

When I look at the facts we gather here, as I said, I see evidence of great carelessness, but I do not see evidence that is sufficient to establish that Secretary Clinton or those with whom she was corresponding, both talked about classified information on e-mail and knew when they did it, they were doing something that was against the law. So given that assessment of the facts, my understanding of the law, my conclusion was and remains, no reasonable prosecutor would bring this case. No reasonable prosecutor would bring the second case in 100 years focused on gross negligence. I know that's been a source of some confusion for folks, that's just the way it is. I know the Department of Justice, I know no reasonable prosecutor would bring in the case. I know a lot of my former friends are out there saying, they would. I wonder where they were in the last 40 years because I'd like to see the cases they brought on gross negligence. Nobody would. Nobody did.

So judgment was, the appropriate resolution of this case was, not with a criminal prosecution. As I said, folks can disagree with that. I hope that they know that, that view, not just my view but of my team, was honestly held, fairly investigated, and communicated with unusual transparency because we know folks care about it.

So I look forward to this conversation. I look forward to answering as many questions as I possibly can. I'll stay as long as you need me to stay because I believe transparency matters tremendously. I thank you for the opportunity.

CHAFFETZ: Thank you, director. I'm going to recognize myself here.

Physically where were Hillary Clinton's servers?

COMEY: The operational server was in the basement of her home in New York. The reason I'm answering it that way, is that sometimes after they were decommissioned they were moved to other facilitates -- storage facilities, but the live device was always in the basement.

CHAFFETZ: Was that an authorized or unauthorized location?

COMEY: It was an unauthorized location for the transmitting of classified information.

CHAFFETZ: Is it reasonable or unreasonable to expect Hillary Clinton would receive and send classified information?

COMEY: As Secretary of State, reasonable that the Secretary of State would encounter classified information in the course of the Secretary's work.

CHAFFETZ: Via e-mail?

COMEY: Sure, depending upon the nature of the system. To communicate classified information, it would have to be a classified rated e-mail system.

CHAFFETZ: But you did find more than 100 e-mails that were classified that had gone through that server correct?

COMEY: Through an unclassified server correct.

CHAFFETZ: Yes. So Hillary Clinton did come to possess documents and materials that contained classified information via e-mail on these unsecured servers is that correct?

COMEY: That is correct. CHAFFETZ: Did Hillary Clinton lie?

COMEY: To the FBI? We have no basis to conclude she lied to the FBI.

CHAFFETZ: Did she lie to the public?

COMEY: That's a question I'm not qualified to answer. I can speak about what she said to the FBI.

CHAFFETZ: Did she -- did Hillary Clinton lie under oath?

COMEY: To the -- not to the FBI. Not in a case we're working.

CHAFFETZ: Did you review the documents where Congressman Jim Jordan asked her specifically and she said, quote, "there was nothing marked classified on my e-mails either sent or received," end quote?

COMEY: I don't remember reviewing that particular testimony, I'm aware of that being said, though.

CHAFFETZ: Did the FBI investigate her statements under oath on this topic?

COMEY: Not to my knowledge. I don't think there's been a referral from Congress.

CHAFFETZ: Do you need a referral from Congress to investigate her -- her statements under oath?

COMEY: Sure do.

CHAFFETZ: You'll have one. You'll have one in the next few hours. Did

Hillary Clinton break the law?

COMEY: In connection with her use of the e-mail server, my judgment is that she did not.

CHAFFETZ: Are you just not able to prosecute it or did Hillary Clinton break the law?

COMEY: Both. I don't want to give an overly lawyerly answer. The question I always look at is, is there evidence that would establish beyond a reasonable doubt that somebody engaged in conduct that violated a criminal statute. And my judgment here there is not.

CHAFFETZ: The FBI does background checks. If Hillary Clinton applied for the job at the FBI, would the FBI give Hillary Clinton a security clearance?

COMEY: I don't want to answer a hypothetical.

The FBI has a robust process in which we adjudicate the suitability of people for employment in the bureau. CHAFFETZ: Given the fact pattern you laid out less than 40 hours ago, would that person who had dealt with classified information like that, would that person be granted a security clearance at the FBI?

COMEY: It would be a very important consideration and a suitability determination.

CHAFFETZ: You're kind of making my point, Director. The point being because I injected the word "Hillary Clinton," you gave me a different answer.

If I came up to you and said that this person was extremely careless with classified with classified information, the exposure to hostile actors, had used despite a warning -- created unnecessary burdens and exposure, if they said they had one device and you found out they had multiple devices, if there had been e-mail chains with somebody like Jake Sullivan asking for classification changes; you're telling me that the FBI would grant a security clearance to that person?

COMEY: I hope I'm giving a consistent -- I'm not saying what the answer would be.

I'm saying that would be an important consideration in a suitability determination for anybody.CHAFFETZ: It's -- personally, I think that sounds like a bit of a political answer, because I can't imagine that the FBI would grant a security clearance to somebody with that pattern. Do you agree or disagree with that?

COMEY: I say what I said before, again, it's very hard to answer a hypothetical. I will repeat it: It would be a very important consideration in a suitability determination.

CHAFFETZ: Did Hillary Clinton do anything wrong?

COMEY: What do you mean by wrong?

CHAFFETZ: I think it's self-evident.

COMEY: Well, I'm lawyer, I'm an investigator and I'm -- hope, a normal human being.

CHAFFETZ: Do you really believe there should be no consequence for Hillary Clinton and how she dealt with this?

COMEY: Well I didn't say, I hope folks remember what I said on Tuesday. I didn't say there's no consequence for someone who violates the rules regarding the handling of classified information. There are often very severe consequences in the FBI involving their employment, involving their pay, involving their clearances.

That's what I said on Tuesday. I hope folks walk away understanding that just because someone's not prosecuted for mishandling classified information, that doesn't mean, if you work in the FBI, there aren't consequences for it.

CHAFFETZ: So if Hillary Clinton or if anybody had worked at the FBI under this fact pattern, what would you do to that person?

COMEY: There would be a security review and an adjudication of their suitability and a range of discipline could be imposed from termination to reprimand and in between, suspensions, loss of clearance.

So you could be walked out or you could -- depending upon the nature of the facts -- you could be reprimanded. But there is a robust process to handle that.

CHAFFETZ: I've gone past my time. I yield back. I now recognize the ranking member Mr. Cummings.
CUMMINGS: Thank you very much. Director Comey, and I want to thank you very much for being here today, especially on such short notice. You and your staff should be commended for the thorough and dedicated review you conducted.

Unfortunately, some of my colleagues are now attacking you personally because your final recommendation conflicted with their preconceived political outcome in this case.

Some have tried to argue that this case is far worse than the case of General David Petraeus, who was convicted in 2015 of knowingly and intentionally compromising highly classified information.

In fact, one very vocal politician we all know said this, and I quote, "If she isn't indicted, the only reason is because the Democrats are protecting her. She is being protected 100 percent, because you look at

General Petraeus, you look at all the other people that did a fraction of what she did, but she has much worse judgment than he had and she's getting away with it and it's unfair to him," end of quote.

Director Comey, you were the director of the FBI when General Petraeus pled guilty. Is that right?

COMEY: Yes.

CUMMINGS: If I understand that case correctly, General Petraeus kept highly classified information in eight personal notebooks at his private residence. Is that correct?

COMEY: That is correct.

CUMMINGS: According to the filings on that case, his notebook included the identities of covert officers. He also included war strategy, intelligence capabilities, diplomatic discussions, quotes and (inaudible) discussions from high level national security council meetings and discussions with the president.

General Petraeus shared his information with his lover and then biographer. He was caught on audio tape telling her, and I quote, "I mean, they are highly classified, some of them. They don't have it -- it on -- on it, but I mean, there's code word stuff in there," end of quote.

Director Comey, what did General Petraeus mean when he said he intentionally shared, quote, "code word" information with her? What does that mean?

COMEY: The Petraeus case, to my mind, illustrates perfectly the kind of cases the Department of Justice is willing to prosecute. Even there, they prosecuted him for a misdemeanor.

In that case, you had vast quantities of highly classified information, including special sensitive compartmented information. That's the reference to code words. Vast quantity of it. Not only shared with someone without authority to have it, but we found it in a search warrant hidden under the insulation in his attic and then he lied to us about it during the investigation.

So you have obstruction of justice, you have intentional misconduct and a vast quantity of information. He admitted he knew that was the wrong thing to do. That is a perfect illustration of the kind of cases that get prosecuted. In my mind, it illustrates importantly the distinction to this case.

CUMMINGS: And General Petraeus did not admit to these facts when the FBI investigators first interviewed him, did he?

COMEY: No, he lied about it.

CUMMINGS: But he did admit to these facts in a plea agreement. Is that correct?

COMEY: Yes.

CUMMINGS: Here's what the department filing said about General Petraeus, and I quote. "The acts taken by defendant David Howell Petraeus were in all respects knowing and deliberate and were not committed by mistake, accident or other innocent reason," end of quote.

Is that an accurate summary, in your view, Director Comey?

COMEY: Yes, it actually leaves out an important part of the case, which is the obstruction of justice.

CUMMINGS: Was he -- was he charged with obstruction of justice?

COMEY: No.

CUMMINGS: And why not?

COMEY: A decision made by the leadership of the Department of Justice not to insist upon a plea to that felony.

CUMMINGS: So the question is, do you agree with the claim that General Petraeus, and I quote, "got in trouble for far less," end of quote? Do you agree with that statement?

COMEY: No, it's the reverse.

CUMMINGS: And what do you mean by that?

COMEY: His conduct, to me, illustrates the categories of behavior that mark the prosecutions that are actually brought. Clearly intentional conduct, knew what he was doing was a violation of the law, huge amounts of information that even if you couldn't prove he knew it, it raises the inference that he did it, an effort to obstruct justice. That combination of things makes it worthy of a prosecution. A misdemeanor prosecution, but a prosecution nonetheless.

CUMMINGS: Sitting here today, do you stand by the FBI's recommendation to prosecute General Petraeus? COMEY: Oh, yeah.

CUMMINGS: Do you stand by the FBI's recommendation not to prosecute Hillary Clinton?

COMEY: Oh -- yes.

CUMMINGS: Director Comey, how many times have you testified before Congress about the General Petraeus case? Do you know?

COMEY: I don't think I've ever testified -- I don't think I've testified about it at all. I don't think so.

CUMMINGS: With that, I'll yield back.

CHAFFETZ: I have to check the record, but I believe I asked you a question about it at the time. But maybe not.

COMEY: You could have. That's why I was squinching my face. It could have been a Judiciary Committee hearing I was asked about it.

CHAFFETZ: Yeah. We'll now recognize the gentleman from South Carolina, Mr. Gowdy, for five minutes.

GOWDY: Good morning, Director Comey. Secretary Clinton said she never sent or received any classified information over her private e- mail. Was that true?

COMEY: Our investigation found that there was classified information sent...

GOWDY: So it was not true?

COMEY: That's what I said.

GOWDY: OK. Well, I'm looking for a little shorter answer so you and I are not here quite as long. Secretary Clinton said there was nothing marked classified on her e-mails, either sent or received. Was that true?

COMEY: That's not true. There were a small number of portion markings on, I think, three of the documents.

GOWDY: Secretary Clinton said, I did not e-mail any classified material to anyone on my e-mail, there is no classified material. Was that true?

COMEY: There was classified material e-mailed.

GOWDY: Secretary Clinton said she used just one device. Was that true?

COMEY: She used multiple devices during the four years of her term as secretary of state.

GOWDY: Secretary Clinton said all work-related e-mails were returned to the State Department. Was that true?

COMEY: No. We found work-related e-mails, thousands that were not returned.

GOWDY: Secretary Clinton said neither she nor anyone else deleted work related e-mails from her personal account. Was that true?

COMEY: That's a harder one to answer. We found traces of work- related e-mails in -- on devices or in slack space. Whether they were deleted or whether when the server was changed out something happened to them. There's no doubt that the work-related e-mails that were removed electronically from the e-mail system.

GOWDY: Secretary Clinton said her lawyers read every one of the e-mails and were overly inclusive. Did her lawyers read the e-mail content individually?

COMEY: No.

GOWDY: Well in the interest of time, and because I have a plane to catch tomorrow afternoon, I'm not going to go through anymore of the false statements. But I am going to ask you to put on your old hat. False exculpatory statements, they are used for what?

COMEY: Either for the -- a substantive prosecution or for evidence of intent in a criminal prosecution.

GOWDY: Exactly. Intent and consciousness of guilt, right? Is that right?

COMEY: Right.

GOWDY: Consciousness of guilt and intent. In your old job, you would prove intent, as you just referenced, by showing the jury evidence of a complex scheme that was designed for the very purpose of concealing the public record and you would be arguing in addition to concealment the destruction that you and I just talked about or certainly the failure to preserve.

You would argue all of that under the heading of content (ph) -- intent. You would also be arguing the pervasiveness of the scheme, when it started, when it ended and the number of e-mails, whether they were originally classified or up-classified.

You would argue all of that under the heading of intent. You would also, probably, under common scheme or plan, argue the burn bags of daily calendar entries or the missing daily calendar entries as a common scheme or plan to conceal.GOWDY: Two days ago, Director, you said, "A reasonable person in her position should have known a private e-mail was no place to send and receive classified information." You're right. An average person does know not to do that.

This is no average person. This is a former first lady, a former United States senator, and a former secretary of state that the president now contends is the most competent, qualified person to be president since Jefferson. He didn't say that in '08, but he says is now.

She affirmatively rejected efforts to give her a state.gov account. She kept these private e-mails for almost two years, and only turned them over to Congress because we found out she had a private e-mail account.

So you have a rogue e-mail system set up before she took the oath of office, thousands of what we now know to be classified e-mails, some of which were classified at the time. One of her more frequent e-mail comrades was in fact hacked, and you don't know whether or not she was. And this scheme took place over a long period of time and it resulted in the destruction of public records.

And yet you say there is insufficient evidence of intent. You say she was extremely careless, but not intentionally so. You and I both know intent is really difficult to prove. Very rarely do defendants announced "on this date, I intend to break this criminal code section; just to put everyone on notice, I am going to break the law on this date." It never happens that way.

You have to do it with circumstantial evidence. Or if you're Congress and you realize how difficult it is to prove specific intent, you will formulate a statute that allows for gross negligence.

My time is out, but this is really important. You mentioned there's no precedent for criminal prosecution. My fear is there still isn't. There's nothing to keep a future secretary of state or president from this exact same e-mail scheme, or their staff.

And my real fear is this -- it's what the chairman touched upon, this double-track justice system that is rightly or wrongly perceived in this country, that if you are a private in the Army and you e-mail yourself classified information, you will be kicked out. But if you are Hillary Clinton and you seek a promotion to

commander in chief, you will not be. So what I hope you can do today is help the average -- the reasonable person you made reference to, the reasonable person understand why she appears to be treated differently than the rest of us would be.

With that, I would yield back.

CHAFFETZ: I will now recognize the gentlewoman from New York, Ms. Maloney.

MALONEY: Director, thank you for your years of public service. You have distinguished yourself as the assistant U.S. attorney for both the Southern District of New York and the Eastern District of Virginia. That's why you were appointed by President Bush to be the deputy attorney general at the Department of Justice, and why President Obama appointed you as the director of the FBI in 2013.

Despite your impeccable reputation for independence and integrity, Republicans have turned on you with a vengeance immediately after you announced your recommendation not to pursue criminal charges against Secretary Clinton.

Let me give you some examples. Representative Turner said, and I quote, "The investigation by the FBI is steeped in political bias," end quote. Was your investigation steeped in political bias? Yes or no?

COMEY: No. It was steeped in no kind of bias.

MALONEY: Thank you.

The speaker of the House Paul Ryan was even more critical. He accused you of not applying the law equally. He said your recommendation shows, and I quote, "the Clintons are living above the law; they've being held to a different set of standards; that is clearly what this looks like," end quote.

How do you respond to his accusations that you held the Clintons to a different set of standards than anyone else? Did you hold them to a different standard or the same standard?

COMEY: It's just not -- it's just not accurate. We try very hard to apply the same standard whether you're rich or poor, white or black, old or young, famous or not known at all. I just hope folks will take the time to understand the other cases, because there's a lot of confusion out there about what the facts were of the other cases that I understand good people, reasonable people to have questions.

MALONEY: Senator Cruz also criticized you. He said that there are, and I quote, "serious concerns about the integrity of Director Comey's decision." He stated that you, quote, "you had rewritten a clearly worded federal criminal statute." Did you rewrite the law in any way or rewrite any statute?

COMEY: No. MALONEY: Now, I hesitate -- I truly hesitate to mention the next one. But Donald Trump took these conspiracy theories to a totally new level. He said, and I quote, "It was no accident that charges (inaudible) recommended against Hillary the exact same day as President Obama campaigned with her for the first time." So did you plan the timing of your announcement to help Secretary Clinton's campaign event on Tuesday?

COMEY: No. The timing was entirely my own. Nobody knew I was going to do it, including the press. I'm very proud of the way the FBI, nobody leaked that. We didn't coordinate it. Didn't tell. Just not a consideration.

MALONEY: Mr. Trump also claimed that Secretary Clinton bribed the attorney general with an extension of her job. And I guess this somehow affected your decision. I know it's a ridiculous question, but I have to ask it. Did you make your decision because of some kind of bribe to the attorney general?

COMEY: No.

MALONEY: I -- I tell you, are you surprised as I am by the intensity of the attacks from the GOP on you, after having made a decision, a thoughtful decision, an independent decision with the professional staff of the FBI?

COMEY: I'm not surprised by the intense interest and debate. I predicted it. I think it's important that we talk about these things. They inevitably become focused on individual people. That's OK. We'll just continue to have the conversation.

MALONEY: I believe that what we're seeing today is that if the GOP does not like the results of an investigation or how it turns out, and we saw they originally were lauding you. The minute you made your announcement, they're now attacking you -- the same people.

And now, I predict they'll be calling for more hearings, more investigations, all at the expense of the taxpayer. And they do this instead of working on what the American people really care about. They want Congress to focus on jobs, the environment, homeland security, the security of our nation, affordable childcare, affordable college educations, and an economy that works and helps all people.

I thank you for performing your job with distinction and the long history of your whole profession of integrity and independence. And thank you very much. My time is expired.

CHAFFETZ: I thank the gentlewoman.

We'll now recognize the gentleman from Ohio, Mr. Jordan, for five minutes.

JORDAN: Thank you, Mr. Chairman.

Director, thank you for being with us. On Tuesday, you said, "any reasonable person in Secretary Clinton's position should have known that an unclassified system was no place for these conversations." You said on Tuesday, "some of her e-mails bore classified markings." And you also said on Tuesday there were potential violations of the appropriate statutes.

Now, I know a bunch of prosecutors back home would look at that fact pattern and look at that evidence -- you even referenced it in your opening statement, some of your prosecutor -- friends in the prosecution business have been on TV saying they would have looked at that same evidence and they would have taken it to a grand jury.

But on Tuesday, you said, and today in your opening statement, you said, "no reasonable prosecutor would bring such a case."

And then in your statement Tuesday, you cite factors that helped you make that decision and make that statement. And one of the factors you said was "consider the context of a person's actions." Typically, when I hear "context" in the course of a criminal investigation, it's -- it's from the defense side, not the prosecution side. It's at the end of the case after there's been a trial and a guilty verdict, and it's during the sentencing phase -- mitigating circumstances. That's the context we typically think about.

But you said it on the front end. You said "consider the context of the person's actions." And so I'm curious. What does "consider the context" mean? Because a lot of Americans are thinking just what the chairman talked about in his opening statement, that there are two standards: one for we the people, and one for the politically connected.

A lot of folks I get the privilege of representing back in Ohio think that when you said "consider the context," they think that's what Mr. Gowdy just talked about -- the fact that she is former first lady, former secretary of state, former senator, major party's nominee for the highest office in the land. And, oh by the way, her husband just met with the individual you work with at an airport in Arizona five days ago.

So, you said none of that influenced your decision. But tell us what "consider the context" means.COMEY: Thank you, Mr. Jordan.

What I was trying to capture is the fact that the exercise for prosecutorial discretion is always a judgment case. It is in every single case. Among the things you consider are, what was this person's background? What was the circumstances of the offense? Were they drunk? Were they inflamed by passion? Was it somebody who had a sufficient level of education, and training, and experience that we can infer certain things from that to consider the entire circumstances of the conduct and background? I did not mean to consider political context.

JORDAN: The entire circumstances, and Mr. Gowdy just talked about this scheme -- remember what she did, right? She sets up this unique server arrange. She alone controlled it.

On the server, on that system are her personal e-mails, her work related e-mails, Clinton Foundation information, and now we know, classified information. This gets discovered. We find out this arrangement exists. Then what happens? Her lawyers, her legal team decides which ones we get and which ones they get to keep.

They made the sort on the front end. And then we find out the ones that they kept and didn't give to us, didn't give to the American people, didn't give to Congress, the ones they kept, they destroyed them. And you don't have to take my word. I'll take what you said on Tuesday, "they deleted all e-mails they did not return to the State Department, and the lawyers cleaned their devices in such a way as to preclude complete forensic recovery." Now, that sounds like a fancy way of saying they hid the evidence, right? And you just told Mr. Gowdy thousands of e-mails fell into those categories.

Now, that seems to me to provide some context to what took place here. Did Secretary Clinton's legal team -- excuse me, let me ask it this way. Did Secretary Clinton know her legal team deleted those e-mails that they kept from us?

COMEY: I don't believe so.

JORDAN: Did Secretary Clinton approve those e-mails being deleted?

COMEY: I don't think there was any specific instruction or conversation between the Secretary and her lawyers about that.

JORDAN: Did you ask that question? COMEY: Yes.

JORDAN: Did Secretary Clinton know that her lawyers cleaned devices in such a way to preclude forensic recovery?

COMEY: I don't believe she did.

JORDAN: Did you ask that question?

COMEY: Yes.

JORDAN: Do you see how someone could view the context of what she did, set up a private system, she alone controlled it, she kept everything on it? We now know from Ms. Abedin's deposition they did it for that reason, so no one could see what was there based on the depositions Ms. Abedin gave. And then when they got caught, they deleted what they had and they scrubbed their devices. Is that part of the context in evaluating this decision?

COMEY: Sure, sure. And I understand what inferences can be drawn from that set of facts, of course.

JORDAN: Mr. Chairman, I yield back.

CHAFFETZ: I thank the gentleman. We will now recognize the gentle woman from the District of Columbia, Mrs. Norton for five minutes.

NORTON: Thank you, Mr. Chairman. Director Comey, I appreciate your conduct of this investigation in a nonpartisan way in keeping with the sterling reputation, which has led presidents of both parties to appoint you to highly placed law enforcement positions in our federal government.

I want to say for the record that this hearing where you call the prosecutor, Mr. Comey, stands in the place of the prosecutor, because the Attorney General has accepted entirely the FBI's recommendations. When you call the prosecutor to give account for the decision to prosecute or not a particular individual raises serious questions of separation of powers, and particularly when you're questioning the prosecutor's decision with respect to the decision, to prosecute or not a particular individual, it raises serious bill of attainder Constitutional questions.

These hearings are so often accusatory that they yield no guidance as to how to conduct business in the future. And that's the way it looks -- it looks as though that is how this hearing is going. Of course, now, everyone understands in the abstract, why it is important for security reasons to use official government mail or e- mail rather than private e-mail if security matters are involved. It's a very broad, wide proposition.

Now, there are no rules so far as I know, requiring members of Congress to use their -- as to how they use their official e-mail accounts, whether involving security or not. The Chairman of this Committee lists his personal account, for example, on his business card. No one says that's wrong. I don't know if it's wrong or right, because there's no guidance.

Federal agency employees, members of Congress, often have secure information or at least sensitive information that shouldn't be made public. Some of our members on the Intelligence Committee, or the Defense Committee or even this committee, and they have such matters -- some of these matters may concern national security issues. And I don't know if something is sensitive, as the itinerary -- if you're going to a hotel as to the route you're taking, and where you will be, all that could be on people's personal e-mails.

Of course, there's a legislative branch, and I spoke of separation of powers. I'm not indicating that there should be a government-wide sense that it is ordained from or hide (ph) -- but there ought to be rules that everybody understands about especially after the Clinton episode, about the use of personal e-mail. So I would like your insight for guidance as far as other federal employees are concerned or other members of Congress and their staff because I think we could learn from this episode.

So strictly from a security standpoint, do you believe that federal employees, staff, even members of Congress, should attempt guidance on the issue of the use of personal e-mails versus some official form of communication? What should we learn from the process the Secretary has gone through? I'm sure there will be questions about how there was even confusion, for example, in the State Department. But what should we learn when it comes to our own -- our own use of e-mail and the use of federal employees on this question?

COMEY: May I answer, Mr. Chairman?

The most important thing to learn is an unclassified e-mail system is no case for an e-mail conversation about classified matters. By that, I mean either sending a document as an attachment over unclassified e-mail that is classified, or having a conversation about something that is a classified subject on an unclassified e-mail system. That's the focus of the concern.

That's the focus of this investigation, that it was also a personal e-mail adds to the concern about the case because of the security vulnerabilities associated with a personal system. But the brute of the problem is people using unclassified systems to conduct business that is classified. So all of us should have access to, when we have access to classified information, classified communication systems.

The FBI has three levels an unclassified system, a secret system, and a top secret system. You can e-mail on all three, but you need to make sure you don't e-mail on the unclassified system, even if that's a government classified system about matters that are classified. That's the important lesson learned.

Everybody ought to be aware of it. Everybody ought to be trained on it. We spend a lot of time training on it in the fib to make sure folks are sensitive to the need of moving a classified discussion, even if it doesn't involve sending a document to the appropriate forum.

NORTON: Members of Congress included?

COMEY: Of course.

NORTON: Thank you, Mr. Chairman.

CHAFFETZ: We'll now recognize the gentleman from Florida, Mr. DeSantis for five minutes.

DESANTIS: Director, the reason why that's so important is because of if top secret information is compromised, that could damage our national security, correct?

COMEY: Yes, by definition...DESANTIS: And American lives are at stake in some instances, correct?

COMEY: Yes.

DESANTIS: You mentioned, a lot of people are upset that there are no consequences for Secretary Clinton, but in your statement you pointed out that administrative and security consequences would be appropriate if someone demonstrated extreme carelessness for classified information. So for those consequences, that would include potentially termination of federal employment?

COMEY: Correct.

DESANTIS: It could include revocation of security clearance?

COMEY: Yes.

DESANTIS: It could include and ineligibility for future employment in national security positions?

COMEY: It could.

DESANTIS: Would you as the FBI Director allow someone, and employee of your agency to work in a national security capacity, if that person had demonstrated extreme carelessness in handling top- secret info?

COMEY: The answer to that is we would look very closely at that in a suitability determination. It's hard to answer in the abstract, "yes in all cases and no in all cases," but it would be a very important suitability scrub.

DESANTIS: So there would be instances where someone could be extremely careless and maintain competence? We have a lot of people who are competent in this country who would love to work for your agency, but yet, it would be potentially -- you would allow someone to be potentially careless and carry on?

COMEY: In the hypothetical, I can imagine if it was a long time ago, and it was a small amount of conduct or something -- that's why it's hard to say other than it would be a very important part...

DESANTIS: Let's put it this way. Would being extremely careless in handling top secret information expose an employee of the FBI to potential termination? COMEY: Yes.

DESANTIS: Why shouldn't U.S. officials use mobile devices when traveling to foreign countries, especially if they're discussing classifying or sensitive information?

COMEY: Because the mobile device will transmit its signal across networks that are likely controlled or at least accessed by that hostile power.

DESANTIS: That's the guidance that the FBI gives all officials when they're traveling overseas? That's still good guidance, correct?

COMEY: That's good guidance.

DESANTIS: How did top secret information end up on the private server, because your statement addressed Secretary Clinton. You did not address any of her aides in your statement. Attorney general Lynch exonerated everybody. That information just didn't get there on its own, so how did it get there? Were you able to determine that?

COMEY: Yes, by people talking about a top secret subject in an e-mail communication.

DESANTIS: So...

COMEY: Not about forwarding a top secret document, it's about having a conversation about a matter that is top secret.

DESANTIS: And those were things that were originated by Secretary Clinton's aides and sent to her, which would obviously be in her server, but it was also included Secretary Clinton originating those e-mails, correct?

COMEY: That's correct.

In most circumstances, it initiated with aides starting the conversation. In the one involving top secret information, Secretary Clinton not only received but sent e-mails talking about the same subject.

DESANTIS: And of that top secret information you found, would somebody who is sophisticated in those matters, should it have been obvious to them that was sensitive information?

COMEY: Yes.

DESANTIS: So I guess my issue about knowledge of what you're doing is, in order for Secretary Clinton to have access to top secret, SCI FBI information, didn't she have to sign a form with the State Department acknowledging her duties and responsibilities under the law to safeguard this information?

COMEY: Yes. Anybody who gets access to SCI, Sensitive Compartmented Information would sign a read-in form that lays that out. I'm sure members of Congress have seen the same thing. DESANTIS: And it stresses in that document and other training people would get, that there are certain requirements to handling certain levels of information. For example, a top secret document, that can't even be on your secret system at the FBI, correct?

COMEY: Correct.

DESANTIS: So you have to follow certain guidelines. And I guess my question is, is she's very sophisticated person, she did execute that document, correct?

COMEY: Yes.

DESANTIS: And her aides who were getting the classified information, they executed similar documents to get a security clearance, correct?

COMEY: I believe so.

DESANTIS: And she knowingly clearly set up her own private server in order to -- let me ask you that, was the reason she set up her own private server in your judgment was because she wanted to shield communications from Congress and the public?

COMEY: I can't say that.

Our best information is that she set it up as a matter of convenience. It was an existing system her husband had and she decided to have a domain on that system.

DESANTIS: So the question is, is very sophisticated, this is information that clearly anybody who had knowledge of security information would know that it would be classified? But I'm having a little bit of trouble to see, how would you not then know that that was something that was inappropriate to do?

COMEY: Well, I just want to take one of your assumptions about sophistication. I don't think that our investigation established she was actually particularly sophisticated with respect to classified information and the levels and treatment, and so far as we can tell...

DESANTIS: Isn't she in an original classification of authority?

COMEY: Yes, sir.

DESANTIS: Good grief.

Well, I appreciate you coming. I yield back the balance of my time.

CHAFFETZ: I thank the gentleman. I ask unanimous consent to enter into the record two documents that Mr. DeSantis referred to. One is the Sensitive Compartmented Information Nondisclosure agreement, the other one is the Classified Information Nondisclosure Agreement, both signed by Hillary Rodham Clinton. Without objection, so ordered. I now recognize the gentleman from Missouri, Mr. Clay, for five minutes.

CLAY: Thank you, Mr. Chairman. Thank you, Director Comey, for being here today and for the professionals whom you lead at the FBI.

Two years ago, after my urgent request to then Former Attorney General Eric Holder for an expedited Justice Department investigation into the tragic death of Michael Brown in Ferguson, Missouri, I witnessed first hand the diligence, professionalism, and absolute integrity of your investigators. And I have no doubt that was the case in this matter as well.

I did not think it was possible for the majority to exceed their unprecedented arrogant abuse of official channels and federal funds that we have witnessed over the past two years. As they have engaged in a partisan political witch hunt at taxpayer expense against Secretary Clinton. But I was wrong, this proceeding is just a sequel to that very bad act and the taxpayers will get the bill.

It's a new low, and it violates both house rules and the rules of this Committee. So with apologies to you and the FBI for this blatantly partisan proceeding, let me return to the facts of this case as you have clearly outlined them.

First question. Did Secretary Clinton or any member of her staff intentionally violate federal law?

COMEY: We did not develop clear evidence of that.

CLAY: Did Secretary Clinton or any member of her staff attempt to obstruct your investigation?

COMEY: We did not develop evidence of that.

CLAY: In your opinion, do the mistakes Secretary Clinton has already apologized for and expressed regret for, rise to a level that would be worthy of federal prosecution?

COMEY: As I said Tuesday, our judgment, not just mine, but the team's judgment at the FBI is that the Justice Department would not bring such a case. No Justice Department would under any --whether Republican or Democrat administration.

CLAY: Thank you for that response.

I know the FBI pays particular attention to groups by training agents and local law enforcement officers and participating in local hate crime working groups. Is that right?

COMEY: Yes, sir.

CLAY: Some of these organizations seem relatively harmless, but others appear to be very dangerous and growing. Some even promote genocide in their postings and rhetoric online. In your experience, how dangerous are these groups and have they incited violence in the past?

COMEY: I think too hard to answer, Congressman in the abstract, there are some groups that are dangerous, there are some groups that are exercising important protected speech under the First Amendment.

CLAY: Let me ask about it in a more direct question. A gentleman named Andrew England is the editor of a website called the Daily Stormer that is dedicated to the supremacy of the white race, as well as attacking Jews, Muslims, and others. The website features numerous posts with the hash #whitegenocide, to protest what they contend is an effort to eliminate the white race. Are you familiar with this movement?

COMEY: I'm not.

CLAY: Okay. Well, this hash tag has been promoted all over social media by a growing number of white supremacists. For example, one Nazi sympathizer tweeted repeatedly using the handle, @whitegenocidetm. Are you concerned that some groups are increasing their followers in this way, particularly if some of those followers could become violent?

COMEY: I don't know the particular enough to comment, Congressman.

We are always concerned when people go beyond protected speech, which we do not investigate, moving towards acts of violence. And so, our duty is to figure out when have people walked outside the First Amendment protection and are looking to kill folks or hurt folks.

I don't know enough to comment on the particular.CLAY: I see.

Well, one of my biggest concerns is that certain public figures are actually promoting these groups even further, and as you may know, one of our most vocal candidates for president retweeted @whitegenocidetm. Three weeks later, he did it again. Two days after that, he retweeted a different user whose image also included the term white genocide, and that's not even all of them.

Director Comey, don't these actions make it easier for these racist groups to recruit even more supporters?

COMEY: I don't think I'm in a position to answer that in an intelligent way sitting here.

CLAY: I appreciate you trying, and thank you, Mr. Director, for your exceptional principled service to our country.

I yield back.

CHAFFETZ: Thank you. We'll now recognize the gentlewoman from Wyoming, Ms. Lummis for five minutes.

LUMMIS: Welcome, Director. Thank you so much for being here.

My phone has been ringing off the hook in my Washington office, in my Wyoming office -- from constituents who don't understand how this conclusion was reached. So I appreciate you being here to help walk us through it.

And here's the issue that the people that are calling me from Wyoming are having, they have access to this statute, it's Title XVIII U.S. Code 1924. I'm going to read you the statute, it says, "whoever being an officer employee, contractor, or consultant to the United States and by virtue of his office, employment, position, or contract becomes possessed of documents or materials containing classified information of the United States knowingly removes such documents or materials without authority and with the intent to retain such documents or materials at an unauthorized location shall be fined under this title or imprisoned for not more than one year or both." Armed with that information, they're wondering how Hillary Clinton, who is also an attorney, and attorneys are frequently held to a higher standard of knowledge of the law, how this could not have come to her attention.

She was the Secretary of State. Of course, the Secretary of State is going to become possessed of classified materials. Of course, she was an attorney, she practiced with a prominent Arkansas law firm, the Rose Law Firm. She knew from her White House days with her husband, the President, that classified materials can be very dangerous if they get into the wrong hands.

She had to have known about this statute because she had to have been briefed when she took over the job as the Secretary of State. So how, given that body of knowledge and experience, could this have happened in a way that could have potentially provided access by hackers to confidential information?

COMEY: You know, it's a good question. A reasonable question.

The protection we have as Americans is that the government in general and in that statute in particular, has to prove before they can prosecute any of us, that we did this thing that's forbidden by the law. And when we did it, we knew we were doing something that was unlawful. We don't have to know the code number, but that we knew we were doing something that was unlawful. That's the protection we have, one I have worked for very hard.

When I was in the private sector, I did a lot of work with the Chamber of Commerce to stop the criminalization of negligence in the United States...

LUMMIS: Your know thought Mr. -- may I interrupt and suggest that, this statute says, "knowingly removes such documents or materials without authority and with the attempt to retain such documents or materials at an unauthorized location." The intent here in the statute is to retain the documents at an unauthorized location. It's not intent to pass them on to a terrorist or to someone out in Internet land, it's just the intent to retain the documents or materials at an unauthorized location.

COMEY: It's more than that, though.

You would have to show that and prove criminal intent both by law, that's the way the judgment would instruct the jury, and practice by the Department of Justice. They have reserved that statute, even though it's just a misdemeanor, for people who clearly knew they were breaking the law, and that's the challenge.

So should have known, must have know, had to know -- does not get you there. You have to prove beyond a reasonable doubt that they knew they were engaged in something that was unlawful. That's the challenge.

LUMMIS: Then may I turn to her attorneys? Did all of Secretary Clinton's attorneys have the requisite clearances at the times they received all of her e-mails, especially those that were classified at the time they were sent?

COMEY: No.

LUMMIS: They destroyed, as has been noted, 30,000 e-mails of Secretary Clinton's. Do you have 100 percent confidence that none of the 30,000 e-mails destroyed by Secretary Clinton's attorneys was marked as classified?

COMEY: I don't have 100 percent confidence.

I'm reasonably confident some of them were classified. There were only three in the entire batch we found that bore any markings to indicate they were classified. So that's less likely, but surely, it's a reasonable assumption some of the ones they deleted contained classified information.

LUMMIS: Thank you, Director. Thank you, I yield back.

CHAFFETZ: I now recognize the gentleman from Massachusetts, Mr. Lynch, for five minutes.

LYNCH: Thank you, Mr. Chairman. Thank you, Director Comey, for appearing here to help the Committee with this work.

Director Comey, Secretary Clinton is certainly not the only Secretary of State to use a personal e-mail account with information later identified as being classified. I want to show you, this is a book that was written by Former Secretary of State Colin Powell. And in his book, he says, "to complement the official state department computer in my office, I installed a laptop computer on a private line. My personal e-mail account on a laptop allowed me to direct access to anyone online. So I started shooting e-mails to my principle assistants, to individual ambassadors, and increasingly, to my foreign minister colleagues who like me were trying to bring their ministries into the 186,000 miles per second world." Were you aware of this, that Secretary Colin Powell actually had a private server as well?

COMEY: Not a private server. I think he used a commercial e- mail account for state department business.

LYNCH: Private line? Unprotected?

COMEY: Correct. Not a State Department e-mail system.

LYNCH: Right.

COMEY: Right.

LYNCH: He went rogue, so to speak. Right?

COMEY: I don't know whether I would say that.

LYNCH: All right. I'm not going to put words in your mouth.

Do you think this was careless for him to do that, to start -- get his own system.? He installed a laptop computer on a private line. " My personal e-mail account was on a laptop and allowed me direct access to anyone. Anyone online." That's his own statement.

I'm just trying to compare Secretaries of State because Secretary Powell has never been here. As a matter of fact, when we asked him for his e-mails, unlike the 55,000 that we received from Secretary Clinton, he said, "I don't have any to turn over." This is a quote. This was on ABC this week. He explained, "I don't have any to turn over. I didn't keep a cache of them. I did not print them off. I do not have thousands of pages somewhere in my personal files." But he was Secretary of State and he operated, you know, on a private system. Were you aware of that?

COMEY: Not at the time 15 years ago, but I am now.

LYNCH: Yes, okay.

So recently, well, back in October 2015, the State Department sent Secretary Powell a letter requesting that he contact his e-mail provider, AOL, to determine whether any of his e-mails are still on the unclassified systems. Are you aware of that ongoing investigation?

COMEY: I don't know of an investigation...

LYNCH: Well, that request for information from Secretary Powell, the former Secretary?

COMEY: Yes. Yes, I am.

LYNCH: You're aware of that. Are you surprised that he has never responded?

COMEY: I don't know enough to comment. I don't know exactly what conversation he had with the State Department.LYNCH: I try to look at the -- where we have a lot of comparisons of other cases. And it seems like all the cases where prosecutions have gone forward, the subject of the investigation has demonstrated a clear intent to deliver classified information to a person or persons who were unauthorized to receive that.

So if you look at the, you know, PFC Bradley Manning, now Chelsea Manning, that was a court-martial, but he demonstrated a clear intent to publish that information, which was classified. Julian Assange, the WikiLeaks editor I guess and publisher, again a wide and deliberate attempt to publish classified information. General Petraeus, which we talked about earlier today, shared information with his biographer. Jeffrey sterling, of the New York times and Former CIA Officer Kiriakou who was interested in writing a book, so he hung on to his information. And even Former Director of the CIA, John Deutsche, who retains classified information on a couple of servers, one in Belmont, Massachusetts, and one in Bethesda, Maryland, now that is after he became a private citizen.

So in all those cases, there's a clear intent. As you said before, you look at what people did and what they were thinking when they did that. And I would just ask you, is there a clear distinction between what those people did and what Secretary Clinton did in her case?

COMEY: In my view, yes. The Deutsche case illustrates it perfectly. He took huge amount of documents, almost all of the TS-CIA level, had them in hard copy at his house, had them on an unclassed system attached to the Internet, attempted to destroy some when he got caught. Admitted, "I knew I wasn't supposed to be doing this," -- clear intent, obstruction of justice. Those are the kind of cases that get prosecuted.

That's what I said and I meant it when I said it. In my experience, which is three decades, no reasonable prosecutor would bring this case. I know that frustrates people, but that's the way the law is, and that's the way the practice is in the Department of Justice.

LYNCH: Thank you for your testimony and for your service. I yield back.

CHAFFETZ: I thank the gentleman. We'll go to the gentleman from North Carolina, Mr. Meadows, for five minutes.

MEADOWS: Thank you, Mr. Chairman. Director Comey, thank you. There has been much said today about criticizing you and your service. And I want to go on record that even though many of my constituents would love for me to criticize your service because of the conclusion you reached, never have I, nor will I criticize your service. And we appreciate your service to this country and the integrity.

So I'm going to focus on the things that you said, not the conclusion that you drew. And Congressman Trey Gowdy and I talked a little bit about this. On February 4th, 2016, Secretary Clinton during a presidential debate said, "I never sent or received any classified material. They are retroactively classifying it. " Close quote.

And so in your statement on July 5th, you said that, "there were indeed 110 e-mails, 52 e-mail chains which there was classified information on it at the time it was sent or received." So those two statements, both of them cannot be true. Is that correct, your statement and her statement.?

COMEY: It's not accurate to say that she did not send or receive classified...

MEADOWS: So she did not tell the truth during that presidential debate that she never sent or received classified information, and it was retroactively classified?

COMEY: I don't think that's a question I should be answering of what was her in head.

MEADOWS: Well, either your statement is not true or hers is not true. Both cannot be true. Is your statement true?

COMEY: That I can speak to.

MEADOWS: OK, so your statement is true, so the American people will have to judge with her statement not being true.

So let me go on to another one. On October 22nd, she said, "there was nothing marked classified on e-mails either sent or received," and in your statement, you said ,a" very small number of e- mails contained classified information, bore markings indicating the presence of classified information at the time." So she makes a statement that says there was no markings. You make a statement that there was. So her statement was not true?

COMEY: That one I actually have a little insight into her statement because we asked her about that. There were three documents that bore portion markings where you're obligated when something is classified to put a marking on that paragraph.

MEADOWS: Right.

COMEY: There were three that bore "c" which means that's confidential classified information.
MEADOWS: So a reasonable person who has been a Senator, a Secretary of State, a First Lady, wouldn't a reasonable person know that that was a classified marking? As a secretary of state, a reasonable person? That's all I'm asking.

COMEY: Before this investigation, I probably would have said, yes. I'm not so sure. I don't find it incredibly...

MEADOWS: Director Comey, come on.

I mean, I have only been here a few years and I understand the importance of those markings. So you're suggesting that a long length of time that she had no idea what a classified marking would be? That's your sworn testimony today?

COMEY: No, no, not that she would have no idea what a classified marking would be, but it's an interesting question as to -- the question about sophistication came up earlier -- whether she was sophisticated enough to understand what a "c" means.

MEADOWS: So you're saying the former Secretary of State is not sophisticated enough to understand a classified marking?

COMEY: That's not what I said.

MEADOWS: That's a huge statement.

COMEY: That's not what I said. You asked me did I assume someone would know. Probably before the investigation, I would have, I'm not so sure of that answer any longer. I think it's possible -- possible that she didn't understand what a "c" meant when she saw it in the body of the e-mail like that.

MEADOWS: After years in the Senate and Secretary of State, I mean, that's hard for me and the American people to believe, Director Comey. And I'm not questioning your analysis of it, but wouldn't a reasonable person think that someone who has the highest job of handling classified information would understand that?

COMEY: I think that's the conclusion a reasonable person would draw. It may not be accurate...

MEADOWS: Let me go a little bit further, because that last quote actually came on October 22nd, 2015, under sworn testimony before the Benghazi Committee. So if she gave a sworn testimony, that a reasonable person would suggest is not truthful, isn't it a logical assumption she may have misled Congress, and we need to look at that further?

COMEY: Well, the reasonable person test is not what you look at for perjury or false statements. But like I said, I can understand why people would ask that question.

MEADOWS: All right.

So let me in the last little portion of this, in your three and a half-hour interview on Saturday, did she contradict some of these public statements in private? Because you said she didn't lie to the FBI, but it's apparent that she lied to the American people. So did she change her statements in that sworn testimony with you last Saturday?

COMEY: I haven't gone through that to parse that...

MEADOWS: Can you do that and get back to this Committee? It's important, I think to the American people and to transparency.

COMEY: I'm sure. And as the Chairman and I have talked about, I'm sure the Committee is going to want to see documents of our investigation and whatnot. And we'll work to give you whatever we can possibly give you under our law, but I haven't done that analysis at this point.

MEADOWS: Will you do that and get back to us?

CHAFFETZ: The gentleman's time has expired. We'll now recognize the gentleman from Tennessee, Mr. Cooper, for five minutes.

COOPER: Thank you, Mr. Chairman. Thank you, Director Comey.

I hate to see one of America's most distinguished public servants pilloried before this Committee. We're all highly partisan here. We're a good back seat drivers. We're all today, apparently, armed chair prosecutors.

And you stated the truth when you said, "you didn't know of anyone who would bring a case like this". Some of the prosecutors have had the case to do that. I hope that this Committee's effort is not intended to intimidate you, or the FBI ,or law enforcement in general, or government employees. And I'm thankful at this moment that you have such a lifetime record of speaking truth to power because that's very important.

It's also very important that apparently you're a life-long Republican. You're just here to do your job, state the facts.

I think the key issue here is whether in fact there is a double standard, whether some Americans are being treated differently than others? I think I can rely on my Republican colleagues to make sure that Hillary Clinton is treated no better than anybody else. There should be some attention given to make sure she's not treated any worse than anybody else.

I think we all know that we wouldn't be having this hearing, especially on an emergency basis, unless she were running for President. My colleague from Massachusetts has just pointed out the previous Secretaries of State are not being called on the carpet, whether that be Condoleezza Rice, or Colin Powell, or others. But I think the grossest double standard here today is the fact that all of the members of this Committee, every member of Congress, is not subject to the same law that Secretary Clinton was subject to.

And as lawmakers, that means that we have exempted ourselves from the standard of other federal employees. My colleague from D.C., Ms. Norton, referred to this. Why did we exempt ourselves from the same rules? Apparently, our Chairman lists his private e-mail account on his business card. We all have access to classified information.COOPER: I would like to challenge my Republican colleagues here today. Let's work together and introduce legislation to make the same laws apply to us as applied to the executive branch and to Secretary Clinton.

I would be happy to join in such legislation to make sure that we're not being hypocritical on this panel, that we're holding ourselves to the same standards as Secretary Clinton and not trying to accuse her of things that we may be guilty of ourselves. I bet my colleagues would be the first to complain if, for example, e-mails were retroactively classified.

That's a situation most people in public service would object to pretty strongly. How did you know at the time if you had no idea? So I think it's very important, if we want as Congress to have the trust of the American people, to not be hypocritical. To uphold the same standards that we want to see upheld by others.

And I'm just thankful at this moment in our history that we have someone like you who's in charge of the FBI. Because too many things are highly politicized. The last thing we should do is criminalize our political system.

I didn't see any of my Republican colleagues complain when former Governor Bob McDonnell was exonerated by an eight to zero vote at the Supreme Court for having done certain things that I think most Americans would find object able.

But our court on a bipartisan, unanimous basis exonerated him just a week or two ago. So I think this is a moment for committee members reflect, to take a deep breath, to calm down and realize exactly what you said, that no reasonable prosecutor would have brought this case. And thank you for stating that so clearly and publicly.

I yield back the balance. I yield to the Ranking Member.

CUMMINGS: Mr. Director, lemme ask you this. First of all, I associate myself with everything the gentleman just said. You were talking about some markings a little bit earlier, is that right?

Can you describe what those markings are like -- markings on the documents? You said there were three documents with certain markings on them.

COMEY: Yeah. CUMMINGS: That indicated classified, go ahead.

COMEY: There were three e-mails that down in the body of the e- mail, in the three different e-mails, there were paragraphs and the beginning of the paragraph had a parenthesis, a capital "c" and then a parenthesis.

And that is a portion marking to indicate that.

CUMMINGS: That paragraph.

COMEY: That paragraph is classified at the confidential level, which is the lowest level of classification.

CUMMINGS: And so out of 30,000 documents, this is -- you found these three markings. Is that what you're saying?

COMEY: Three e-mails bore "c" markings down in the body. None of the e-mails had headers, which is at the top of a document that says it's classified. Three had -- within the body -- the portion marking for "c."

CUMMINGS: Thank you.

CHAFFETZ: I thank the gentleman.

I now recognize the gentleman from Tennessee, Mr. Duncan, for five minutes.

DUNCAN: Thank you, Mr. Chairman.

Mr. Meadows mentioned one instance in which Secretary Clinton said that she had -- that she did not mail any classified material to anyone. Actually, she said that several other times.

But it is accurate, Director Comey, that you found at least 110 instances of when she had mailed, e-mailed classified material?

COMEY: One hundred and ten that she either received or sent.

DUNCAN: Right. And it also is accurate that, quote, "Clinton's lawyers cleaned their devices in such a way as to preclude complete forensic recovery."

COMEY: Correct.

DUNCAN: And also, when she said -- when Secretary Clinton said that nothing she sent was marked classified and you said in your press conference, but even if information is not marked classified in an e-mail particularly, our participants who know or should know that the subject matter is classified are still obligated to protect it.

Do you -- do you feel that Secretary Clinton knew or should have known that she was obligated to protect classified information?

COMEY: Yes. DUNCAN: With her legal background and her long experience in government. Also, she said at one point that she has directed all e- mails, work-related e-mails, to be forwarded to the State Department.

Is it also accurate that you discovered thousands of other e- mails that were work-related other than the 30,000 she submitted?

COMEY: Correct.

DUNCAN: Before I came to Congress, I spent several years as a criminal court judge. I tried several -- presided (ph) over several hundred felony criminal cases. And I can assure you that I saw many cases where the evidence of criminal intent was flimsier than the evidence in this case.

But do you -- do you realize or do you realize that great numbers of people across this country felt that you presented such a strong -- such an incriminating case against Secretary Clinton in your press

conference that they were very surprised or even shocked when you reached the conclusion to let her off?

Do you doubt that great numbers feel that way?

COMEY: No, I think so. And I understand the questions. And I wanted to be as transparent as possible. We went at this very hard to see if we could make a case. And I wanted the American people to see what I honestly believed about the whole thing.

DUNCAN: Well, do you understand as the chairman said earlier, that great numbers of people feel now that there's one standard of justice for the Clintons and another for regular people?

COMEY: Yeah, I've heard that a lot. It's not true, but I've heard it a lot.

DUNCAN: Well, even the Ranking Member who is here, who of course, as we understand had to defend Secretary Clinton as strongly as possible, he almost begged you to explain the gap between the incriminating case you presented and the conclusion that was reached.

Did -- did that surprise you, that he felt so strongly that there was this big gap?

COMEY: No, not at all. It's a complicated matter. It involves understanding how the Department Of Justice works across decades, how prosecutorial discretion is exercised. I get that folks see disconnections, especially when they see a statute that says gross negligence.

Well, the director just said she was extremely careless. So how is that not prosecutable? So it takes an understanding of what's going on over the last 99 years.

What's the precedent, how do we treat these cases -- I totally I get people's questions and I think they're in good faith. DUNCAN: Do you -- we talk about gross negligence here and you said that Secretary Clinton was extremely careless with this classified material and how dangerous it could be, how threatening to -- even to people's lives that it could be to disclose classified material.

Do you agree that there is a very thin line between gross negligence and extreme carelessness? And would you explain to me what you consider to be that difference?

COMEY: Sure, judge -- Congressman. As a former judge, you know there isn't actually a great definition in the law of gross negligence. Some courts interpret it as close to willful, which means you know you're doing something wrong.

Others drop it lower. My term (ph) extremely careless is trying to be kind of an ordinary person. That's a common-sense way of describing it; it sure looks real careless to me.

The question of whether that amounts to gross negligence frankly is really not at the center of this because when I look at the history of the prosecutions and see, it's been one case brought on a gross negligence theory.

I know from 30 years there's no way anybody from the Department Of Justice is bringing a case against John Doe or Hillary Clinton for the second time in 100 years based on those facts.

DUNCAN: You ended your statement to Congressman Cooper a while ago saying no -- saying once again that no reasonable prosecutor could have brought this case, yet you also mentioned earlier today that you had seen several of your friends and other prosecutors who have said publicly, many across this country, they would have been glad to prosecute this case.

COMEY: I smile because they're friends and I haven't talked to them I want to say, guys, so where were ya over the last 40 years?

Where were these cases? They just have not been brought for reasons that I said earlier. It's a good thing the Department Of Justice worries about prosecuting people for being careless. I don't like it.

As a citizen, I want people to show they knew they were breaking the law and then we'll put you in jail.

DUNCAN: Of course, you know many people have been prosecuted for gross negligence by the Federal Government, by the FBI.

CHAFFETZ: The gentleman's time has expired.

We'll now recognize the gentleman from Virginia, Mr. Connolly, for five minutes.

CONNOLLY: Thank you.

And welcome, Director Comey and although our politics are different, I gather you're a Republican. Is that correct?

COMEY: I have been registered Republican for most of my adult life. Not registered any longer.

CONNOLLY: We don't register by party in Virginia but many have suspected my politics as being Democratic. And I thank you for your integrity. As my colleague said and I said in my opening statement, your career has been characterized as speaking truth to power.

And you're doing it again today.

Just to set the context, Director Comey, not that you're unaware of this, today's hearing is political theater. It's not even the pretense of trying to get at the truth. This is the desperate attempt under a -- an extraordinary set of circumstances, an emergency hearing.CONNOLLY: I don't know what the emergency is other than one side is about to nominate somebody who is a pathological narcissist who, you know, was talking about banning Muslims and Mexicans crossing who are all rapists and women who are pigs and terrified at the prospect of the consequences of that in the election, so let's grab onto whatever we can to discredit or try to discredit the other nominee. Putative nominee. And you took away their only hope.

And so the theater today is actually trying to discredit you. Subtly (ph), in some cases. My friend from South Carolina uses big words like "exculpatory" and kind of goes through what a prosecutor would do. The insinuation being you didn't do your job.

My friend from Wyoming is apparently flattered (ph) with citizens in her home state who are reading the statute that governs classification. A lot of time on the hands back there, I guess, but yeah, this is all designed to discredit your finding.

Now, the FBI interviewed Secretary Clinton, is that correct?

COMEY: Yes.

CONNOLLY: Did she lie to the FBI in that interview?

COMEY: I have no basis for concluding that she was untruthful with us.

CONNOLLY: Is it a crime to lie to the FBI?

COMEY: Yes, it is.

CONNOLLY: David Petraeus did lie to the FBI?

COMEY: Yes.

CONNOLLY: And he was prosecuted for that -- well, could have been.

COMEY: Could have been. Was not for that.

CONNOLLY: Right. That's always a judgment call.

COMEY: Correct.

CONNOLLY: Was she evasive?

COMEY: I don't think the agents assessed she was evasive.

CONNOLLY: Hmm. How many e-mails are we talking about, total, universe, that were examined by your team?

COMEY: Tens of thousands.

CONNOLLY: Tens of thousands. And how many are in a questionable category that maybe could have, should have been looked at more carefully because there could be some element of classification, apparently my friend from North Carolina assumes we're all intimately familiar with a fact if a "c" appears, it means a classification, though there seems to be some dispute about that because the State Department, as I understand it, has actually said some of those were improperly marked and shouldn't have had the "c."

Are you aware of that?

COMEY: Yes.

CONNOLLY: Yes. So could it be that in her hundred trip, four years, 100 overseas trips to 100 countries, as secretary of state trying to restore U.S. credibility that had been destroyed in the previous eight years overseas, and tens of thousands of e-mail communications, not including phone calls and classified conversation and skips and the like, that maybe the small percentage of e-mails she didn't pay as much attention to them as maybe in retrospect one would hope she would have.

Is that a fair conclusion? Could that be a fair conclusion?

COMEY: I don't usually deal in maybes. It's possible.

CONNOLLY: Well, you do deal in distinguishing between willful and inadvertent.

COMEY: Sure.

CONNOLLY: And in this case, you concluded it has to be in the latter category. It wasn't willful.

COMEY: We concluded there was not adequate evidence of willful conduct.

CONNOLLY: Right. So there's no obfuscation, here, unlike in the Petraeus case, and there's no evasion, there's no lying. There's no willful attempt to compromise classified material, despite the insinuations of my friends on the other side of the aisle.

And the only hope left in this political theater is to discredit you and your team in the hopes that therefore you won't have credibility and we can revisit this monstrous crime of using a private server, that server being the server of the former president of the United States, that maybe Mrs. Clinton thought would be more secure than the leaky system at the State Department.

I yield back. CHAFFETZ: I now recognize the gentleman from Texas, Mr. Hurd, for five minutes.

HURD: Thank you, Mr. Chairman. Mr. Chairman, I'm offended. I'm offended by my friends on the other side of the political aisle saying this is political theater. This is not political theater. For me, this is serious.

I spent nine and a half years as an undercover officer in the CIA. I was the guy in the back allies collecting intelligence, passing it to lawmakers. I have seen my friends killed, I have seen assets put themselves in harm's way. And this is about protecting information, the most sensitive information the American government has, and I wish my colleagues would take this a little bit more seriously.

Mr. Comey -- Director Comey, excuse me. SAP. Special Access Program. You alluded to earlier that includes SCI information. Does SCI information include HUMINT and SIGINT?

COMEY: Yes.

HURD: HUMINT and SIGINT, Human intelligence information collected from people that are putting themselves in harm's way to give us information to drive foreign policy. Signals intelligence, some of the most sensitive things to understand what al Qaeda is doing, what ISIS is doing.

So, the former secretary of state had an unauthorized server. Those are your words. In her basement, correct?

COMEY: Correct.

HURD: Who was protecting that information? Who was protecting that server?

COMEY: Well, not much. There was a number of different people who were assigned as administrators of the server.

HURD: And at least seven e-mail chains or eight that -- was classified as TS/SCI?

COMEY: Correct.

HURD: So the former secretary of state, one of the president's most important advisers on foreign policy and national security, had a server in her basement that had information that was collected from our most sensitive assets, and it was not protected by anyone. And that's not a crime?

That's outrageous. People are concerned. What does it take for someone to misuse classified information and get in trouble for it?

COMEY: It takes mishandling it and criminal intent.

HURD: And so an unauthorized server in the basement is not mishandling?

COMEY: Well, no, there is evidence of mishandling here. This whole investigation at the end focused on is there sufficient evidence of intent.

HURD: Were -- was this unanimous opinion within the FBI on your decision?

COMEY: The whole FBI wasn't involved, but the team of agents, investigators, analysts, technologists, yes.

HURD: Did you take into any consideration the impact that this precedence can set on our ability to collect intelligence overseas?

COMEY: Yes. My primary concern is the impact on what other employees might think in the federal government.

HURD: And you don't think this sends a message to other employees that if a former secretary of state can have an unauthorized server in their basement that transmits top-secret information, that that's not a problem?

COMEY: Oh, I worry very much about that. That's why I talked about that in my statement, because an FBI employee might face severe discipline, and I want them to understand that those consequences are still going to be there.

HURD: Director Comey, do you have a server in your basement?

COMEY: I do not.

HURD: Does anybody in the FBI have a server in their basement? Or in their house?

COMEY: I don't know. Not to my knowledge.

HURD: Do you think it's likely?

COMEY: I think it's unlikely.

HURD: I would think so, too. I would think so, too. Because I'm proud -- always been proud to serve alongside the men and women that you represent.

So there was no dissenting opinion when you make this decision. It's your job to be involved in counterintelligence as well. Right?

COMEY: Yes.

HURD: So that means protecting our secrets from foreign adversaries collecting them. Is that correct?

COMEY: Correct.

HURD: Did this activity you investigated make America's secrets vulnerable to hostile elements? COMEY: Yes.

HURD: Do you think that pattern of behavior would continue?

COMEY: I'm sorry? I missed the...

HURD: Do you think that pattern of behavior would continue?

COMEY: Would continue...

HURD: By -- by our former secretary of state?

COMEY: I'm not following you. You mean if we hadn't -- if this had not come to light, you mean?

HURD: Right now. Based on what we see, do you think there's going to be other elements within the federal government that think it's OK to have an unauthorized server in their basement?

COMEY: They better not. That's one of the reasons I'm talking about it.

HURD: So but -- what is the ramifications of them doing that? What is the -- what is -- you know how is there going to be any consequences levered if it's not being levered here? Because indeed, this is -- you're setting a precedent.

COMEY: The precedent -- I want people to understand, again, I only am responsible for the FBI, that there will be discipline from termination to reprimand and everything in between for people who mishandle classified information.

HURD: Director Comey, I'm not a lawyer, and so I may misstate this. Is there such a thing as the case of first impression, and why was this not possibly one of those?

COMEY: There is such a thing, which just means the first time you do something. The reason this isn't one of those is that's just not fair. That would be treating somebody differently because of their celebrity status or because of some other factor that doesn't matter. We have to treat people -- the bedrock of our system of justice, we treat people fairly, we treat them the same based on their...HURD: And that person mishandling the most sensitive information that this government can collect is -- is not fair? It's not fair to punish someone who did that?

COMEY: Not on these facts. If would be fair -- if that person worked for me, it would be fair to have a robust disciplinary proceeding. It's not fair to prosecute that person on these facts.

CHAFFETZ: I thank -- thank...

HURD: Mr. Chairman, I yield back the time I do not have.

CHAFFETZ: Thank the gentleman. I will now recognize the gentleman from Pennsylvania, Mr. Cartwright, for five minutes.

CARTWRIGHT: Thank you, Mr. Chairman. I'd like to open by acknowledging my colleague from North Carolina, Mr. Meadows -- here he comes back in the room -- for -- for acknowledging your integrity, Director Comey.

I think bipartisan sentiments like that are few and far between around here and I appreciate Congressman Meadows' remark. You are a man of integrity, Director Comey. It is troubling to me that that remark from Congressman Meadows is not unanimous at this point. It used to be.

Just weeks ago our chairman, Representative Chaffetz, stated on national TV that Republicans, quote, "believe in James Comey," unquote. He said this, and I quote, "I do think that in all of the government, he is a man of integrity and honesty. His finger's on the pulse of this. Nothing happens without him. And I think he is going to be the definitive person to make a determination or a recommendation." But just hours after your actual recommendation came out, Chairman Chaffetz went on TV and accused you of making a, quote, "political calculation."

And then our speaker of the House weeks ago referring to you, Director Comey, said, "I do believe that his integrity is unequaled." So your integrity was -- it was unanimous about your integrity before you came to your conclusion, but after, not so much. That's troubling.

And I want to give you a chance, Director Comey, how do you respond to that? How important to you is maintaining your integrity before the nation? COMEY: I think the only two things I have in life that matter are the love of my family and friends and my integrity. So I care deeply about both.

CARTWRIGHT: All right. Now Director Comey, you discussed your team a little bit and they deserve a lot of credit for all of the hard work and effort that went into this investigation. And I think you just said that they were unanimous that everyone who looked at this agreed that no reasonable prosecutor would bring a case. Am I correct in that?

COMEY: Yes.

CARTWRIGHT: How many people were on this team?

COMEY: It changed at various times, but somewhere between 15 and 20. Then we used a lot of other FBI folks to help from time to time.

CARTWRIGHT: How many hours were spent on this investigation?

COMEY: We haven't counted yet. They -- they -- I said to them, they moved -- they put three years of work into 12 calendar months.

CARTWRIGHT: And how many pages of documents did the FBI review in this investigation?

COMEY: Thousands and thousands and thousands.

CARTWRIGHT: And the agents do the document review, were they qualified or were they unqualified?

COMEY: They were an all-star team. They are a great group of folks.

CARTWRIGHT: How about Secretary Clinton? Did she agreed to be interviewed?

COMEY: Yes.

CARTWRIGHT: Come in voluntarily without the need of a subpoena?

COMEY: Yes.

CARTWRIGHT: Was she interviewed?

COMEY: Yes.

CARTWRIGHT: Was she interviewed by experienced, critical, veteran agents and law enforcement officers or by some kind of credulous, gullible, newbies doing their on-the-job training, Director?

COMEY: She was interviewed by the kind of folks the American people would want doing the interview. Real pros.

CARTWRIGHT: All right. You were asked about markings on a few documents. I have the manual here. Marking classified national security information. And I don't think you were given a full chance to talk about those three documents with the little "c"s on them.

Were they properly documented? Were they properly marked according to the manual?

COMEY: No.

CARTWRIGHT: According to the manual, and I ask unanimous consent to enter this into the record, Mr. Chairman.

CHAFFETZ: Without objection...

CARTWRIGHT: According to the manual, if you're going to classify something, there has to be a header on the document. Right?

COMEY: Correct.

CARTWRIGHT: Was there a header on the three documents that we've discussed today that had the little "c" in the text someplace?

COMEY: No. They were three e-mails. The "c" was in the body, in the text, but there was no header on the e-mail or in the text.

CARTWRIGHT: So if Secretary Clinton really were an expert at what's classified and what's not classified and were following the manual, the absence of a header would tell her immediately that those three documents were not classified. Am I correct in that?

COMEY: That would be a reasonable inference.

CARTWRIGHT: All right. I thank you for your testimony, Director. I yield back.

CHAFFETZ: I thank the gentleman. Will now recognize the gentleman from Colorado, Mr. Buck, for five minutes.

BUCK: Good morning, Director Comey.

COMEY: Morning, sir.

BUCK: Thank you for being here. I also respect your commitment to law and justice and your career. And I -- first question I want to ask you, is this hearing unfair? Has it been unfair to you?

COMEY: No.

BUCK: Thank you. One purpose of security procedures for classified information is to prevent hostile information -- hostile nations from obtaining classified information. Is that fair?

COMEY: Yes.

BUCK: And do -- did hostile nations obtain classified information from Secretary Clinton's servers?

COMEY: I don't know. It's possible, but we don't have direct evidence of that. We couldn't find direct evidence.

BUCK: I want to -- without making this a law school class, I want to try to get into intent. There are various levels of intent in the criminal law, everything from knowingly and willfully doing something all the way down, to strict liability. Would you agree with me on that?

COMEY: Yes.

BUCK: And in Title 18, most of the -- criminal laws in Title 18 have the words "knowingly" and "willfully" in them and that is the standard typically that United States attorneys prosecute under.

COMEY: Most do. Unlawfully, knowingly, willfully is our standard formulation for charging a case.

BUCK: And there are also a variety of others between the knowingly and willfully standard and the strict liability standard. And in many, like environmental crimes, have a much lower standard because of the toxic materials that are at risk of harming individuals. Is that fair?

COMEY: That's correct.

BUCK: Okay. Let's talk about this particular statute, 18 U.S.C. 1924. I take it we could all agree -- you and I can agree on a couple of the elements. She, Secretary Clinton was an employee of the United States.

COMEY: Correct.

BUCK: And as a result of that employment, she received classified information.

COMEY: Correct.

BUCK: And there is no doubt about those two elements. Now I don't know whether the next element is one element or two, but it talks about knowingly removed such materials without authority and with the intent to retain such material at an unauthorized location.

So I'm going to treat those as two separate parts of the intent element. First of all, do you see the word "willfully" anywhere in this statute?

COMEY: I don't.

BUCK: And that would indicate to you that there is a lower threshold for intent?

COMEY: No, it wouldn't.

BUCK: Why?

COMEY: Because we often -- as I understand, the Justice Department's practice and judicial practice will impute to any criminal statute at that level with a knowingly also requirement that you know that you're involved in criminal activity of some sort. A general mens rea requirement.

BUCK: So -- and you would apply that same standard to environmental (inaudible)?

COMEY: No, if it specifically says it is a negligence-based crime, I don't think a judge would impute that.

BUCK: But -- but Congress specifically omitted the word "willfully" from this statute, and yet you are implying the word willfully in the statute. Is that fair?

COMEY: That's fair.

BUCK: Okay. So what this statute does say is "knowingly removed such materials without authority." Is it fair that she knew that she didn't have authority to have this server in her basement?

COMEY: Yes, that's true.

BUCK: And she knew that she was receiving materials, classified information, in -- in the e-mails that she received on -- on her BlackBerry and other devices.

COMEY: I can't answer -- I'm hesitating as a prosecutor because it's always -- to what level of proof. I do not believe there's evidence beyond a reasonable doubt that she knew she was receiving classified information in violation of the requirements.

BUCK: But that's not my question.

COMEY: (Inaudible) evidence of that.

BUCK: That's not my question. My question, in fairness, is did she know that she was receiving information on the servers at her location?

COMEY: Oh, I'm sorry. Of course, yes. She knew she was using her e-mail system.

BUCK: And as secretary of state, she also knew that she would be receiving classified information.

COMEY: Yes, in general.

BUCK: OK. And did she then have the intent to retain such material at an unauthorized location? She retained the material that she received as secretary of state at her server in her basement and that was unauthorized.

COMEY: You're asking me did she have the -- I'm going to ask you the burden of proof question in a second. But did she have the intent to retain classified information on the server or just to retain any information on the server?BUCK: Well, we've already established that she knew, as secretary of state, that she was going to receive classified information in her e-mails. And so did she retain such information that she received as secretary of state on her servers in her basement?

COMEY: She did in fact -- there is, in my view, not evidence beyond certainly probable cause. There's not evidence beyond a reasonable doubt that she knew she was receiving classified information or that she intended to retain it on her server.

There's evidence of that but when I said there's not clear evidence of intent, that's what I meant. I could not, even if the Department Of Justice would bring that case, I could not prove beyond a reasonable doubt those two elements.

BUCK: Thank you very much.

CHAFFETZ: Thank the gentleman.

Now, we'll go to the gentlewoman from Illinois, Ms. Duckworth for five minutes.

DUCKWORTH: Thank you, Mr. Chairman. When I first entered Congress three years ago, like many freshmen members, I -- I'm like many freshmen members. I actually sought out this committee.

I wanted to be on this committee because I wanted to tackle the challenges of good government, like working to eliminate proper payments or prevent wasteful programs duplication. Before I joined Congress, I had the privilege of serving in the army for 23 years and I -- you know, and as I tackled those challenges and in the challenges of helping reduce veteran's homelessness, I witnessed firsthand the real world importance of improving and streamlining government operations.

How even the best policies in the world will not work without proper implementation. And so when it comes to implementing true and lasting reforms that will make sure that electronics records and other records and the history of our great nation are preserved for future generations, I've done my best to approach this goal seriously.

I'm focused on making sure that our nation sustains a long-term commitment to modernizing our federal records keeping (ph) system from improving the laws governing what needs to be collected to ensuring our civil servants across government have the necessary tools to achieve what should be nonpartisan and a shared goal.

With respect to examining the tough lessons learned from numerous record keeping incidents that our committee has dealt with which transcend any one agency or any single administration, my mission is clear. Make sure we here in Congress move beyond partisan politics and engage in the serious hard work of ensuring that the laws written in an era of pen and paper are overhauled to meet the digital challenges of the 21st century.

Dr. Comey, the Office of Management and Budget and the national archives and records administration released a memorandum known as "the managing government records directive" in 2012.

And this directive states, and I quote, "by December 31st, 2016, federal agencies will manage both permanent and temporary e-mail records in an accessible electronic format. Federal agencies must manage all e-mail records in an electronic format. E-mail records must be retained in an appropriate electronic system that supports records management and litigation requirements which may include preservation in place models, improving the capability to identify, retrieve and retain the records as long as they are need."

As a director of a bureau who deals with sensitive information on a daily basis, do you believe that this directive is necessary and attainable for agencies across the board within that four-year time frame from August 2012 to December 2016?

COMEY: I don't know enough to say both. I can say it's certainly necessary. I don't know whether it's achievable.

DUCKWORTH: OK are you familiar with the capstone approach? That's the federal -- it's approach it says that federal agencies should save all e-mails for select senior-level employees and that the e-mails of other employees will be archived for a temporary period set by the agency so that senior employees' e-mails are kept forever and those by other lower-level employees are actually archived for short period -- a shorter period.

COMEY: I'm aware generally. I know what applies to me and when I was Deputy Attorney General of the Bush Administration.

DUCKWORTH: Yes in fact, I understand that FBI is currently actively using this approach according to the agencies -- senior agency official for records for records management F.Y. '15 annual report.

My understanding that capstone approach is aimed at streamlining the record-keeping process for e-mails and reducing the volume of records that an agency has to maintain. Nearly all agencies will be required to comprehensively modernize their approach to managing federal records in the near future.

As the head of a component agency, Director Comey, within the Department of Justice which appears to be a leader in adopting the innovative capstone approach across the agency, would you agree with respect to instituting foundational reforms that will strengthen records preservation, the capstone approach used by DOJ should be accelerated and rode out across the Federal Government?

COMEY: I think we're doing it in a pretty good way. I don't know -- I'm not an expert enough to say whether anybody should do it the way we do it, honestly.

DUCKWORTH: Are you satisfied with the way that you're doing it?

COMEY: I am but I don't want to sound overconfident because I'm sure there's a why we can do it better but I think we're doing it in a pretty good way.

DUCKWORTH: Do you have any one person within the FBI that continually reviews the -- your record-keeping and also -- or do they report directly to you, as well as -- is there a periodic review of -- of how you're implementing this process?

COMEY: Yes. We have an entire division devoted to records management that assistant director reports up to the deputy director who reports to me. We have -- it's an enormous operation as you might imagine, requiring constant training.

And so I -- that's what I mean when I say I think we're doing it in a pretty good way. And we have record marking tools. We prompt with dialogue boxes requiring employees to make a decision, what's the nature of this record you're creating now and where should it be stored?

So I think we're doing it in a pretty good way. That's why I say that.

DUCKWORTH: Have you seen that in any of the other agencies that you have interacted with or have you had a chance -- an occasion to look at what some of the other agencies are doing with their sensitive and classified information?

Are they following the same technique as you are doing in the FBI?

COMEY: I don't know enough to say. I personally.

DUCKWORTH: OK. I am out of time but thank you.

CHAFFETZ: Thank the gentlewoman.

We'll now recognize the gentleman from Michigan, Mr. Walberg, for five minutes.

WALBERG: I thank the chairman.

And thank you, Director Comey, for being here.

Mr. Chairman, thank you for holding this hearing.

And Director Comey for making it very clear that you believe we've done this respectfully with good intention. And I wish some of my colleagues that had instructed us on our intent were here. They have a great ability to understand intent better than I guess the director of the FBI.

But it is an intent that's important here, that we understand we are oversight and government reform committee. And if indeed, the tools aren't there to make sure that our country is secure and that officials at the highest levels in our land don't have the understanding on what it takes to keep our country secure, that we do the necessary government reform to put laws in place that will be effective and will meet the needs of distinguished agencies and important agencies like the FBI.

So thank you, Mr. Chairman, for doing this hearing. It's our responsibility to do oversight and reform as necessary.

Going back, Director Comey, to paraphrase the Espionage Act, people in the 7th district of Michigan understand it from this perspective and common sense. What it says, that whoever being entrusted with information related to national defense through gross negligence permits the information to be removed from its proper place in violation of their trust shall be fined or imprisoned under the statute.

There doesn't seem to be a double standard there. It doesn't express intent. You've explained your understanding of why intent is needed and we may agree or disagree on that.

But the general public looking at that statute says it's pretty clear. Question I would ask, Director Comey, what's your definition of extremely careless, if you could go through that?

COMEY: I intended it as a common-sense term. It's one of those kind of you know it when you see it sort of things. Somebody who is -- should know better, someone who is demonstrating a lack of care that strikes me as there's ordinary accidents and then there is just real sloppiness.

So I think of that as kind of real sloppiness.

WALBERG: So you stated you had found 110 e-mails on Secretary Clinton's server that were classified at the time they were sent or received. Yet Secretary Clinton has insisted for over a year, publicly, that she never sent or received any classified e-mails.

The question I have from that, would it be difficult for any Cabinet-level official -- specifically, any Cabinet official, let alone one who is a former White House resident or U.S. Senator, to determine if information is classified?

COMEY: Would fit be difficult?

WALBERG: Would it be difficult?

COMEY: That's hard to answer in the abstract. It would depend upon the context in which they are hearing it or seeing it. Obviously, if it's marked, which is why we require markings, it's easy.

It's too hard to answer because there are so many situations you might encounter it.

WALBERG: But with the -- the training that we receive and certainly a secretary Of state would receive or someone who lives in the White House, that goes a little above and beyond just the common sense individual out there trying to determine.

Knowing that classified information will be brought and to remove to an unauthorized site ought to cause a bit of pause applause there, shouldn't it?

COMEY: Yeah and if you're a government official, you should be attentive to it because you know that the matters you deal with could involve sensitive information. So sure.

WALBERG: So Secretary Clinton's revised statement she never knowingly sent or received any classified information is probably also untrue.

COMEY: Yeah, I don't want to comment on people's public statements.

We did not find evidence sufficient to establish that she knew she was sending classified information beyond a reasonable doubt to meet the intent standard.

Like I said, I understand why people are confused by the whole discussion. I get that. But you know what would be a double standard? If she were prosecuted for gross negligence.WALBERG: But your statement on Tuesday said there is evidence to support a conclusion that any reasonable person in secretary Clinton's position should have known that an unclassified system was no place for the conversation.

COMEY: I stand by that.

WALBERG: Now that's very clear.

COMEY: That's the definition of carelessness, of negligence.

WALBERG: Which happened.

COMEY: Oh, yeah.

WALBERG: As a result of our secretary of state's -- former secretary of state's decisions.

COMEY: Yes.

WALBERG: Is it your statement then before this committee that Secretary Clinton should have known not to send classified material, and yet she did?

COMEY: Certainly, she should have known not to send classified information. As I said, that's the definition negligent. I think she was extremely careless. I think she was negligent. That, I could establish. What we can't establish is that she acted with the necessary criminal intent.

WALBERG: Do you believe that the -- that since the Department of Justice hasn't used the statute Congress passed, it's invalid?

COMEY: No. I think they are worried that it is invalid, that it will be challenged on Constitutional grounds, which is why they've used it extraordinarily sparingly in the decades.

WALBERG: Thank you. I yield back.

CHAFFETZ: I thank the gentleman. We'll now go to -- I'll recognize Mr. Lieu of California for five minutes.

LIEU: Thank you, Mr. Chair. As I read some of my Republican colleagues' press statements and as I sit here today, I am reminded of that quote from Macbeth, "full of sound and fury, signifying nothing." I've heard some sound and fury today from members of the committee. And the reason they largely significant nothing is because of two fundamental truths that are self-evident. The first of which, none of the members of this committee can be objective on this issue. I can't be objective. I've endorsed Hillary Clinton for president. As have the Democratic members of this committee.

My Republican colleagues can't be objective. They oppose Hillary Clinton for president. Which is why we have you. You are a non- partisan career public servant that's served our nation with distinction and honor. And not only can you be objective, it is your job to be objective to apply the law fairly and equally regardless much politics.

I think it would be important for the American people to get a fuller appreciation of your public service, so let me ask you, before your FBI director, how many years did you serve as a federal prosecutor?

COMEY: I think 15.

LIEU: For a period of time, you were at Columbia Law School as a scholar and you specialized in national security law. Is that correct?

COMEY: Sometimes I fantasize I still am.

LIEU: All right. Thank you. When you served in the Republican administration of President George W. Bush, you were then the second- highest ranking member of the Department of Justice. Is that right?

COMEY: Yes. President Bush appointed me to be U.S. Attorney in Manhattan and then the No. 2 in the Department of Justice.

LIEU: When you were confirmed for the FBI director position, the vote was 93-1. Is that correct?

COMEY: That's correct.

LIEU: With that strong bipartisan support, it is not surprising that Senator Grassley, a Republican, said during your confirmation, and I quote, "Director Comey has a reputation for applying the law fairly and equally regardless of politics."

In this case, did you apply the law fairly, equally regardless of politics?

COMEY: Yes.

LIEU: Did you get any political interference from the White House?

COMEY: None.

LIEU: Did you get any political interference from the Hillary Clinton campaign? COMEY: None.

LIEU: One of the reasons you are appointed to a fixed term of ten years, a very long term, is to help insulate you from politics. Isn't that right?

COMEY: That's correct.

LIEU: The second fundamental truth today about this hearing is that none of the members of this committee have any idea what we're talking about because we have not reviewed the evidence personally in this case.

When I served on active duty in the U.S. Air Force in the 1990s, one of my duties was a prosecutor. One of the first things I learned as a prosecutor is it is unprofessional and wrong to make allegations based on evidence that one has not reviewed.

So let me ask you, has any member of this committee, to the best of your knowledge, reviewed the 30,000 e-mails at issue in this case?

COMEY: I don't know. Not to my knowledge.

LIEU: Has any member of this committee sat through the multiple witness interviews that the FBI conducted in this case?

COMEY: No. That I know. No.

LIEU: Has any member of this committee received any special information about the files that you kept or other FBI agents kept on this case?

COMEY: Not to my knowledge.

LIEU: Now let's do a little bit of math here. 1 percent of 30,000 e-mails would be 300 e-mails. Is that right?

COMEY: I think that's right.

LIEU: 30 e-mails would be one-tenth of 1 percent. And three e- mails would be one one-hundredth of 1 percent of 30,000. Right?

COMEY: I think that's right.

LIEU: So of those three e-mails, one one-hundredth of 1 percent of 30,000, they bore these tiny little classified markings which is, as you describe, a "c" with parentheses. Correct?

COMEY: Correct.

LIEU: It's certainly (ph) possible that a busy person who has sent and received over 30,000 e-mails just might miss this marking of a "c" with parentheses. It is possible, correct?

COMEY: Correct. LIEU: So let me now just conclude by stating what some of my colleagues have, which is, there is just the strongest whiff of hypocrisy going on here. The American public might be interested in knowing that all members of Congress receive security clearances just for being a member of Congress.

We get to have private e-mail servers. We get to have private e- mail accounts. We can use multiple devices. We can take devices overseas.

And really, at the end of the day when the American people look at this hearing, they need to ask themself (ph) this question -- do they trust the bias partisan politicians on this committee who are making statements based on evidence we have not reviewed, or do they trust the distinguished FBI director? I would trust the FBI Director.

I yield back.

CHAFFETZ: Thank you. I will now recognize the gentleman from Florida, Mr. Mica, for five minutes.

MICA: Thank you, Mr. Chairman. Director, how long did you investigate this matter?

COMEY: Just about a year.

MICA: A year. And do you believe you conducted a legitimate investigation?

COMEY: Yes, sir.

MICA: And -- it was a legitimate subject that was something that you should look into? You had that responsibility, is that correct?

COMEY: Yes.

MICA: We have a responsibility to hear from you on the action that you took. This weekend -- well, tomorrow, we'll go back to our districts and we have to explain to people, I'll be at (ph) a couple of cafes where I see folks and meetings and they're going to ask a lot of questions about what took place.

Have you seen the Broadway production Hamilton?

COMEY: Not yet. I'm hoping to.

MICA: I haven't either. But I understand it won the choreography Tony Award. I think you and others know that. The problem I have in explaining to my constituents in what's come down, it almost looks like a choreography.

Let me just go over it real quickly with you. Last Tuesday -- not this week -- one week ago, former President Clinton meets with the attorney general in Phoenix.

The next Friday, last Friday, Mrs. Lynch, the AG, says she's going to defer to the FBI on whatever you came up with.

On Saturday morning I saw the vans pull up. This is this past Saturday. And you questioned Secretary Clinton for three hours? Is that -- I guess that's correct?

COMEY: Three and a half.

MICA: OK. And then on Tuesday morning, the morning after July 4th, we watched in our office -- I had my interns, I said come in, we've got the FBI director, let's hear what he has to say. We're all kind of startled. You basically said you were going to recommend not to prosecute. Correct?

COMEY: Yes, sir.

MICA: And then Tuesday -- well, we had President Obama and Secretary Clinton arrive in Charlotte at 2:00 and shortly thereafter we had the attorney general as closing the case.

This is rapid fire. I mean, now, my folks think that there is something fishy about this. I'm not a conspiracy theorist, but there are a lot of questions on how this came down.

I have questions about how this came down. Did you personally interview the secretary on Saturday morning?

COMEY: I didn't personally, no.

MICA: How many agents did?

COMEY: I think we had five or six.

MICA: Did you talk to all of those agents after the interview?

COMEY: I did not speak to all of them, no.

MICA: Did she testify or talk to them under oath?

COMEY: No.

MICA: She did not. Well, that's a problem. But...

COMEY: No -- it's still a crime to lie to us.

MICA: I know it is. Do you have a transcript of that -- that..

COMEY: No, we don't record our...

MICA: Do you have a 302 -- I guess it's called...

COMEY: I do. I don't have it with me, but I do.

MICA: Did you read it?

COMEY: Yes.

MICA: You did? Can we get a copy of it since the case is closed?COMEY: I don't know the answer.

MICA: I would like a copy of that provided to the committee. I would like also for the last 30 days any communications between you or any agent or any person in the FBI with the attorney general or those in authority in the Department of Justice on this matter. Could you provide us with that?

COMEY: We'll provide you with whether we can under the law and under our policy. It would actually be easy in my case.

MICA: You see the problem that I have though, is I have to go back and report to people what took place.

COMEY: Sure.

MICA: Now, did you write the statement that you gave on Tuesday?

COMEY: Yes.

MICA: You did. And did you -- you said you didn't talk to all of the agents. But all of the agents, did they meet with you and then is that the group that said that we all vote to not recommend prosecution?

COMEY: I did not meet with all of the agents. I've met with -- I guess I've -- I've met with all of them...

(CROSSTALK)

MICA: But we're getting the word that it was like unanimous out of FBI that we don't prosecute.

COMEY: What's your question, Congressman?

MICA: Well, again, I want to know who counseled you. You read their summary. OK, you -- she was not under oath. And it appears -- members have cited here where she lied or misled to Congress which will lead now to the next step of our possibly giving you a referral on this matter. You're aware of that?

COMEY: Yes, we -- someone mentioned that earlier.

MICA: And that probably will happen. Thank you for shedding some light on what took place.

COMEY: Can I -- Mr. Chairman, can I respond just very briefly?

CHAFFETZ: Go ahead.

COMEY: I hope what you'll tell the folks in the cafe is, is look me in the eye and listen to what I'm about to say. I did not coordinate that with anyone. The White House, the Department of Justice, nobody outside the FBI family had any idea what I was about to say.

I say that under oath, I stand by that. There was no coordination, no --there was an insinuation what you were saying that I don't mean to get strong in responding but I want to make sure I was definitive about that.

MICA: Thank you, sir.

CHAFFETZ: Thank you.

We'll now recognize the gentlewoman from the Virgin Islands. Ms. Plaskett, for five minutes.

PLASKETT: Thank you, Mr. Chairman.

And thank you all for being here.

Director Comey, I would rather be here talking with you about the FBI's investigation and their resources to those individuals who are acting under color of law who've apparently committed egregious violations in the killings that we've seen in the recent days.

But instead, Mr. Chairman, I'm sitting here and I've listened patiently as a number of individuals have gone on national TV and made accusations against Director Comey, both directly and indirectly, because he recommended against prosecution based upon facts.

I've listened just very recently here in this hearing, as my esteemed colleague from Florida tries to insinuate the condensation of an investigation into a week that actually occurred over a much, much longer period of time.

And using that condensation and conspiracy theory to say that there's some orchestration. And that they have accused Mr. Director Comey of basing his decision on political considerations rather than the facts.

I've heard chuckles and laughter here in this hearing and I don't think there's anything to be smiling or laughing about. Because I want to say something to those individuals who are chuckling and laughing and making attacks on Director Comey for doing his job.

You have no idea who you're talking about. Your accusations are completely off base, utterly offensive to us as American people. I know this because I've had the honor of working for Director Comey during my own service at the Department Of Justice.

From 2002 to 2004, I served as Senior Counsel to the Deputy Attorney General. I worked with both director attorney -- the Deputy Attorney General, Larry Thompson, and Deputy Attorney General Jim Comey when he became deputy as a staff attorney.

And I know from my own experiences that Director Comey is a man of impeccable integrity. There are very few times when you as an attorney or as an individual can work with individuals or a gentleman who is completely that.

Someone who is above the fray. Anyone who suggests or implies that he made his recommendations on anything but the facts simply does not know James Comey. We've used the term no reasonable prosecutor. Well, I know that James Comey doesn't act as what a reasonable prosecutor would do because he is the unyielding prosecutor.

He is the prosecutor who does what is politically not expedient for himself, his staff, but for the law. And I'm not the only person in this hearing, in this committee, who's worked with Director Comey or for him.

Representative Gowdy himself also commended Director Comey and he said this, and I quote, "I used to work with him. I think Comey is doing exactly what you want. He's doing a serious investigation behind closed doors away from the media's attention and I'm going to trust him until I see a reason not to."

Representative Gowdy referred to Director Comey as honorable and apolitical. He said this is exactly what you want in law enforcement. Well, that's exactly what you want in law enforcement until the decision is not the decision that you want.

Director Comey, Chairman Chaffetz, as it was said by one of my colleagues, went on television and accused you of making quote a "political calculation." He said your recommendation was nothing more than quote, "a political determination in the end."

I'm gonna ask you, how do you respond to that? Were your actions in any way, shape or form governed by political consideration?

COMEY: No, not in any way.

PLASKETT: And did anyone with Secretary Clinton's campaign or the administration influence your recommendation for political reasons?

COMEY: No, they didn't influence it in any way.

PLASKETT: I'm going to take you at your word because I know and those who will go through the record of your long tenure as a career prosecutor and they look at examples, we'll see that you have taken decisions that have not been that.

Which your supervisors, which the president, which others have wanted you to take. As a fellow prosecutor who believed that the facts must come above politics, I'm thankful that we have you.

And Director Comey, I want to thank you for your service to our country. And you have our support. We would like to see as much documents and I'm grateful that you want to keep the transparency so that the American public can understand the difference between what they hear in the media and the elements of a crime necessary for criminal prosecution.

Thank you.

CHAFFETZ: Thank the gentlewoman.

We'll now recognize the gentleman from Texas, Mr. Farenthold, for five minutes.

FARENTHOLD: Thank you very much.

Director Comey, I want to talk a little bit about cyber security. State Department's Inspector General reported (ph) detailed instances of multiple attacks on Secretary Clinton's computer, as well as her replying to suspicious e-mail from the personal account of Under Secretary Of State.

Director, you said that hostile actors (ph) successful gained access to the commercial e-mail accounts of people Secretary Clinton regularly communicated with. In the case of the Romanian hacker Guccifer, according to accessing Sidney Blumenthal's account -- and you know that's been public, for some time.

During your investigation, were there other people in the State Department or that regularly communicated with Secretary Clinton that you can confirm were successfully hacked?

COMEY: Yes.

FARENTHOLD: And were these folks that regularly communicated with the secretary?

COMEY: Yes.

FARENTHOLD: And were you able to conclude definitively that the attempted hacks referenced in the I.G. report were not successful?

COMEY: We were not able to conclude that they were successful. I think that's the best way to say it.

FARENTHOLD: All right, well while you said that given the nature of Clinton's server, it would be unlikely to see evidence one way or the other whether or not it had been successful hacked.

How many unsuccessful attempts did you uncover, did you find any there?

COMEY: There were unsuccessful attempts. I don't know the number off top of my head.

FARENTHOLD: Do you have an idea -- were they from foreign governments? Where'd they come from?
COMEY: I want to be careful what I say in an open setting and so I -- we can give you that information but I don't want to give the -- any foreign governments knowledge of what I know, so there...

FARENTHOLD: But you -- would you be so far as to say if they probably weren't American high school students fooling around?

COMEY: Correct, it was not limited to criminal activity.

FARENTHOLD: During your investigation, did you or anyone in the FBI interview the hacker Guccifer?

COMEY: Yes.

FARENTHOLD: And he claimed he gained access to Sid Blumenthal's e-mail account and traced them back to Clinton's private server. Can you confirm that Guccifer never gained access to her server?

COMEY: Yeah he did not. He admitted that was a lie.FARENTHOLD: All right, well, at least that's good to hear.

All right, Section 793 of Title 18 in the United States Code makes it a crime to allow classified information to be stolen through gross negligence. Were you to discover that hostile actors had actually gotten into Secretary Clinton's e-mail, would that have changed your recommendation with respect to prosecuting her?

COMEY: Unlikely, although we didn't consider that question because we didn't have those facts.

FARENTHOLD: All right. I want to go back to the question of intent real quick, for just a second.

I'm a recovering attorney. It's been decades since I actually practiced law. But you kept referring to she had to know it was illegal to have the requisite criminal intent. I was always taught in law school, and I don't know where this changed, that ignorance of the law was no excuse. If I'm driving a long at 45 miles and hour and didn't see the 35 mile and hour speed limit, I was still intentionally speeding, even though I didn't know it.

Now, I might not have had the requisite criminal intent if maybe my accelerator were jammed or something like that, but even though I didn't know the law was 35, I was driving 45, I'm going to get a ticket. And I'm probably going to be prosecuted for that.

So, how can you say ignorance of the law is an excuse in Ms. Clinton's case?

COMEY: Well, the comparison to petty offenses, I don't think is -- you spoke about the question of -- ignorance of the law is no excuse, but here's the distinction. You have to have general criminal intent. You don't need to know what particular statute you're violating, but you must be aware of the generally wrongful nature of your conduct...

(CROSSTALK)

FARENTHOLD: We -- now, so Congress when they enacted that statute said "gross negligence." That -- that doesn't say intent. So what are we going to have to enact to get you guys to prosecute something based on negligence or gross negligence? Are we going to have to add, "and oh by the way, we don't mean -- we really do mean you don't have to have intent there"? COMEY: That's a conversation for you all to have with the Department of Justice. But it would have to be something more than the statute enacted in 1917. Because for 99 years, they've been very worried about its constitutionality.

FARENTHOLD: All right. Well, I think that's something this committee and Congress as a whole, the Judiciary Committee, that Mr. Chaffetz and I also sit on, will be looking at it.

And I was on television this morning. And I just want to relay a question that I received from a caller into that television commercial (sic). It's just real simple: Why should any person follow the law if our leaders don't? And we can argue about intent or not, but you laid out the fact that she basically broke the law, but you couldn't prove intent.

Maybe I'm putting words in your mouth, but I do want to know why -- why any person should follow the law if our leaders don't have to. Maybe that's rhetorical, but I'll give you an opportunity to comment on that.

COMEY: That's a question I'm no more qualified to answer than any American citizen. It's an important question. In terms of my work and my world, my folks would not be -- one of my employees would not be prosecuted for this. They would face consequences for this. So the notion that it's either prosecute or you walk around, you know, smiling all day long is just not true for those people who work for the government.

The broader question is one for a democracy to answer. It's not for me.

FARENTHOLD: And I guess the ultimate decision as to whether or not Mrs. Clinton works in government or not is not in -- is in everybody's hands.

CHAFFETZ: I thank the gentleman.

FARENTHOLD: I yield back.

CHAFFETZ: We'll now recognize the gentleman from Pennsylvania, Mr. Boyle, for five minutes.

BOYLE: Thank you, Mr. Chairman.

And thank you, Director Comey, for appearing especially on such short notice.

I want to share with you actually something a friend of mine was expressing when watching your press conference 48 hours ago. And this is someone who's not in any way political. In fact, probably typical of most American citizens today in being depressed about the remarkable level of cynicism we have in our government, that specifically those of us who are in government make decisions first and foremost because of the party hat we wear and not necessarily based on the facts and the evidence. And he

texted me after watching your 15-minute presentation, "Oh, it's nice to see a real pro; you can tell that he would make the decision based on the facts and the evidence and not what party he wears."

I think that's so important if we're ever going to get to a place in this country where we restore some of the faith that we had in government. If you look at the poll numbers from the 1940s and 1950s, and you look at faith in government among the American public, and you look at those numbers today, the numbers today are anemic. They're nowhere near the levels that they were decades ago.

So for that, I want to say thank you, and I think that many citizens have the same -- the same impression.

When I first met you a couple of years ago at a weekend session in Colonial Williamsburg, you might remember that we had a discussion about my biggest concern, frankly, facing the security of the American people. And that is the possibility of a lone-wolf terrorist, someone becoming self-radicalized and acting based on that. We had an exchange that I'll keep private, but I think I can characterize that you share my concern.

I'm just thinking for the last two-and-a-half hours that we've been here, we've had the FBI director asking questions on this matter, when frankly I would have much rather your time spent dealing with the potential lone-wolf terrorists and other coordinated facts that we face.

But since this is the Oversight and Government Reform Committee, trying to find something that we can now take and possibly use in a systemic way, not just the celebrity of Secretary Clinton and the fact because it involves her, let's face it, that's the reason why we're here.

But I want to try to take something out of this very expensive and long investigation and try to use it in a productive way toward reforming government that possibly we can get something good out of it. So toward that end, I'm really concerned about this issue of up- classification because it seems as if, and I was not aware of this until the investigation, there is quite a strong discrepancy between not just former Secretary Clinton, but even former Secretary Powell, what he thinks should be classified and then what is classified after the fact.

And I think you'd, if I'm right, there were some 2,000 e-mails that were up-classified. I was wondering if you could -- you could speak to that.

COMEY: It actually was not a concept I was real familiar with before this. It's the notion that something might not have been classified at the time, but that in hindsight, as a government agency considers releasing it, they raise the classification level to protect it, because it would -- it's a candid assessment of a foreign leader or something like that. I think it is largely a State Department thing because their diplomats will often be conversing in an unclassified way, that when they look at releasing it in response to a FOIA request, they think it ought to be protected in some fashion.

But honestly, those -- I kind of pushed those to the side. The important thing here was what was classified at the time. That's what matters.

BOYLE: Right. And that for a law enforcement official matters. But I'm just wondering if you could share with us any of your impressions about a system that exists where there is such gray area and discrepancy in what is classified and what's not. And if you or your agents had any suggestions for us either in Government Reform or I happen to be on the Foreign Affairs Committee that has oversight of

State Department. Do you believe that this is a matter that we should take up where there is such discrepancy on what's classified and what's not classified?

I even -- I think of one example. Ambassador Ross put something in a book that wasn't classified, and then was up-classified after the book came out. What -- what good does that do us as a country in terms of trying to protect the intelligence of the United States?

COMEY: I'm not an expert in this up-classification business, but I do suspect it will be a fertile ground for trying to figure out whether there are ways to do it in a more predictable, reliable way.

BOYLE: Yeah. Well, thank you again for your service, and I yield back my time.

CHAFFETZ: I thank the gentleman.

I will now recognize the gentleman from Georgia, Mr. Hice, for five minutes.

HICE: Director Comey, your statement on Tuesday clearly showed that Secretary Clinton not only was extremely careless in handling classified information, but that also any reasonable person should have known better, and that also in doing so, she put our national security at risk with her reckless behavior.

So it seems to me that the American people are only left, based on your assessment, with just a few options. Either Secretary Clinton herself is not a reasonable person, or she is someone who purposefully, willfully exhibited disregard for the law, or she is someone who sees herself as above the law.

And to muddy the water even further after listening to you lay out the facts of the investigation, much of what you said directly contradicted her in previous statements that she had made.

I think that all this compiled, putting the -- connecting the dots -- that so many American people are irate that after all of this, there was not a recommendation for Secretary Clinton to be prosecuted.HICE: Now, I do greatly appreciate the fact that you came out with much more information on this than you would have in other cases. And I think that was the right thing to do. Undeniably, this is not a typical case. This is something of great public interest. Obviously, the subject of the investigation, a former secretary of state, former senator, and all those things that we have talked about, former first lady and so forth. And in addition to this, her husband who happens to be a former president of the United States is meeting privately with the attorney general right before all of this interview takes place.

Obviously, this is very suspicious. Just the optics of it all. And at the same time, that you're coming out or more or less the same time that you are announcing the decision, Secretary Clinton is flying around in Air Force One with the president doing a campaign event.

I mean there's nothing about this case that's ordinary. There's nothing about the subject that's ordinary. So let me ask you this. Director, did Secretary Clinton in fact comply with the department's policies or the Federal Records Act?

COMEY: I don't think so. I know you have the State Inspector General here, who's more of expert on all the department's policies but at least in some respects, no.

MICA: So keeping the servers at home and all these types of things obviously is not in compliance with the department's policies.

COMEY: Yes and I've read the Inspector General's report on that. So that's part of the reason I can answer that part with some confidence.

MICA: OK and yet she said publicly that she fully complied. So there again, is another issue. If you had the same set of facts but a different subject, a different individual involved say just an average, ordinary State Department employee or an anonymous contractor, what would have been the outcome?

COMEY: I'm highly confident there would be no criminal prosecution no matter who it was. There would be some range of discipline, they might get fired, they might lose their clearance, they might be suspended for 30 days, could be some discipline.

Maybe just a reprimand, I doubt it, I think it'd be higher on the discipline spectrum but some sort of discipline.

MICA: So is it your opinion there should likewise be some discipline in this case?

COMEY: That's not for me to say. I can talk about what would happen if it was a government employee under my responsibility.

MICA: Well, then what you're laying out is that there is a double standard for someone else, a different subject, an anonymous contractor or someone at the State Department.

There would absolutely be discipline but because of who the subject is, you're not willing to say there should be discipline. So there's again -- this whole issue -- this is what the American people are so upset about. Let me say that -- when you -- when you stated that no reasonable prosecutor would pursue this case, is that because the subject of this investigation was unique?

COMEY: No. There's no double standard there. And there's no double standard either in the sense that if it was John Doe, former government employee, you'd be in the same boat.

We wouldn't have any reach on the guy. He wouldn't be prosecuted.

MICA: But he would have some discipline.

COMEY: Well, not if he had -- not if he had left government service.

MICA: Had they lied about having servers, had they lied about sending and receiving classified e-mails, had they lied about not deleting those e-mails to the public, had they lied about not having any marked classified -- the statements are clearly documented.

And you're saying that this -- an average person would experience discipline by your own words, but Secretary Clinton does not deserve to be disciplined.

CHAFFETZ: The gentleman's time has expired but the director may answer if he wants to.

COMEY: An average employee still in government service would be subject to a disciplinary process. Now, if they'd left, you'd be in the same boat.

CHAFFETZ: Gentleman from Georgia yields back.

The chair now recognizes the gentleman from Vermont, Mr. Welch.

WELCH: Thank you very much, Mr. Chairman.

Thank you, Director Comey. The prosecutor has really awesome power. The power to prosecute is the power to destroy. And it has to be used with restraint. You obviously know that.

You're being asked to -- you had to exercise that responsibility in the context of a very contested presidential campaign, enormous political pressure. You had to do it once before. And I go back to that evening of March 10, 2004, when the question was whether a surveillance program authorized after 9/11 by President Bush was going to continue despite the fact that the Justice Department had come to an independent legal conclusion that it actually violated our constitutional rights.

That's a tough call because America was insecure. The president was asserting his authority as Commander In Chief to take an action that was intended to protect the American people but you and others in the Justice Department felt that whatever that justification was, the Constitution came first and you were going to defend it.

As I understand it, you were on your way home and had to divert your drivers to go back to the hospital to be at the bedside of a very sick, at that time Attorney General. And you had to stand in the way of the White House Chief of Staff and the White House Council.

I'm not sure that was a popular decision or one that you could have confidently thought would be a career booster. But I want to thank you for that. Fast forward, we've got this situation of a highly contested political campaign. And there is substantive concern that's legitimate by Democrats and Republicans for independent political reasons.

But you had to make a call that was based upon your view of the law, not your view of how it would affect the outcome of who would the next Commander in Chief. Others have asked this for you, but I think I'm close to the -- close to the end.

I want to give you a chance to just answer I think the bottom line questions, here.

Had you, after your thorough investigation, found evidence that suggested that criminal conduct occurred, is there anything, anything or anyone that could have held you back from deciding to prosecute?

COMEY: No. I mean I -- I don't have the power to decide prosecution but I worked very hard to make sure that a righteous case was prosecuted.

WELCH: And you would have made that recommendation to the Attorney General?

COMEY: Yes.

WELCH: Was there any interference, implicit or explicit, from the President of the United States or anyone acting on his behalf to influence the outcome of your investigation and the recommendation that you made?

COMEY: No.

WELCH: Was there anyone in the Hillary Clinton campaign, or Hillary Clinton herself, who did anything directly or indirectly to attempt to influence the conclusion that you made to recommend no prosecution?

COMEY: No.

WELCH: At this moment, after having been through several hours of questioning, is there anything in the questions you've heard that would cause you to change the decision that you made?

COMEY: No, I don't -- I don't love this, but it's really important to do. And I understand the questions and concerns. I just want the American people to know we really did this the right way.

You can disagree with us but you cannot fairly say we did it in any kind of political way. We don't carry water for anybody. We're trying to do what the right thing is.

WELCH: I -- I very much appreciate that and I very much appreciate that it takes strong people of independent judgment to make certain that we continue to be a nation of laws.

Mr. Chairman, just one final thing and I'll yield to Mr. Cummings.

We've got a political debate where a lot of these issues that are going to be -- that have been raised are going to be fought on the campaign. And we've got Secretary Clinton who's going to have to defend what she did.

She's acknowledged it's a mistake; we've got that great constitutional scholar, Mr. Trump, who's going to be making his case about why this was wrong, but that's politics. That's not really having anything to do with the independence of prosecutorial discretion.

Thank you, Director Comey.

And I yield whatever additional time I have to Mr. Cummings.

CHAFFETZ: I think the gentleman's gonna yield back, I have spoken with Mr. Cummings, so.

We'll now recognize the gentleman from Kentucky, Mr. Massie, for five minutes.

MASSIE: Thank you, Mr. Chairman.

And thank you, Director Comey, for showing up and your willingness to be transparency and answer a lot of unanswered questions. A few hours before this hearing started I went on to social media and asked people to submit questions.

And I've got over 500 questions and I don't think I'll get to ask them all in these five minutes. But I'm sure you'll be willing to answer them. One of the common things that I came in here to ask but I realize it's not the right question now, is what's the difference between extremely careless and gross negligence?

But in the process of this hearing, what I'm hearing you say is, that's not what we -- that's not what your reluctance is based on. It's not based on the reluctance to prosecute.

Your reluctance to recommend a prosecution -- or an indictment is not based on parsing those words.

It's based on your concern for this statute with this -- this statute. Is that correct? From your opening statement?

COMEY: It's broader than that, actually. The statute -- and it fits within a framework of fairness and also my understanding of what the Department of Justice has prosecuted over the last 50 years.MASSIE: So when you say a reasonable prosecutor wouldn't take this case, it's not because you don't think she made -- that she lied in public or that maybe she was negligent, it's because you have concern with the prosecutorial history of this statute?

COMEY: Not just that statute, but also 1924, which is the misdemeanor. I also don't see cases that were prosecuted on facts like these. 793 (ph) and 1924...

MASSIE: ... But you did find one prosecution in -- has it been overturned by the Supreme Court?

COMEY: No, there was one time it was charged in an espionage case, and the guy ended up pleading guilty to a different offense so it was never adjudicated.

MASSIE: So, your concern is with the negligence threshold. You think it requires mens rea, or knowing the crime. But in all 50 states, isn't there negligent homicide statute, and aren't people prosecuted for that all the time? Doesn't the Supreme Court, and all the courts below that, uphold those prosecutions just on the basis of negligence?

COMEY: I don't know about all 50 states. I think negligent homicide and manslaughter statutes are relatively common.

MASSIE: OK, don't all 50 states have something like that, and aren't those sustained in the upper courts, those convictions?

COMEY: I don't know whether all 50 states have something like that, but again, I think it's very common and I think those are sustained.

MASSIE: Don't we have a history of -- you implied the American judicial system doesn't have a history of convicting somebody for negligence, but don't we in other domains of justice?

COMEY: We do. I know the federal system best. There are very few in the federal system. They're mostly, as you (ph) talked about earlier, in the environmental and Food and Drug Administration area.

MASSIE: Thank you. Now, I want to ask another question that's come up here. You've basically related to us that this information, this top secret or classified information got into these e-mail chains because of conversations people were having. They were relating what they heard before in other settings. Is that correct? COMEY: No. Maybe in some cases, but it was people having an e- mail conversation about a classified subject.

MASSIE: OK, so they were having an e-mail conversation, but how in this e-mail conversation did this bore (ph) marking show up? Like, if they're not sophisticated enough, as you said before, even Hillary Clinton wasn't sophisticated enough to recognize a bore (ph) marking to, the "C" with the parenthesis for confidential or classified. If they weren't that sophisticated, how did they recreate that bore marking in their e-mails when they're having these discussions?

COMEY: A lot of what ended up on Secretary Clinton's server were stuff that had been forwarded up the chain. It gets to her from her stack, a lot of that, forwarding. And, then she comments sometimes on it. Someone down in the chain, in typing a paragraph that summarized something put a portion marking "C", "paren", "C", "paren", on that paragraph.

MASSIE: Doesn't it take a lot of intent to take a classified document from a setting that's, you know, authorized and secure, to one that's not? Wouldn't it require intent for somebody to recreate that classification marking in an unsecure setting?

COMEY: I don't know. It's possible, but also, I could...

MASSIE: ... Could you accidentally type, "Open parenthesis", "C", "closed parenthesis", and indent the paragraph?

COMEY: Oh no, you wouldn't accidentally type...

MASSIE: ... Right...

COMEY: ... Someone actually down the chain...

MASSIE: ... OK, so this is my question is someone down the chain being investigated? Because they had the intent clearly if they had the sophistication -- which Hillary Clinton, you insinuate, may have lacked. If they had the sophistication to know what this bore marking was, they had to have the intent to recreate it, or the intent to cut, copy, paste from a secure system to an unsecure system. Wouldn't that be correct?

COMEY: Potentially, but we're not -- there's not an open criminal investigation of that person way down the chain...

MASSIE: ... Shouldn't there be?

COMEY: A criminal investigation?

MASSIE: An investigation if there's intent, which is what you -- I mean, and I think you may be reasonable in requiring that threshold. Don't we treat everybody the same whether they're the top of the chain or the bottom of the chain?

COMEY: Sure, you want to if the conduct is the same. We did not criminally investigate whoever started that chain and put the "C" on that -- those paragraphs. We didn't.

MASSIE: OK, I would suggest maybe you might want to do that, and I will yield back to the Chairman.

CHAFFETZ: OK, I thank the gentleman. I now recognize the gentlewoman from Michigan, Mrs. Lawrence for five minutes.

LAWRENCE: Director Comey, how many years have you been the director?

COMEY: Two -- three years. I don't know the exact day count at this point.

LAWRENCE: How many cases have you investigated, approximately, that you had to render a decision?

COMEY: The Bureau investigates tens of thousands of cases. The Director only gets involved in a very small number of them.

LAWRENCE: About how many?

COMEY: I think I've been deeply involved in probably 10 to 20.

LAWRENCE: Have you even been called before Congress on any of those other decisions?

COMEY: No, this is the first time.

LAWRENCE: Thank you. There are some Republicans who support you. Not surprisingly, they're the ones who actually know you. I have a letter here, and I would like to enter it into the record, from Richard Painter, he was President Bush's Chief Ethics lawyer. May it be entered into the record?

CHAFFETZ: She's asking unanimous consent, without objection, so ordered.

LAWRENCE: Mr. Painter refers to Mr. Comey as a man of, and I quote, "the man of the utmost integrity who calls the shots as he saw them, without regard to political affiliation or friendship." He states, and I quote, "throughout the FBI investigation of Secretary Clinton's e-mail server, I have been convinced that the Director would supervise the investigation with being impartial, and strict adherence to the law, as well as procedural."

He also adds, although I'm aware of very few prosecutions for carelessness in handling classified information as opposed to intentional disclosure, I knew that the Director would recommend prosecution in any and all circumstances where it was warranted. I can not think of someone better suited to handle such a politically sensitive investigation."

Finally, and I quote, "I urge all members of the United States Congress to stop from inferring in specific decisions, particularly those involving political allies, or opponents. During my tenure in the White House there were very unfortunate allegation that power Senators sought politically motivating firing of United States attorney. Whether or not such allegations were true, it is imperative," and I'm still

quoting, "that members of the Senate or the House never again conduct themselves in a manner where such interference could be suspected."

And, I want to be on the record, I wholeheartedly agree with Mr. Painter.

Director, you have demonstrated yourself, you sat here and asked (ph) the questions, and I would never oppose to finding the answers to any situation that is directly related to federal agencies which we, on this committee, are responsible for. But, I want to be clear that Congress has no business, no business interfering with these types of decisions that are coming in this -- in your responsibility.

These type of attacks are not only inappropriate, but they're dangerous. They're dangerous because they could have a chilling effect on the future investigations. And, I ask that question, how long have you been this position? How many times have you made decisions, and it were knocked, pulled in 24 before this committee? How many times? And, then we say it's not political.

And, you have said repeatedly, regardless of who it was you would have conducted the investigation as required under your responsibility. And, here you have Republicans who are saying you are an honorable man. Until this day, I have not heard any complaints of your judgment. So, I sit here today as a member of Congress on the record that the slippery slope that we're seeing today in this hearing, I want every member to be cautious of what we're saying. That in America when we have investigation that we will allow our own elected Congress and Senate to make this a political agenda to attack, but only if it's in their agenda. This goes for Democrats and Republicans, we are not here to do that.

Thank you, and I yield back my time.

CHAFFETZ: I thank the gentlewoman.

Will now recognize the gentleman, Mr. Blum.BLUM: Thank you, Mr. Chairman.

Thank you, Director Comey for being here today, and thanks for hanging in there until every last question is answered.

I'm not a lawyer, that's the good news. I'm a career businessman. I spent most of my career operating in the high high- tech industry.

Today, I heard words such as common sense, reasonable person, carelessness, judgment, or lack thereof. I like these words. I understand these words. I think the average American does as well. I'd like to focus on that.

Last Tuesday, Director, you said, and I quote, "none of these e- mails should have been on any kind of unclassified system, but their presence is especially concerning because all these e-mails were housed on unclassified personal servers not even supported by full- time security staff like those found at agencies of the United States government or even with a commercial e-mail service such as Gmail." Director Comey, my small Iowa business doesn't even use Gmail for our e-mail because it's not secure enough.

I know some security experts in the industry. I check with them. The going rate to hack into somebody's Gmail account, $129. For corporate e-mails, they can be hacked for $500 or less. If you want to hack into an IP address, it's around $100. I'm sure the FBI can probably do it cheaper. This is the going rate.

Director Comey, are you implying in that statement that the private e-mail servers of Secretary Clinton's were perhaps less secure than a Gmail account that is used for free by a billion people around this planet?

COMEY: Yes. And I'm not looking to pick on Gmail. Their security is actually pretty good, the weakness is individual users. But, yes, Gmail has full-time security staff and thinks about patching, and logging, and protecting their systems in a way that was not the case here.

BLUM: I would like to ask you, what kind of judgment -- we talked a lot about judgment today -- does this decision to potentially expose to hackers classified information on e-mail service that's less secure than Gmail, your words -- what does that suggest to you?

COMEY: It suggests the kind of carelessness I talked about. BLUM: In August of last year, Secretary Clinton was asked by Ed Henry of Fox News whether she had wiped her entire server, meaning that, did she delete all the e-mails on here server? Her response, "you mean with a cloth?" March of 2015, during a press conference, Secretary Clinton assured us that her private e-mail server was secure saying, "the server was on private property guarded by the Secret Service."

Now, this would have laughable if it wasn't so serious. I know, you know, my constituents in eastern Iowa know, you don't need to be a cat burglar to hack into an e-mail server and you don't need a cloth to wipe a server clean. One would think that a former United States Senator, one would think that a Former Secretary of State would know this as well. Would you agree with that statement?

COMEY: You would think, although as I said before, one of the things I learned in this case is that the Secretary may not have been as sophisticated as people assumed.

She didn't have a computer in her office at the State Department for example. I don't think -- so I would assume the same thing about someone who had been a Senator and a high-ranking official. I'm not sure it's a fair assumption in this case.

BLUM: In your opinion, did Secretary Clinton know that a server could in fact be wiped clean electronically and not with a cloth?

COMEY: Well, I assume -- I don't know...

BLUM: Would you assume she knows that?

COMEY: I would assume it was a facetious comment about a cloth. I don't know a particular on that one.

BLUM: Would you also assume Director, that Secretary Clinton knew that a server could be wiped clean electronically, that it could be hacked electronically, not physically? You don't need a cat burglar to hack a server. Would you assume -- is reasonable to assume she knows that?

COMEY: To some level she would know that. To some level of understanding.

BLUM: Then once again, for someone who knew these things or we assume to some level she knew these things, what kind of judgment does a decision to expose classified material on personal servers suggest to you? What type of judgment?

COMEY: It's not my place to assess judgment. I talk in terms of state of mind, negligence in particular. I think there was carelessness here. In some circumstances, extreme carelessness.

BLUM: Was her server hacked?

COMEY: I don't know. I can't -- can't prove that it was hacked.

BLUM: That answer says to me it could have been hacked.

COMEY: Sure.

BLUM: And if it was hacked, potentially damaging material, damaging to American secrets, damaging to American lives, could have been hacked, could have been exposed, correct? Lives could have been put at risk if that server was indeed hacked?

COMEY: I'm not prepared to say yes as to that last piece. That would require me going into a way -- I can't here due to the nature of the classified information. But there is no doubt that it potentially would have exposed information that's classified -- information that was classified because it could damage the United States of America.

BLUM: So it could I have happened, the FBI just isn't aware?

COMEY: Correct.

BLUM: Thank you very much.

I yield back the time I do not have.

CHAFFETZ: I thank the gentleman.

I now recognize the gentlelady from New Jersey, Ms. Watson Coleman, for five minutes.

WATSON COLEMAN: Thank you.

And thank you, Director. I've got a number of questions so I'm going to zip through these.
This is a question I'm going to ask you and you may not even have the answer to it because you may not have known this. This is about the classification marking issue that you've been asked about earlier. According to the State Department which addressed the issue yesterday, a spokesman said that, "the call sheets appear to bear classified markings -- but this was actually a mistake." To quote, "generally speaking, there's a standard process for developing call sheets for the Secretary of State. Call sheets are often marked, but it's not untypical at all for them to be marked at the confidential level prior to the decision of the Secretary that he or she will make that call. Often times, once it is cleared, the Secretary

intends to make a call, the department will then consider the call sheet SBU, Sensitive But Unclassified or unclassified altogether, and then marked appropriately."

The classifications of a call sheet therefore is not necessarily fixed in time and staffers in the Secretary's office who are involved in preparing and finalizing these call sheets, they understand that. Given this context, it appears that markings in the documents raised in the media reports were no longer necessary or appropriate at the time they were sent as an actual e-mail. Those markings were human error. They didn't need to be there. Did you know this?

COMEY: No. WATSON COLEMAN: Thank you, Mr. Director.

Can you tell me based upon your information has there been and is there any evidence that our national security has been breached or at risk as a result of these e-mails and their being on this server? Is there any evidence?

COMEY: There's no direct evidence of an intrusion.

WATSON COLEMAN: Thank you very much.

I have to tell you that while I think that this should conclude this discussion, I know we're going to hear this issue ad nauseam. But I am concerned about another issue that I think really is resonating with the people in this country. That issue has to do with experiences that we had just the last two days.

Mr. Director, I want to bring this up for your consideration because I want to ask you, what can the FBI do in this issue? This morning, we woke up to another graphic and deeply disturbing video that actually brought me to tears when my staff played it for me, where a Minnesota woman's boyfriend has been shot as her young child sat in the back-seat after apparently telling the officer he was licensed to carry a weapon. He had it on him, and was going to reach for his identification.

Just the other day, there was a -- an incident in Baton Rouge involving a Mr. Alton Sterling, an African-American man who was shot while pinned to the ground by police officers in Baton Rouge. An interaction taped by two bystanders with cell phones captured this. So I think that we've got an issue here, an issue of real national security.

And I want to ask you, Mr. Director, do we have an opportunity to direct our time and resources in your department to those issues? Is it -- is it not important that we save their names to remind people of the loss of a Tamir Rice, to an Eric Garland, to an Alton Sterling, to a John Crawford III, to a Michael Brown, to a Walter Scott, and even a Sandra Bland? Deaths in the hands of police custody or by police happening -- are these not happening at an alarming rate and is this not a legitimate space for the FBI to be working in?

COMEY: Yes, is the emphatic answer. Those are incredibly important matters.

As you know, the FBI spends a lot of time on them because they're very, very important. We have an investigation open on the Baton Rouge case. I was briefed this morning on the Minnesota case and I would expect we'll be involved in that as well. It's an important part of our work.WATSON COLEMAN: Do you feel that you have the resources from the legal imperative to the funding to address these cases and what seems to be a disturbing pattern in our country today?

COMEY: I'm a bad bureaucrat, but I have -- I believe I have sufficient resources and we are applying them against those situations. because I believe the individual cases matter enormously, but also the people's confidence in law enforcement is one of the bedrocks of this great country of ours. I have the resources and we're applying them too.

WATSON COLEMAN: And in addition, we believe that our law enforcement is by in large of high integrity and have the desire to keep us protected and safe. But when we find out that there are these occasions, and when there's an indication that there's a pattern that is taking place in this country, we have a responsibility to ensure that everyone in this country is safe. And simply because you're a black man or a black woman does not make you a target.

Thank you. I yield back my time.

CHAFFETZ: I thank the gentlewoman. We'll now recognize the gentleman from North Carolina, Mr. Walker.

WALKER: Thank you Mr. Chairman. Thank you Director Comey for being here.

There are a few things in this town that people agree on both sides of the aisle, one is your reputation. I'm reminded of the passage in James: Swift to hear, slow to speak, slow to wrath.

I am a little disappointed in some of the things I've heard from my colleagues about some of the attacks on your character and integrity. I haven't heard those. And I hope that we have not -- you've not experienced that.

I also struggle with a change of heart that we're hearing today. I have a list of elected officials who have questioned your investigation, even attacked it. In fact, former President Clinton said, "This is a game." In fact, last Friday, Congresswoman Wasserman Schultz said, "Secretary Clinton is not the target of this investigation, or whatever you want to call it."

My question to you today: Do you feel like this has been a Republican witch hunt, this hearing? COMEY: No. I said from the beginning, I understand people's questions and interest. I'm a huge fan of transparency. I think that's what makes our democracy great.

WALKER: I think that is one of the reasons as to why you are so respected.

To me, this hearing is about understanding and disseminating the facts, and how you saw them, and how the American public sees them. And specifically in the areas of where there was wrongdoing admitted under your investigation, where there was obviously breaking the law, but also some cover-ups. Did Congress ask you to pursue this investigation?

COMEY: No. It was a referral from the Inspector General of the intelligence community.

WALKER: So it wasn't Republicans either was it?

COMEY: No.

WALKER: How did you go about collecting the evidence?

COMEY: We used the tools we normally use in a criminal investigation.

WALKER: Did or do you receive a congressional referral for all the information you collected?

COMEY: Not to my knowledge.

WALKER: One of the things I'm struggling with or what I would like to know specifically is, under oath Ms. Clinton made these three comments that we now know are untrue in the Benghazi hearing.

Number one, she's turned over all her work related e-mails. Number two, telling the committee that her attorneys went through every single e-mail. And finally, and probably the one that continues to stick the most, there was, and I quote, "nothing marked classified on my e-mails," end quote.

Now, earlier when the chairman questioned you about this, you said something about needing a congressional referral, recommendation. My question is something of this magnitude, why -- can you help me understand why didn't it rise to your investigation or someone bringing that to your knowledge as far as saying this is a problem, here she is, again, Secretary Clinton lying under oath specifically about our investigation?

COMEY: We out of respect for the legislative branch being a separate branch, we do not commence investigations that focus on activities before Congress without Congress asking us to get involved. That's a long-standing practice of the Department of Justice and the FBI. So we don't watch on TV and say we ought to investigate that, Joe Smith said this -- in front of the committee. It requires the committee to say, "We think we have an issue here; would you all take a look at it?"

WALKER: With all due respect, if you have the Secretary Clinton under oath speaking about your very investigation, and you've talked about your wonderful staff, and certainly have no reason to deny it; why wouldn't that rise to the level of suspicion that -- here she is saying this under oath. Lying under oath is a crime is it not?

COMEY: Yes.

WALKER: What's the penalty on that? That's considered perjury right?

COMEY: Perjury, it's a felony, I forget the exact -- it's potentially years in prison.

WALKER: I don't understand -- would you help me understand why somebody wouldn't have tipped you off that she's talking about the specific case under oath that you're investigating?

COMEY: There's a difference between us being aware of testimony and us opening a criminal investigation for potential perjury.

Again, it's not this case in particular, but all cases. We don't do that without the committee saying, "We think there was an issue in testimony given in this separate branch of the government."

WALKER: You also mentioned earlier, and it's been quoted several times, that no reasonable prosecutor would move forward with some of the facts. Is there any room at all that somebody would differ on the opinion? I know that former United States Attorney General Michael Mukasey said that an illegal server disqualifies her from holding any federal office. So there are people of highest esteem that may differ obviously not privy to the exact facts.

Can you make any room? You said no reasonable person. Do you understand why American people or would understand why other people may say that she has stepped across a line or broke enough laws here that you would come to a different conclusion?

COMEY: Sure, I respect different opinions.

My only point -- as I said earlier, I smile because those folks are my friends, I've worked with them for a long time. None of those guys in my position I believe knowing what I know, would think about it differently. But I also respect that they have a different view from the outside.

WALKER: Thank you, Mr. Chairman. I yield back.

CHAFFETZ: I thank the gentleman. I now recognize the gentleman from California, Mr. DeSaulnier.

DESAULNIER: Thank you, Mr. Chairman. Director, I just want to thank you as others have, and I know you don't need this but I think the American people clearly need to hear it, you've done a wonderful job today. There are moments in my political life and as an American I despair for the future of this country, not often but -- in those moments comes an individual like yourself, be it by providence or good fortune or framework of the U.S. constitution, I really believe you served this country and all Americans well irrespective of their party affiliation.

So really two questions. Two lines of questions, I should say. One is I -- another colleague brought this up, but you mentioned in just previous testimony about the bedrock and the importance of public confidence and public safety institutions, yours and all. So I just want to give you an opportunity, I think you have responded to this multiple times -- but given you had little opportunity tonight -- because I think it's important for the American public to know that the system isn't rigged, that there are people such as yourself and the 15 individuals who worked on this case and others that do their job and believe in the Constitution of the United States. And if you have any further comments about -- comments that would say that the system's rigged and Americans should give up on the system.

COMEY: One of the reason I welcome this opportunity to have this conversation, is I was raised by great parents who taught me, you can't care what other people think about you. In my business, I have to and deeply do, that people have confidence that the system's not fixed, against black people, for rich people, for powerful people.

It's very, very important that the American people understand that there really are people that you pay for with your tax dollars who don't give a rip about Democrats or Republicans, or this or that, who care about finding out what is true. And I am lucky to lead an organization that is that way to its core.

I get a ten-year term to ensure that I stay outside of politics, but in a way that it's easy. I lead an organization that is resolutely apolitical. We are tough aggressive people. If we can make a case, we'll

make a case. We do not care what the person's stripes are or what their bank account looks like. I worry very much when people doubt that.

It's the reason I did the press conference two days ago. I care about the FBI's reputation, I care about the Justice Department, I care about the whole system deeply. And so I decided I'm going to do something no Director's ever done before. I'm not going to tell the Attorney General or anybody else what I'm going to say or even I'm going to say it. They didn't know nor did the media know until I walked out what I was going to talk about and then I offered extraordinary transparency, which I'm sure confused and bugged a lot of people.

It's essential that people see as much as they can so they can make their judgment. Again, they may conclude I'm an idiot and that I should reason different, but what I hope they will not conclude is that I'm a dishonest person. I'm here trying to do the right thing in the right way.

I lead 36,000 people who have that as their spine. That's what I want them to know. I don't care that people agree or disagree about our democracy, but at its core, you need to know there are good people trying to do the right thing all day long. You pay for them and we'll never forget that.DESAULNIER: I appreciate that.

Within context of these are human institutions -- pretty clear to me as non-lawyer that you had a bright line in terms of your decision about pursuing prosecution. But you did spend an extended period of time talking about, what I think I take from you as being a fairly objective analysis of what was careless in terms of handling of it, either ascribed to the former secretary of state or to the department.

You said, and I quote, during your comments, "while not the focus of our investigation, we also developed evidence that a security culture of the State Department in general with respect to the use of unclassified e-mail systems in particular was generally lacking in the kind of care classified information found elsewhere in the government."

That's accurate, isn't it?

COMEY: Yes, sir.

DESAULNIER: So struggling with this, and this is in the context of this hearing, oversight in State Department in this committee, as to how do we go from here, and be clearer about how the State Department -- we'll talk about this with the I.G., and some of the comments former Secretary Powell has made including that the absurdity of the retroactive classification.

And now we have 1,000 of these e-mails from Secretary Clinton that's out in the public and are being spread even further. So there are other people involved.

Sitting there, how does this committee go forward to make sure the State Department can still function in the way it does with human beings and have conversations that are both transparent, but also national security?

What are the things we need to do to make sure that this doesn't happen again?

COMEY: Well, I think a good start -- I think the reason the chairman has the I.G. from the State Department here is to start that conversation. The I.G. knows deeply the culture of a department and is far better equipped than I to say, you ought to focus here, you ought to focus there to make it better.

So I think that's the place to start. DESAULNIER: Thank you, Mr. Director. I yield back.

CHAFFETZ: Thank you. We'll now recognize the gentleman from Tennessee, Mr. DesJarlais, for five minutes.

DESJARLAIS: Director Comey, thank you for appearing so quickly on short notice. I think it's really important that you're here because of the way you laid out the case on Tuesday, there is a perception that you felt one way and then came to another conclusion.

I, like many of my colleagues, put a post up back in my district and let them know you were coming. And in less than 24 hours, I had 750 questions sent to ask you. So again, thank you for being here.

But a common theme, just to summarize a lot of those concerns, were that in this case Clinton was above the law, that there was a double standard and a lot of that was based on the way you presented your findings.

Now, your team, you said you did not personally interview her on Saturday, but your team did for about three-and-a-half hours, correct?

COMEY: Yes.

DESJARLAIS: OK. Do you know, in reading the review or the summary, did they ask Hillary Clinton about her comment that she had never sent or received classified information over private e-mail?

COMEY: I think so, but I can't -- I can't remember specifically.

DESJARLAIS: OK.

COMEY: It's a very long, 302. I'd have to check and then get back to you.

DESJARLAIS: OK. And we'll get access to that.

Do you know if they asked her when she said that there was nothing marked classified on my e-mails sent or received?

COMEY: Same answer. I'm not sure.

DESJARLAIS: OK. And so the same answer then when she said, I did not e-mail any classified material to anyone on my e-mail, there was no classified material, you don't know whether they asked her that?

COMEY: I don't know whether they asked her that question. The entire interview was going to be -- was focused on, so what did you know, what did you see, what is this document, that kind of thing.

DESJARLAIS: OK. Do you know if she asked her whether she stands by the fact she that said she just used one device and that was for her convenience?

COMEY: I don't know. I know they established, in talking to her, she used many devices during her four years. So I don't know whether they asked her specifically about that statement. That's easy to check, though.

DESJARLAIS: OK. I guess my point is, you're trying to get inside the head of Hillary Clinton in this investigation and know whether there was intent. And so we all know what she told the people. That has been well-documented.

She said that she did not do those things, that she did not send or receive classified e-mails, that she used one server and one device for her convenience.

And since then, I think even in your statement, you recognize that those were not correct. Is that fair?

COMEY: I really don't want to get in the business of trying to parse and judge her public statements. And so I think I've tried to avoid doing that sitting here.

DESJARLAIS: Why do you feel that's important?

COMEY: Because what matters to me is what did she say to the FBI. That's obviously first and foremost for us.

DESJARLAIS: Right.

(CROSSTALK)

DESJARLAIS: Honest people don't need to lie, is that right?

COMEY: Honest people don't need to lie? I hope not.

DESJARLAIS: OK. Well, in this case, for some reason, she felt the need to misrepresent what she had done with this server all throughout the investigation. You guys after a year, brought her in on Saturday and in three-and-a-half hours came out with a conclusion that she shouldn't be prosecuted because there was no intent, is that right?

COMEY: No.

DESJARLAIS: OK. So I don't want to put words in your mouth. But is it fair to say that your interpretation of Hillary Clinton's handling of top secret information, classified documents was extremely careless?

COMEY: Yes.

DESJARLAIS: And is it fair to say that you said that -- you went on to define "extremely careless," that Hillary Clinton's handling of top secret information was sloppy or represents sloppiness?

COMEY: Yes. That's another way of trying to express the same concept.

DESJARLAIS: OK. And then just a few minutes ago, you also stated that you now believe that Hillary Clinton is not nearly as sophisticated as people thought, is that correct?

COMEY: Yes, I think that's fair, actually -- no, not as people thought, but as people would assume about somebody with that background.

DESJARLAIS: OK. So...

COMEY: I'm sorry. I should be clear about this. Technically sophisticated. I'm not opining on other kinds of sophistication.

DESJARLAIS: All right. In the last minute, Director, I want to talk a little bit about precedent, because I think my colleague Trey Gowdy made a great point that there still is really no precedents in terms of punishment for this type of behavior.

Are you particular with Bryan Nishmura's case.

COMEY: Yes.

DESJARLAIS: OK. He's a naval reservist, for those who don't know, and he was prosecuted. What is the difference between his case and Hillary Clinton's case in terms of extremely carelessness and gross negligence, because we're dealing with Statute 793 Section F where it does not require intent, is that correct?

COMEY: I'm sorry, 793-F is the gross negligence standard.

DESJARLAIS: Right.

(CROSSTALK)

DESJARLAIS: Right, and is that why Bryan Nishimura was punished?

COMEY: No. Nishimura was prosecuted under the misdemeanor Statute 1924 on facts that are very different -- if you want me to go through them, I'll go through them, but very different than...

(CROSSTALK)

DESJARLAIS: Well, OK, I think that there has been a review of this case, and they're very similar. And that's why people feel that there's a double standard...

(CROSSTALK)

COMEY: What they're reading in the media is not a complete accounting of the facts in that case.

DESJARLAIS: Well, would you agree then with Representative Gowdy that there still is really no precedents for punishing someone like Hillary Clinton, and she could really go in -- potentially be elected president and do this again without fear of being punished?

COMEY: I don't think I'm qualified to answer that question.

DESJARLAIS: All right. My time has expired. Thank you for your time.

CHAFFETZ: Thank the gentleman.

Now recognize the gentlewoman from New Mexico, Ms. Lujan Grisham.

LUJAN GRISHAM: Thank you, Mr. Chairman.

I've had the benefit of -- when you're last to -- or nearly last, to really have both the benefit and then to question the kinds of statements and the dialogue back and forth.

And where I'm settled at this point in time is in a couple of places, but particularly, I don't think there's any member in this committee, or quite frankly any member in Congress who doesn't both want and expect that the FBI and the Department of Justice to be -- to operate in a fair, unbiased, and highly independent manner.

Otherwise, you can't appropriately uphold or enforce federal law. And while we've all -- this has been stated in a couple of different ways, I'm going to see if we can't -- I want to get direct answers.

So, Mr. Comey, is there any evidence, given that that's the standard that we all want, desire, and expect, to suggest that Hillary Clinton was not charged by the Department of Justice due to inappropriate political influence or due to her current or previous public positions?

COMEY: Zero. And if there is such evidence, I'd love folks to show it to me.

LUJAN GRISHAM: And in that regard, was there a double standard?

COMEY: No. In fact, I think my entire goal was to avoid a double standard, to avoid what sometimes prosecutors call "celebrity hunting," and doing something for a famous person that you would never do for an ordinary Joe or Jane.

LUJAN GRISHAM: Thank you. And I really appreciate that you're here today and explaining the process in great detail, frankly. And I've -- this committee works at getting specific detail about a variety of reviews, investigations, policies, concepts throughout federal government.

And I think I can say that this committee often finds that we don't get very much clarity or specific responses to the majority of questions that we ask. So I really appreciate that, and that in explaining that what led the FBI to conclude that Hillary Clinton should not be charged.

Saying that, however, I'm still concerned, frankly, that the use of this hearing and some of the public statements made by the elected officials accusing the Department of Justice of using a double standard, without any evidence at all to support that statement, leaning on accusations of such, in fact jeopardizes the very thing we want the most, which is an apolitical and independent Department of Justice. And we have every right to ask these tough questions and to be clear that the process that you use for everyone, including elected officials, works, and that there's a responsibility not to substitute your own political

preferences for the outcome of an independent and apolitical Department of Justice investigations on any level, whether it involves Hillary Clinton or anybody else.

Do you agree with that general statement?COMEY: Yes.

LUJAN GRISHAM: For me, that's a really important ethical line that I believe should never be crossed. I worry that some of what we did today, could be frankly interpreted as violating that very standard.

And for that I certainly want the American people and my constituents who are watching to understand that very important line and to be sure that our responsibility is better served making sure that we do have, in fact, an independent body, whose aim it is to bring about truth and justice and uphold the federal law.

And, sir, based on everything that you said today, I don't see any reason to disagree with your statements, your assessments or the explanation of that process. With the little time I do have left, I do want to say that given that some of the classified material that we've both debated and talked about today can be classified later or up classified.

Or that other agencies have different determinations of what constitutes classified and not. I do think that's a process that warrants refining. And if something can come out of this hearing about making sure that we do something better in the future, for everyone, not just appointed or elected officials that, that ought to be something that we do.

I'm often confused by some of the things that are clearly told to us in a classified briefing that appear to be different or -- or already out in the public in some way, and I'm not sure who's making those decisions. I honor my responsibility to the highest degree, but I think that's a process that could use some significant refining, and that's my only suggestion, sir.

Thank you for being here today.

COMEY: Thank you.

CHAFFETZ: I thank the -- I thank the gentlewoman. We'll now recognize the gentleman from Georgia, Mr. Carter for five minutes.

CARTER: Thank you Mr. Chairman. And Director Comey, thank you for being here today. I appreciate it. I'm over here.

COMEY: Oh, sorry.

CARTER: I'm over here. And I'm gonna -- I'm gonna be real quick and -- and try to be succinct. I -- I want to clarify some things that you said, and -- and look, I -- I don't want to go over everything that everybody's been through today. I mean, we've had some great questions that have -- have asked you about, you said this, she said that.

Representative Gowdy made a great case of, you know, this is what she said under oath, and -- and publicly, and yet, you dispute that and say, no, this is the case. But, look I'm just -- just got a couple of questions. OK?

First of all, did I understand you correctly that your decision, that this decision was made within 3 and 1/2 hours of -- of an interview, and that was all?

COMEY: No, we investigated it for a year.

CARTER: You investigate, but you interviewed her for 3 and 1/2 hours last week and then came to the conclusion?

COMEY: Correct. We interviewed her on Saturday for 3 and 1/2 hours, the last step in a year-long investigation.

CARTER: OK. Now, as I understand that Hillary Clinton has testified that -- that the servers that she used were always safe and secure. Yet, you refute that and say, no, that is not the case at all. Were they ever secure? Were the servers that she would use, were they ever secure?

COMEY: The challenge of security is not binary, it's just degrees of security. It was less secure than one at the State Department, or as I said, even one at a private commercial provider like a Gmail.

CARTER: Well, let me ask you this, she's got staff, and she's got people around her. Did they know she was doing this? Did they know that she was using these other devices? Did anybody ever bring it to her attention and say, hey, you don't suppose to be doing that?

COMEY: I think a lot of people around the secretary understood she was using a private personal email set...

CARTER: Than why didn't they say something? Don't they have a responsibility as well?

COMEY: That's an important question that goes to the culture of the State Department that's worth asking.

CARTER: I -- you -- I mean, look we all surround ourselves, we get people and we depend on to help us. I don't -- should they be held responsible for that? For not bringing that to someone's attention? If I see someone who's breaking -- who's not following protocol, is it my responsibility to report them?

COMEY: Yes. Yeah.

CARTER: Well, I certainly...

COMEY: Especially when it comes to security matters. Obligation to report a security violation that you may witness, whether it's involving you or one of your co-workers. But this is about -- so if someone...

CARTER: What about Bryan Pagliano? Did -- did he ever know? Do you know if he knew that she was -- she was not following proper protocol here?

COMEY: He helped set it up.

CARTER: He helped set it up? So obviously he knew.

COMEY: Yeah. Obviously he knew that...

CARTER: OK, is anything going to be done to him? Any -- any prosecution, or any discipline, any...

COMEY: I don't know about discipline, but there's not going to be any prosecution of him.

CHAFFETZ: Will the -- will the gentleman yield?

CARTER: I yield.

CHAFFETZ: My understanding, Director, is that you offered him immunity. Why did you offer him immunity and what did you get for it?

COMEY: You know, that I have to -- I'm not sure what I can talk about in open setting about that.

CHAFFETZ: Well, he's not going to be prosecuted, so...

COMEY: Right, but I -- I want to be careful. I'm doing this 24 hours after the investigation closed. I want to be thoughtful, because we're -- we're as you know, big about the law, that I'm following the law about what I disclose about that. So I'll have to get back to you on that one. I don't want to answer that off the cuff.

CARTER: Director Comey, I -- I am not a lawyer. I'm not an investigator. I'm a pharmacist, but I'm a citizen. And citizens are upset. I watched with great interest last -- earlier this week when you laid out your case. And -- and I'm telling you, you laid it out, bam, bam, bam, here's what she did wrong, wrong, wrong, wrong.

And then all of a sudden you used the word, however. And -- and it was like you could hear a gasp throughout the country of people saying, ah, here we go again. Do you regret presenting it in a way like that?

COMEY: No, I -- I'm highly -- I think I didn't use the word "however." I try never to use that in speaking, but I did lay it out, I thought in the way that made sense and that I hoped was maximum transparency for people. And I know...

CARTER: But that's the point -- I'm sorry, but that's the point it didn't make sense. The way you were laying it out, it would have made sense in the way that the questions have been asked here and -- and we've made all these points of where -- where she was obviously told lies underneath -- under oath that it would have been OK, we -- we finally got one here.

COMEY: Yeah, I think it made sense. I just hope folks go back, maybe with a cup of tea and open their minds and read my statement again, carefully. But again, if you disagree, that's OK.

CARTER: But it -- but it -- but when we -- look, I've only been here 18 months. And I'm gonna tell ya, it -- this "inside the beltway" mentality, no wonder people don't trust us.

COMEY: Well, I -- I have no -- I don't know who you're talking about. I have no kind of "inside the beltway" mentality.

CARTER: But this is an example of what I'm talking about here. It -- it -- it -- just was as a non-lawyer, as a non-investigator, it would appear to me, you have got a hell of a case.

COMEY: And I'm telling you do, and I hope people take the time to understand why.

CARTER: Mr. Chairman, I yield back.

CHAFFETZ: Thank the gentleman. I will now recognize the gentleman from Arizona, Mr. -- Mr. Goshar. Oh, let's go ahead and go to the gentleman from South Carolina, Mr. Mulvaney first.

MULVANEY: Thank you gentleman. Director Comey, earlier today you heard a long list of statements that Ms. Clinton has made previously, both to the public and to Congress that were not factually accurate.

I think you went down the whole long list. When she met with you folks on Saturday last week, I take it she didn't say the same things at that interview?

COMEY: I'm not equipped sitting here without the 302 in front of me to answer in that broad...

MULVANEY: But it's your -- it's your testimony...

COMEY: But I have no basis -- we do not have a basis for concluding she lied to the FBI.

MULVANEY: Gotcha. Did anybody ask her on Saturday, why she told y'all one thing and told us another?

COMEY: I don't know as I sit here. I mean, I can -- I'll figure that out.

MULVANEY: Would that have been of interest to you in helping to establish intent?

COMEY: It could have been, sure.

MULVANEY: More importantly I think, did anybody ask her why she set up the email system as she did in the first place?

COMEY: Yes.

MULVANEY: And the answer was convenience?

COMEY: Yeah, it was already there. It was a system her husband had and so she just jumped on to it.

MULVANEY: Were you aware that just earlier this week, her -- her assistant actually said it was for an entirely different reason? It was to -- it was to keep emails from being accessible, and that it was for concealment purpose. So she was -- Huma Abedin was asked in her deposition why it was set up.

And it was said, to keep her personal emails from being accessible. To the question, to whom? To anybody. Where you aware of that testimony?

COMEY: Generally, yes.

MULVANEY: OK. So here's -- here's sort of the summary I take from what we've done today, which is that over the course of the entire system, what she did, she intentionally set up a system. According to your -- to your testimony, your findings, she was careless regarding its technical security.

I think you said, that even a basic free account, a Gmail account had better security than she had. And she did that according to her own staffer's sworn deposition, "For the purpose of preventing access to those emails." As a result of this, she exposed top secret information to potential hack by foreign actors. You've seen the emails. We have not.

I think you said earlier that the emails could be of the sort that would put national security at risk. And I think we had testimony earlier that -- and got you to -- to acknowledge that it might even put our agents overseas at risk.COMEY: Yeah, I don't think I agree with that. But, it's still important.

MULVANEY: Okay, all right. She kept all of that secret until after she left the State Department. She lied about it, or at least made untrue statements about it, after it finally came to light. She thereafter ordered the destruction of evidence, evidence that was destroyed so thoroughly, that you folks could not do an adequate recovery.

Yet she receives no criminal penalty. So I guess this is my question to you, are we assume, as we sit here today, that if the next President of the United States does the exact same thing on the day he or she is sworn into office, sets up a private email service for the purpose of concealing information from the public or from anybody, that as a result of that, potentially exposes national security level information to our enemies, lies about it and then destroys the evidence during an investigation, that there be no criminal charges, if you're the FBI Director, against that person?

COMEY: Yeah, that's not a question the FBI Director should answer. I mean, I ...

MULVANEY: No, I'm asking you, I'm asking you if, if she does the exact same thing as President as she's done today, your result would be the exact same as it was 40 hours ago. There would be no criminal findings, right?

COMEY: If the facts were exactly the same?

MULVANEY: Right.

COMEY: And the law was exactly the same?

MULVANEY: Right.

COMEY: Yeah, the result would be the same.

MULVANEY: And I guess under the theory that if there's, the law is to be equally applied to everybody. That if a White House staffer does the exact same thing, for the exact same purpose and exposes the exact same risks, that there'll be no criminal action against that person.

It could be, as you've mentioned administrative penalties, there are no administrative penalties as I understand it, by the way, against the President, correct?

COMEY: I don't think so, but I'm not at ...

(CROSSTALK)

MULVANEY: I don't think there are either. I don't think, I don't think you can take away the President's top security clearance and I'm pretty sure you can't fire the President, because we've tried.

Not only would a staffer not have any criminal charges brought against them, but it, I suppose a summer intern could do the exact same thing under the theory that, we're going to apply the law equally regardless of who the people are.

My question to you is this, and it's not a legal question, it's, I guess it's a common-sense ordinary question that folks are asking me, from a national security standpoint, somebody who used to lecture on that, does that bother you?

COMEY: The mishandling of classified information bothers me no matter what circumstance it occurs in, because it has national security implications.

MULVANEY: Does it bother you that the precedent that you are setting today, may well lead to a circumstance where our top secret information continues to be exposed to our potential enemies?

COMEY: No, in this sense, the precedent that I'm setting today is my absolute best effort to treat people fairly without regard to who they are. If that continues to be the record of the FBI and Justice Department, that's what it should be.

The rest of the implications in your question, are beyond that.

They're important, but they're not, they're not for the FBI to answer. We should, we should aspire to be apolitical, facts in the law, treat Joe the same as Sally as Secretary so-and-so. That's my goal.

MULVANEY: If you would come to a different decision, I, by the way, I, I tend to (inaudible) agree everything you just said, if you'd come to a different decision, do you think it would have a different precedential value, that would keep our information more safe?

COMEY: If we decided to recommend criminal ...

MULVANEY: Yes Sir.

COMEY: Charges here? I don't know, that's a good question. I don't know. I could, I could argue it both way, I guess I'm a lawyer, I can argue everything both ways, but I could argue that both ways.

MULVANEY: All right, thank you Director Comey. Thank you Mr. Chairman.

COMEY: Yeah.

CHAFFETZ: Thank you Gentlemen. Now recognize the gentlemen from Arizona, Mr. Gosar, for five minutes.

GOSAR: Thanks Mr. Chairman. Thank you Mr. Comey for being here. My, my colleague alluded to Brian Pagliano, the IT advisor and were you made aware of the deal of immunity with him?

COMEY: I am aware.

GOSAR: Now that Attorney General Lynch has stated there'll be no charges, there's many that suspect that in his (inaudible) that he failed to answer questions in his congressional deposition, that he had something to hide. Why did your investigators at the DOJ decide it was necessary to offer Mr. Pagliano immunity?

COMEY: As I said in response to your earlier question, I need to be more thoughtful about what I say about an immunity deal in public. May be totally fine, just don't want to screw up because we're doing this quickly.

GOSAR: Okay.

COMEY: In general I can answer, because I've done it many times as a Prosecutor. You make a grant of immunity in order to get information that you don't think you could get otherwise.

GOSAR: But you know that there maybe something there in hindsight, right? You're looking, you're looking ahead because of the pertinent information this person possesses?

COMEY: Right, they may have, they, you believe they have relevant information to the investigation.

GOSAR: So, did the investigators draft an interview report known as a 302 with Mr. Pagliano?

COMEY: Yes.

GOSAR: Do you have any importance of this case where you commit to voluntary disclosing the 302's for review of Brian Pagliano and other witnesses interviewed on, as part of your investigation?

COMEY: I'll commit to giving you everything I can possibly give you under the law, and to doing it as quickly as possibly. That's said then, that means I got to go back and sort it out. For example, the 302 of Secretary Clinton, it's classified at the TSSCI level, so we got to sort through all that, but we'll do it, we'll do it quickly.

GOSAR: Yeah, I know you've done this, because you've done this for Lois Learner and other cases, so we would expect that. Now, Director Comey, Hillary Clinton testified before Congress and told the American people multiple times that she never emailed any classified information to anyone on her private email servers. Your investigation revealed a 110 of Clinton's emails, 52 email chains contained classified information. Clinton told the American people, and I quote, "The laws and regulations in effect when I

was Secretary State, allowed me to use my email for work. This is undisputed." Your investigation revealed that that also wasn't true. Clinton claimed she turned over all her work related emails.

Your investigator, investigation revealed that this wasn't also true. Clinton claimed that there was no security breaches and her private servers had numerous safeguards. Your investigation revealed eight email chains on Clinton's private servers containing top secret information. And that it was possible, hostile, "Hostile actors gained access to sensitive information."

Further, multiple people she emailed with regularity were hacked by hostile actors and her private servers are less secure than a Gmail account, making a security breach all the more likely. Director Comey, it's a federal crime, as you know, to mishandle classified information in a grossly negligent way, and you stated Clinton and her colleagues were extremely careless.

Clinton was publicly, has publicly stated she was well aware of the classification requirements. Then she broke the law anyway. Multiple people have been prosecuted for less and there's a growing trend of abuses in senior level employees.

The only difference between her and others, is her total resistance to acknowledge, to acknowledge her irresponsible behavior, that jeopardized our national security and the American people. I think you should have recommended Clinton be prosecuted under Section 793, or Section 1024 or Title 18.

If not who, if not now, when? Your recommendation deprived the American people of their opportunity for justice in this matter.

There shouldn't be a double standards for the Clintons and they shouldn't be above the law. With that, I'm going to yield the rest of my time, gentlemen from South Carolina, Mr. Gowdy.

GOWDY: Thank you Doctor Gosar. Director Comey, I want to go back to the issue of intent for just a second. We could disagree on whether or not it's an element of the offense, let's assume for the sake of argument, that you're right and I'm wrong and that it is an element of the offense.

Secretary Clinton said that she was, "Well aware of classification requirements". Those are her words, not mine and not yours. So if she were, "Well aware of classification requirements", how did that impact your analysis of her intent? Because I've heard you this morning, describe her as being less than sophisticated. She disagrees with that.

COMEY: Well, I was talking about technical sophistication. The question is, I would hope everybody who works in the Government is aware of classification requirements. The question then is, if you mishandle classified information, when you did that thing, did you know you were doing something that was unlawful? That's the intent question.

GOWDY: All right, well you and I are going to have to get together some other time and discuss all the people we prosecuted who were unaware that they were breaking the law. That, there are lots of really dumb defendants out there, who don't know that what they're doing is against the law. But let's go with what you say ...

COMEY: I disagree. I, you may have prosecuted a lot of those folks. I did not prosecute all those folks.

GOWDY: I was a gunner prosecutor and you were a white collar prosecutor. Trust me, there, there are lots of people who don't know you can't kill other people. Let me ask you this, on the issue of intent, you say it was convenience, okay? You're a really smart lawyer, if it were convenience Director, she wouldn't have waited two years to return the documents and she wouldn't have deleted them four years after they were created.

So you can't really believe that her intent was convenience when she never turned them over until Congress started asking for them, could you?

COMEY: Yeah my focus, and I hope I made this clear, my focus is on, what was the thinking around the classified information. I mean it's relevant why the system was set up and the thinking there. But she didn't, I don't understand her to be saying, we'll I think I've said it already, that, that's my focus.

GOWDY: So, I know I'm out of time, but, but it just strikes me, you are reading a specific intent element into a gross negligence statute, not even general intent?

CHAFFETZ: Gentlemen's time.

GOWDY: A specific intent ...

CHAFFETZ: Gentleman's time has expired.

GOWDY: Element.

COMEY: Yeah. Is that? Oh, sorry.

CHAFFETZ: Go, the Director can answer. COMEY: I enjoyed, I enjoyed talking with him. The, the question you've got to ask is, why is it that the Department of Justice, since 1917, has not used that gross negligence statute for charging at once in an espionage case. And whether their decision was smart or not, that is the record of fairness.

And so you have to decide, do I treat this person against that record? And if I do, is that a fair thing to do? Even if you're not worried about the constitutionality of it, and my judgment is, no reasonable prosecutor would do that. That would be celebrity hunting. That will be treating this person differently than John Doe.

MULVANEY: Director, I want to follow up on that.

Why did you do what you did? My interpretation of what the FBI is supposed to be doing, is to come to a determination of the facts and then turn it over to a prosecutor. You were a prosecutor but you are not a prosecutor now.

COMEY: Right.

MULVANEY: It is unprecedented that an FBI Director gave the type of press conference that he did and took a position that an unreasonable prosecutor would only take this case forward. Why would do you that?

COMEY: Yes, it's a great question.

Everything I did would have been done privately in the normal course. We have great conversation in the FBI, as prosecutors we make recommendations, we argue back and forth. What I decided to do was offer transparency to the American people about the "whys" of that, what I was going to do because I thought it was very, very important for their confidence in the system of justice. And within that their confidence in the FBI.

I was very concerned that if I didn't show that transparency, that in that lack of transparency people would say, "what is going on here -- something seems squirrely here? So I said I would do something unprecedented because I think it is unprecedented situation.

Now, the next Director who is criminally investigating one of the two candidates for president may find him or herself bound by my precedent. OK, if that happens in the next 100 years, they will have to deal with what I did. I decided it was worth doing.

CHAFFETZ: Mr. Cummings.

CUMMINGS: Director, I have just one question.

I'm sitting here listening to this and I really -- this is something that bothered me in the Lois Lerner case and in this case. I'm wondering of what your opinion -- Ms. Lawrence talked about this -- the chilling effect of your having to come here and justify your decisions.

I know that you have been really nice and you explained why you did what you did and I'm glad you are doing it, but -- you know, do you at all -- taking off -- I'm talking about -- here you have people making decisions and then being pulled here in the Congress to then say - OK, to be questioned about the decisions. At what point, or do you even think about it becoming a chilling effect? Because most people when their decision is made, they don't get this kind of opportunity.

As you well know, there are no statements. They either get indicted or they are not. I know you see this as a special case. I'm wondering whether you agree with Ms. Lawrence that we may be just going down a slippery slope? That's all I want to know.

COMEY: My honest answer is I don't think so.

When I talked to the Chairman, I agreed to come because I think the American people care deeply about this. There's all kinds of folks watching this at home or being told, "well, lots of other cases are being prosecuted and she wasn't." I want them to know that's not true.

I want to have this conversation. I welcome the opportunity. Look, it's a pain. I have had to go to the bathroom for about an hour but is...

CHAFFETZ: Don't worry, we're half way done.

COMEY: It is really important to do because this is an unprecedented situation.

Transparency is the absolute best thing for me and for democracy. And I realize Mr. Chairman, my folks told me I screwed up one fact that I should fix. I was mis-remembering, in the Petraeus case, we didn't find the note books in the attic, we found it in his desk. So I wanted to make sure I was fair to him about that.

I really don't think it has a chilling effect. Again, if there is another presidential candidate being investigated by the FBI, maybe they will be bound by this. Lord willing it will not happen again ,certainly, my 2,619 days left on this job. It won't happen on my term but if it does, I won't be chilled.

CHAFFETZ: If we need a humanitarian break just give me a cue.

COMEY: I feel like we are almost done.

CHAFFETZ: We're on the right trajectory, yes.

We would like to recognize the gentleman from Alabama, Mr. Palmer for five minutes.

PALMER: Thank you Mr. Chairman.

Director Comey, your statement on Tuesday indicated that Secretary Clinton and her colleagues sent or received e-mails marked classified on an unsecured private e-mail server that may or may not have been hacked by foreign power. Are you aware that teenage hackers hack personal accounts of CIA Director John Brennan, the Director of U.S. National Intelligence, James Clapper and FBI deputy director Mark F. Giuliano?

COMEY: I am intensely aware. They didn't hack in the way we normally think of it, but they got there by treachery, got access to their accounts.

PALMER: The point I want to make that is that these were personal - commercial protected personal e-mail accounts that contained no classified information. Yet, Ms. Clinton used her personal e-mail, not a commercial account, on a server in her basement without even this basic protection, and transmitted classified information through that account.

If teenagers in England were able to hack personal e-mail accounts of the Director of the CIA, the Director of the U.S. National Intelligence, and the Deputy Director of the FBI, does it concern you that sophisticated hackers or hackers working for foreign interest never attempted? I mean, does it seem reasonable that they never attempted or were never successful in hacking Mrs. Clinton's personal e-mail accounts or one of her devices?

COMEY: It concerns me a great deal. That is why we spent so much time trying to see if we could figure out -- see finger prints of that.

PALMER: You said in your statement regarding your recommendation not to prosecute - to be clear, this is not to suggest that in similar circumstances a person who engaged in this activity would face no consequences. To the contrary, these individuals are often subject to security or administrative sanctions, that is not what we are deciding here. Do you stand by that?

COMEY: Yes.

PALMER: I thought you would.

You also said, "you could not prove intent." I want to touch on a couple things here. One, a reasonable person would not have compromised classified information by keeping that information on inadequately secured private devices. In other words, such a person would be viewed as unreasonable and unsuitable for any position in our government that included any responsibility for handling and protecting classified information. Would you agree? COMEY: I would agree it would be negligent. I can't prejudge a suitability determination but it would be definitely be stared at very hard.

PALMER: Let me tell you why I bring this up.

I sat up here next to Mr. Hurd who served our country valiantly, put his life on the line. I don't know if you can sense the passion and intensity of his questions, because he knows people whose lives are on the line right now. In regard to his questions, if someone -- a U.S. intelligence agent had mission compromised or worse, had been killed, or injured, or captured because of carelessness of someone responsible for protecting classified information, would intent matter at that point?

COMEY: In deciding whether to prosecute the person, of course. Yes, that's the answer. Of course, it would - the matter would be deadly serious, but the legal standards would be the same.

PALMER: What we are dealing with in this hearing is not the lack of due diligence in handling routine government data or information, but the lack of due diligence by Secretary Clinton and her carelessness in handling classified information that could have compromised American national security - as Mr. Hurd pointed out, the missions and personal safety of our intelligence agents. That troubles me greatly.

And I think the issue here -- I do respect you. I have spoken in your defense many times, at this point to my detriment. I do believe that your answers are honest and factual.

Based on your answers regarding plus Mrs. Clinton's use of e-mail and based on what we know, it seems to me that she is stunningly incompetent in understanding of basic technology of e-mail and stunningly incompetent in handling classified information. I mean, you should never associate the Secretary of State and classified information with the word careless. It doesn't matter.

I mean, we have to exercise the utmost due diligence. All of us in this Committee do in handling this. You do in prosecuting cases and I see that in what you are trying to do. I just think we need to leave here with this understanding that there is more to this story than we know.

If a foreign hacker got into this I can assure you that they know what was in those e-mails that were deleted. They read them all. They know what is in the e-mails that we never received.

Mr. Chairman, I yield back.

CHAFFETZ: I thank the gentleman. We will now go to the gentleman from Wisconsin, Mr. Grothman for five minutes. GROTHMAN: Thank you. Thanks for coming on over to the Rayburn building.

As I understand it your testimony today, is that you have not brought criminal charges against Hillary Clinton in part because you feel you can't prove guilt beyond a reasonable doubt, and in part because

she didn't understand the laws with regard to e-mails, and servers, and that sort of thing. Question for you. When she erased these e-mails -- you, however, did say that if somebody did this under you there would be consequences.

If somebody did exactly what Mrs. Clinton did or was one of your lieutenants or you think (ph) one of the lieutenants under the CIA or some other agency that deals with top secret documents, what would you do to those underlings (ph)?

COMEY: I would make sure that they were adjudicated through a security disciplinary proceeding to figure out what are all circumstances and what punishment discipline is appropriate that could range from being terminated to being reprimanded and a whole spectrum between suspensions, loss of clearance, it's a bunch of different options.

GROTHMAN: OK but somehow let's say one of your top two or three lieutenants you find out that they've had this separate server out there and they're keeping secret documents, flipping them around, do you think they should be fired? Not criminally charged but fired?

COMEY: Yeah, I don't think it's appropriate to say. I think it should go through -- we have a very robust process. There ought to be a very intense suitability review of that person.

Maybe there's something we're missing that would mitigate the punishment we would impose but it would have to go through our system.

GROTHMAN: OK next question. Just for the listening audience, here. At first when I hear about erasing e-mails I think it's like you know, like on my phone where I might erase an auto insurance solicitation.

The erasers here, however, were not just Mrs. Clinton pressing delete. Or they -- there was a much greater effort made to make sure that these e-mails would never be recovered. Do you want to comment on what was done to erase the e-mails?

COMEY: I think what you're referring to is after her lawyers -- her lawyers say -- although I don't -- I'm not able to verify this. There were 60,000 or so left at the end of 2014.

They went through them in a way I described in my statement two days ago and then they produced the ones that were work related and then they erased from their system the ones that were not work related. That was done using technical tools basically to remove them from lawyers -- from the servers to wipe them away.

GROTHMAN: OK so in other words, the effort was not just Mrs. Clinton, where somebody went delete, delete, delete. They went above and beyond that so that your top technical experts could not get back at these e-mails, correct?

COMEY: Right, not fully. We were able to...

GROTHMAN: You recovered a few.

COMEY: Yeah, we can go up through the lawyer's laptops and see some traces but not fully -- not fully recover them.

GROTHMAN: OK now, the information that I have and you can correct me if I'm wrong implies that these erasers were done in December of 2014 after the Benghazi scandal broke, after there were questions about the Clinton Foundation.

Did you ever come across why she allowed these e-mails to sit out there even for years after she stopped being Secretary of State but all of a sudden as these other scandals began to bubble up she felt -- or her lawyers felt -- that she had to erase them?

COMEY: Yeah I think the way the process worked is she had e- mails that were just on her system. She actually had deleted some I think over time as an ordinary user would. And then the State Department contacted her and other former secretaries and said we have a gap in our records, we need you to look and see if you have e-mails and give them back.

She then tasked her lawyers to engage in this review process of that 60 some thousand and make that cut and then was asked by her lawyers at the end, do you want us to keep the personal e-mails. And she said I have no use for them anymore.

It's then that they issued the direction that the technical people delete them.

GROTHMAN: Do you think Mrs. Clinton knew that the technical people were erasing these e-mails so that even your top technical experts could recover them?

COMEY: Based on my sense now for technical sophistication, I -- I -- I don't think so.

GROTHMAN: You don't think the lawyers told her that that's what they were doing? Erasing all these e-mails that everybody on this committee wanted to look at?

COMEY: Yeah -- and I'm sure we've asked this...

GROTHMAN: What type of lawyer wouldn't tell their client they were doing that? But...

COMEY: I don't think -- I think -- I think our evidence -- our investigation is they did not. That they asked her, do you want to keep them and they said no and they said wipe them away.

GROTHMAN: OK. Now, as I understand it, the goal was just to erase personal e-mails but you have recovered e-mails that wouldn't be considered personal e-mails at all.

COMEY: Correct.

GROTHMAN: OK I don't know that you didn't recover them (ph) but based upon the e-mails that you recovered presumably, her lawyers or somebody was going well beyond personal e-mails. Is it possible we'll never be able to recover e-mails that dealt with the Clinton Foundation or dealt with the Benghazi scandal?

Is it possible because of what her lawyers did that they were erasing things that were incriminating, maybe involving items that you were not particularly investigating but these have now been destroyed forever?

COMEY: If it's possible -- as I said in my statement on Tuesday, we did not find evidence to indicate that they did the eraser to conceal things of any sort. But it's possible, as I said on Tuesday, that there are work related e-mails that were in the batch that were deleted.

GROTHMAN: I'm sorry, when you go to this length to make sure you can never recover the e-mails who are erased, wouldn't you think the intent is to make sure nobody looks at them again?

Why -- why -- otherwise, couldn't you just (inaudible).

CHAFFETZ: I thank the gentleman. We'll give the director time to -- if he wants to respond.

COMEY: I guess it's a bit circular. You delete because you want to delete. But that -- that -- what I mean is we didn't find any evidence of evil intent and intent to obstruct justice.

GROTHMAN: You wouldn't haven able to because you don't know what was deleted.

CHAFFETZ: I thank the -- we'll now recognize Mr. Russell of Oklahoma, for five minutes.

RUSSELL: Thank you, Mr. Chairman.

Director Comey, thank you for your long service and your long suffering. I think we're toward the end of the line, here. I want to say for the record with regard to national security, I sleep a little easier at night knowing that you're at the helm of the FBI. And thank you for your dedicated service and your integrity. You have stated in your statement and also multiple times here, that there should be consequences for the mishandling of state secrets. If I hold a top secret SCI in the bureau and I did hold one when I was in the United States Army in a career of service.

I handle classified information here, if I -- if I held that in the FBI and you discover that I mishandled state secrets on a private server in my basement, would I be trusted by the bureau to further handle top secret information?

COMEY: Maybe not. You would go immediately through a security process to review whether you should continue working for us and if you do what clearances you should retain.

RUSSELL: If I violated the handling of state secrets in the FBI, would you consider me the best suitable candidate for promotion and higher responsibility?

COMEY: It would be a serious concern and we would stare at it very hard in a suitability review.

RUSSELL: Although you have recommended to the Department of Justice that no criminal charges be brought to bear (ph), are you recommending to the Department of Justice that there be no consequences for mishandling of state secrets?

COMEY: No, my recommendation was solely with respect to criminal charges.

RUSSELL: What would you recommend?

COMEY: I don't think it's for me to recommend.

RUSSELL: But you do -- you've been very open and even stated why you felt that these were unique sets of circumstances that called for greater transparency. You do make recommendations routinely, as you've stated here today.

We're talking top secret SCI information that's been mishandled. You would take a dim view to that if I were an agent. What consequence -- this is what the American people feel exasperated about. There seems to be no consequence.

So in a case like this, if it's not going to be criminal charges recommended, what are the American people to do to hold their officials accountable if maybe they shouldn't be trusted for further promotion and higher responsibility?

COMEY: And what I -- and what I meant earlier is that's not a question that the American people should put to FBI director. I can answer about things within my remit but that -- I understand the question but it's not one for me to answer in my role.

RUSSELL: Well, I hope it's one that the American people answer in the future because we do have a choice about those that would mishandle information. And while we're all fallible human beings and we all make mistakes, in a case like this, for decades of my service in the army infantry and handling top secret SCI information and then as a member of Congress, we know those responsibilities.

Is it your view and others that have interviewed Mrs. Clinton that she would not have known what those responsibilities were?

COMEY: No, I think in a -- in a way, you would expect she understood the importance of protecting classified information.RUSSELL: Well, I would agree with that and there's been a breach. I think that the American people demand a consequence, that they demand an accountability. And I think it's important to uphold the form of our Republican government that we have a consequence. And with that, thank you for your appearance here today.

And I would like to yield the remainder of my time to Chairman Chaffetz.

CHAFFETZ: Thank you, I think if you yield back, through mutual agreement Mr. Cummings and I have agreed that I do have about a dozen or so quick follow up questions.

You have been most generous with your time but I would like to get through this last bit and again, we'll do so with equal time. How did the Department of Justice, or how did the FBI view the incident in which Hillary Clinton instructed Jake Sullivan to take the markings off of a document that was to be sent to her?

COMEY: Yes, we looked at that pretty closely. There was some problem with their secure fax machine and there was an e-mail in which she says in substance, take the headers off of it and send it as a non-paper and as we've dug into that more deeply, we've come to learn that at least this one view of it that is reasonable, that a non-paper in State Department parlance (ph) means a document that contains things we could pass to another government.

So essentially take out anything that's classified and send it to me. Now it turned out that didn't happen, we actually found that the classified fax was then sent, but that's our best understanding of what that was about.

CHAFFETZ: So this was a classified fax?

COMEY: Correct.

CHAFFETZ: So Hillary Clinton sends to Jake Sullivan, Jake -- well let me go back, Jake Sullivan says they say they had issues sending secure fax, they're working on it. Hillary Clinton sends to Jake Sullivan, if they can't, turn into non-paper with no identifying heading and send non-secure. So you're telling me it's a classified piece of information, she's taking off the header and she's instructing them to send it in a non-secure format. Is that not intent?

COMEY: Well that actually caught my attention when I first saw it and what she explained to us in her interview was, and other witnesses too as well, is what she meant by that is make it into a non-classified document, that's what a non-paper is in their world, and send it to us because I don't need the classified stuff I just need the...

CHAFFETZ: Then why take off the heading if it's going to be turned into a non-classified document, why take off the heading?

COMEY: I assume because it would be non-classified anymore so you wouldn't have a classified header on it. Because what she said during her interview...

CHAFFETZ: Because she wanted to be technically correct, is that what you're saying, that you're...

COMEY: No, I think what she said during the interview is I was telling him in essence, send the unclassified document, take the header off, turn it into a non-paper, which is a term I had never heard before but I'm told by people I credit that in diplomatic circles something we can pass to another government...

CHAFFETZ: You are very generous in your accepting of that. Did any unclear individuals receive any classified information over Hillary Clinton's server?

COMEY: Did any uncleared (ph) people receive classified information? I don't think any of the correspondents on the classified e-mails were uncleared people. These were all people with clearances working, doing State Department business, on the unclassed (ph) system.

CHAFFETZ: Did Mr. Pagliano have the requisite security clearance?

COMEY: As I sit here, I can't remember. He was not a participant on the classified e-mail exchanges though.

CHAFFETZ: But he was running the server, he set it up...

COMEY: That's a different question. That's -- I'm sorry I misunderstood your question then. Yes, there's no doubt that uncleared people had access to the server because even after Pagliano there were others who maintained the server who were private sector folks.

CHAFFETZ: So there are hundreds of classified documents on these servers, how many people, without a security clearance had access to that server?

COMEY: I don't know the exact number as I sit here, it's probably more than two, less than ten.

CHAFFETZ: I appreciate your willingness to follow up with this. Did Secretary Clinton's attorneys have the security clearances needed?

COMEY: They did not.

CHAFFETZ: Does that concern you?

COMEY: Oh yes, sure.

CHAFFETZ: Is there any consequence to an attorney rifling through Secretary Clinton's, Hillary Clinton's e-mails without a security clearance?

COMEY: Well, not necessarily criminal consequences but there's a great deal of concern about an uncleared person not subject to the requirements we talked about in the read (ph) in (ph) documents potentially having access. That's why very, very important for us to recover everything we can back from attorneys.

CHAFFETZ: So what's the consequence? I mean here Hillary Clinton gave direction to her attorneys without a security clearance to go through documents that were classified.

COMEY: I think that's what happened in fact, whether that was the direction is a question I can't answer sitting here.

CHAFFETZ: See -- you're parsing (ph) that one a little bit...

COMEY: No, no you were just asking me -- I don't...

CHAFFETZ: What's the consequence? They don't work for the government, we can't fire them so is there no criminal prosecution of those attorneys, should they lose their bar license, what's the consequence to this?

COMEY: But they acted with criminal intent or active with some mal-intent...

CHAFFETZ: What you're telling us is it doesn't matter if you have a security clearance or not because I may be innocent enough, hello I'm just an attorney, I like the secretary, I'm trying to help Hillary Clinton, I'm not trying to give it to the Chinese or the Russians, I'm just trying to help her. So there's no intent? It doesn't matter if these people have security clearances?

COMEY: Of course it matters, that's why I said...

CHAFFETZ: But there's no consequence, Director, there's no consequence.

COMEY: Well, I don't know what consequence you'd have in mind, very...

CHAFFETZ: Prosecute them.

COMEY: An attorney for receiving from his client information that ends up being classified.

CHAFFETZ: I asked you at the very beginning, does Hillary Clinton, is there a reasonable expectation that Hillary Clinton would send and receive if not day -- hourly if not daily, classified information. That's reasonable to think that the Secretary of State would get classified information every moment. She's not the head of Fish and Wildlife so the idea that she would turn over her e-mails, her system, her server to, what it sounds like, up to ten people without security clearances and there's no consequence. So why not do it again?

COMEY: That's a question I don't think you should put to me, you're asking -- I'm talking about my criminal investigation.

CHAFFETZ: But how can that -- there's no intent there, does she not understand that these people don't have security clearances?

COMEY: Surely she understands at least some of them don't have security clearances.

CHAFFETZ: So she understands they don't have security clearances and it's reasonable to think she's going to be in (ph) classified information. Is that not intent to provide a non-cleared person access to classified information?

COMEY: You're mixing it up though. I don't think it's reasonable to assume -- mixing me up, sorry, not your fault -- that someone who is maintaining your server is reading your e-mails, in fact I don't think that's the case here. There's a separate thing which is when she is engaging counsel (ph) to comply with the State Department's request, are her lawyers then exposed information that may be on there that's classified, so...

CHAFFETZ: And did they see any classified information? Did Hillary Clinton's attorneys, without security clearances, see classified information?

COMEY: As (ph) I sit here, I don't know the answer to that.

CHAFFETZ: It has to be yes Director, you came across 110 and they said they went through all of them.

COMEY: Well, they didn't read them all they just looked at headings (ph)...

CHAFFETZ: So their excuse is we saw the e-mails but we didn't read them?

COMEY: You know I think I said this in my statement on Tuesday, they sorted the e-mails by using headers and search terms to try and find work related e-mails, we read them all.

CHAFFETZ: I know that you read them all. Do you think it's reasonable or unreasonable to think that her attorneys, under her director, did or did not read those e-mails? Because there were -- let me go back to this, yes or no, were there or were there not classified e-mails that her -- that Hillary Clinton's attorneys read?

COMEY: I don't know whether they read them at the time.

CHAFFETZ: They -- did Hillary Clinton give non-cleared people access to classified information?

COMEY: Yes. Yes.

CHAFFETZ: What do you think her intent was?

COMEY: I think then was to get good legal representation and to make the production to the State Department. That can be a very tall order, in that circumstance (ph) I don't see the evidence there to make a case that she was acting with criminal intent in her engagement with her lawyers.

CHAFFETZ: And I'd just -- I guess I read criminal intent as the idea that you allow somebody without a security clearance access to classified information. Everybody knows that Director, everybody knows that. I've gone way past my time, let me recognize Mr. Cummings for an equal amount of time.CUMMINGS: Director thank you for your patience. I wanted to clear up some things. I want to make sure I understand exactly what you testified to on the issue of whether Secretary Clinton sent or received e-mails that were marked as classified.

On Tuesday you stated, and I quote, "only a very small number of the e-mails containing classified information bore markings, and I emphasis bore markings, indicating the presence of classified information."

Republicans have pounced on this statement as evidence that Secretary Clinton lied. But today we learned some significant new facts and I hope the press listens to this. First you clarify that you were talking about only three e-mails out of 30 thousand. Your office is reviewed. Is that right?

COMEY: Three, yes.

CUMMINGS: Three out of 30 thousand, is that right?

COMEY: Yes at least 30 thousand.

CUMMINGS: At least 30 thousand. Second, you confirmed that these three e-mails were not properly marked as classified at the time based on Federal guidelines and manuals.

They did not have a classification header; they did not list the original classifier, the agency, officer of origin, reason for classification, or date for declassification. Instead these e-mails included only a single quote see parenthesis, end parenthesis and then end of quotation mark for confidential on one paragraph lower down in the text, is that right?

COMEY: Correct.

CUMMINGS: Third, you testified that based on these facts it would have been a quote "reasonable inference for Secretary Clinton to" quote "immediately" end of quote conclude that these e-mails were not in fact classified. So that was also critical new information. But there's one more critical fact that these e-mails were not in fact, and that is this Director, and to the press these e-mails were not in fact classified.

The State Department explained to us yesterday -- they reported that these e-mails are not classified and that including the little C on these e-mails was a result of a human error. The bottom line is that those little Cs should not have been on those documents because they were not in fact classified.

When Representative Watson Coleman asked you a few minutes ago about this you testified that you had not been informed. And I understand that, I'm not beating up on you I promise you. But can you tell us why Director Comey -- because I want -- because republicans are pouncing saying the Secretary lied and I want to make sure we're clear on this. Can you tell us why Director Comey did you consult, and we're just curious, did you consult about these three e-mails out of the more than 30 thousand or did this just not come up? What happened there?

COMEY: Yes I'm not remembering for sure while I'm here. I'm highly confident we consulted with them and got their view on it. I don't know about what happened yesterday. Maybe their view has changed or they found things out that we didn't know. But I'm highly confident we consulted with them about it.

CUMMINGS: So this is solely different than what we understood yesterday. Today we learned that these e-mails were not in fact classified, they should not have been included in those -- they should not have included those straight (ph) markings. They were not properly marked as classified and the Director of the FBI believes it was reasonable for Secretary Clinton to assume that these documents were not classified. Chairman, you raised a question about whether Secretary Clinton's attorneys have security clearances.

It is my understanding that they did. We can double check that, but that is my understanding. And we'll double check that. Let me move to the next topic. You explained on Tuesday that you were providing quote an update on the FBI's investigation of Secretary Clinton's use of a personal e-mail system during her time as Secretary of State. You explained that you received a referral on this matter from Inspector General of Intelligence Community on July 6th, 2016. Is that right?

COMEY: Yes.

CUMMINGS: Today 10s of thousands of Secretary Clinton's e-mails are probably available on the State Department's website. And our staff have been reviewing the e-mails that were retroactively determined to include classified information. Based on this review, it appears that these e-mails included more than one thousand individuals who sent or received the information that is not redacted as classified. Let me make that clear. About one thousand people sent or received the same information that was contained in Secretary Clinton's e-mails and retroactively classified. Were you aware of that?

COMEY: No, the number doesn't surprised me though.

CUMMINGS: Why not?

COMEY: Because this was -- they were doing the business of the State Department on this e-mail system, so I don't know how many thousands of people work in the State Department. But it doesn't surprise there'd be lots of people on these chains. CUMMINGS: And would you agree that something needs to be done with regard to this classification stuff because classified things are classified then they're not classified, then they are retroactively classified. I mean does that go into your consideration when looking at a case like this?

COMEY: Yes I don't pay much attention to the up classified stuff because we're focused on intent. So if someone classifies it later, it's impossible that you formed intent around that because it wasn't classified at the time. I know that's a process -- I wasn't familiar with it before this investigation, but I don't spend a lot of time focused on it in the course of a criminal investigation.

CUMMINGS: I understand. We also reviewed who these people are and they include a host of very experienced career diplomats with many years of experience. So let me ask you this. When you received this referral from the Inspector General about Secretary Clinton's e-mails, did you also receive any referrals for any of the other one thousand people who sent and received those e-mails? Did you?

COMEY: No.

CUMMINGS: I understand that...

COMEY: Well I should stop there. Within the scope of our investigation was a group of people closer to the Secretary. We looked at their conduct. I forget what the number is -- four or five of them, but then the hundreds of others that may have been on the chain were not the subjects of the investigation.

CUMMINGS: OK, I have 30 more seconds. I understand that Secretary Clinton is the only one running for President, but it does not make sense that she was singled out for a referral to the FBI. Do you agree with that?

COMEY: I don't think I agree with that.

CUMMINGS: So let's go back to Colin Powell; do you think you ought to look at his situation or Condoleezza Rice?

COMEY: Well there's been no referral on them. I know only brief (ph) of service (ph) superficial (ph) level of their circumstances this case strikes me as very different from those and not an inappropriate referral from the Inspector General.

CHAFFETZ: Thank you gentlemen. Who was Hillary Clinton e- mailing that was hacked?

COMEY: Yes I don't want to say in open forum. We can get you that information, but again, I don't want to give any hostile adversaries insight into who -- what we figured out.

CHAFFETZ: Fair enough.

COMEY: So I know the names, but...

CHAFFETZ: Understood, understood. Was there any evidence of Hillary Clinton attempting to avoid compliance with the Freedom of Information Act?

COMEY: That was not the subject of our criminal investigation, so I can't answer that sitting here.

CHAFFETZ: It's a violation of law, is it not?

COMEY: Yes, my understanding is there are civil statutes that apply to that. I don't know...

CHAFFETZ: So let's put the boundaries on this a little bit. What you didn't look at. You didn't look at whether or not there was an intention or the reality of non-compliance with the Freedom of Information Act?

COMEY: Correct.

CHAFFETZ: You did not look at testimony that Hillary Clinton gave in the United State Congress, both the House and the Senate.

COMEY: To see whether it was precarious in some respect?

CHAFFETZ: Yes.

COMEY: No we did not.

CHAFFETZ: Did you review and look at those transcripts as to the intent of your recommendation.

COMEY: I'm sure my folks did. I did not.

CHAFFETZ: So OK, and this is an important point because I think those of us in Congress, knowing that you got a criminal referral from an Inspector General, thought that you were also looking at whether or not Hillary Clinton had provided false testimony, which is a crime, to the Congress, but you didn't look at that.

COMEY: Correct. As I said, I'm confident my folks looked at the substance of the statements, try to understand the circumstances around the entire situation...

CHAFFETZ: Can you confirm that? I just want to make sure.

COMEY: Yes we'll confirm that. Also, again, maybe I'm missing this, but I don't think we got a referral from Congressional Committees -- a perjury referral.

CHAFFETZ: No it was the Inspector General that initiated this. Did the fact that Hillary Clinton refused to be interviewed by the Inspector General, what did that say to you about intent?

COMEY: At least for our criminal investigation, not particularly germane.CHAFFETZ: Are you familiar -- you're familiar there's a website, I mean lots of government agencies have a website. The State Department has a website; state.gov<http://state.gov/>. And they have a YouTube site. Videos that are uploaded to a YouTube site, would those be considered Federal Records?

COMEY: I don't know.

CHAFFETZ: So they're paid for by federal dollars. They're maintained by federal employees. Would that not be a federal record?

CHAFFETZ: Yeah I just don't know. I'm sure there's an expert who can answer that in two seconds but I'm not that expert.

CHAFFETZ: OK we've kept you here a long time. I want to follow up on that. Is the FBI still investigating Hillary Clinton's aides?

COMEY: No is the answer. The Department of Justice declined on all of those who were subjects communicating her through that e-mail system.

CHAFFETZ: What recommendations did you make about her aides?

COMEY: Same, same. We didn't recommend that anybody be prosecuted on those facts.

CHAFFETZ: And if you can help us understand who precisely had been ruled out for prosecution that would be.

COMEY: Sure.

CHAFFETZ: Did you look at the Clinton Foundation?

COMEY: I'm not going to comment on the existence or nonexistence of any other investigations.

CHAFFETZ: Was the Clinton Foundation tied into this investigation?

COMEY: Yeah I'm not going to answer that.

CHAFFETZ: The server that was set up in her home was originally set up by, you said, former President Bill Clinton.

COMEY: Correct.

CHAFFETZ: Do you know who paid for that?

COMEY: I don't sitting here.

CHAFFETZ: OK. I'll have equal time for my colleague and friend, Mr. Cummings.

CUMMINGS: I'm going to yield two minutes of my 3.43 to Mr. Lynch.

LYNCH: Thank you, Mr. Director. We're talking about hacking. And so on this committee, we -- we -- we're very much interested in cyber security. And we review a lot of the major hacks that are going on.

So just recently, I would say in the last 18 months, we've had a major hack February of 2016 at the Department Of Homeland Security and the FBI. We had a hacking group; the Site Intelligence Group reported that a group called crackers with attitude had hacked 9,000 employees' data from Department Of Homeland Security including names, e-mail addresses, locations, and telephone numbers.

Also, 20,000 FBI workers. We had another hack direct evidence obviously of those, another hack at OPM of 4.2 million current and former federal government employees. Their information had been stolen including social security numbers which are not redacted.

We had IRS in May 2015, millions -- no, I'm sorry 200,000 attempted and 100,000 were successful. We had State Department announced a breach of its computer systems after an infiltration forced the agency to temporarily shut down its classification system.

We had the United States Postal Service, 800,000 postal employees, 2.9 million customers. The White House, Washington Post reported back in -- this is back in 2014, that the White House computer was hacked.

National Oceanic Atmospheric Administration; we had -- I'm on another committee for financial services we had Verizon, USCLA health systems, thousands and thousands and thousands of employees, Anthem Health Care, Sony Pictures, Staples, Home Depot, JP Morgan -- it gets into the millions.

Community health systems, Target, TJX, all of these we have direct evidence, millions and millions and million of people their accounts being hacked. Any direct evidence that Hillary Clinton's e- mails were hacked?

COMEY: No.

LYNCH: OK.

I have no further questions. I yield back.

CUMMINGS: Mr. Director, we are about at the end. I'm gonna do a concluding statement and then I think the chairman will. I wanna -- first of all, I want to go back to something that Ms. Watson Coleman said a little earlier. As an African-American man in this country, 66 years old, moving towards the twilight of my life, we cannot allow black men to begin -- to continue to be slaughtered.

This morning I woke up to my wife literally crying, watching the tape of this guy Anton Sterling in Baton Rouge and then she looked at the one the Philandro Castle near Minneapolis.

And I hope you watch them. There's something wrong with this picture. And don't get me wrong, I am all for -- I supported police, I am a lawyer. And I know how important police are and I know there are so many great folks.

But Mr. Director, if you do nothing else in your 2,000 plus days left, you have got to help us get a hold of this issue. It is so painful. I can't even begin to tell you. And so I don't want -- I've been fortunate in my life.

I've been very fortunate that I have not been harmed by the police, but I've been stopped 50 million times. Now, with regard to this hearing I want to thank you again. You know, as I listen to you, you said something that I will never forget. And for some reason it gave me a chill.

You said there are two things that are most important to me, two things. You said my family and my reputation. My family and my reputation. And I -- I don't know whether your family is watching this but I hope that they are as proud of you as I am.

Because you are the epitome of what a public servant is all about. Sacrificing over and over and over again, trying to do the right thing, sometimes coming under ridicule, but yet still doing the right thing. And so I hope that they are proud of you.

The second thing I hope is that no matter what has happened in this hearing, I hope that you know that your reputation is still in tact. And so I conclude by summarizing that I think some of our key findings today, first the director testified that his entire team of 15 to 20 FBI investigators and analysts unanimously agree on the recommendation not to prosecute Secretary Clinton.

Second, Director Comey made crystal clear that Republican claims, some of the talking heads claims of bias are completely false. Testified that he would treat John Doe the same way he would treat Hillary Clinton, that he was forceful on that point.

Third, on the claim that Secretary Clinton sent or received e- mails that were marked as classified, that claim has now been significantly under cut. Those documents were not classified and those markings were not proper.

Finally, Republicans have repeatedly cried foul about a double standard when it comes to Secretary Clinton's e-mails. But Director Comey testified the real double standard would have been to prosecute her with this completely -- with this completely inadequate evidence. Again, director, I thank you. But I thank somebody else. I thank and having practiced law for many years and having dealt with the FBI on many cases, I want to thank the people who work with you because it's not just -- this is not just about you.

This is not just about Secretary Clinton. When we are addressing you the whole cad ray of people who give their blood, their sweat and their tears to protect us as Americans. And I just want to thank them because sometimes I think they are forgotten, unseen, unnoticed, unappreciated and unapplauded.

But today I applaud them and I thank you.

Thank you very much and I yield back.CHAFFETZ: And I thank the gentleman. And I concur with the idea that every FBI agent I have ever met has just been above reproach and they make us proud and they work hard, they put their lives on the line.

They serve overseas, they serve domestically. Can't thank them enough for what they do. And I hope that is part of the message that we carry back.

I cannot thank you personally enough, you, on a personal level, for your accessibility, your ability to get on the phone with me the same day that you make your announcement, and then in rapid fire when I

said to you, what day is best -- we're going to have to do this so which day is best for you. And you said Thursday, and here we are and doing it.

I can't thank you enough. I wish all of the government employees would have that attitude and approach. And I really do. And I can't thank you enough. I look forward to working with you and your staff as we move forward in getting this documentation, things that you can't share publicly and others.

It is the intention of the committee to -- I told Mr. Cummings here that we would come back after votes. Votes have been pushed back now a bit. So what I would like to do is to go into recess for five minutes and then we will start with our second panel.

Committee stands in recess until five minutes from now.

Thank you, again, Director Comey.

REP. JORDAN

CHAFFETZ: Did you review the documents where **Congressman Jim Jordan** asked her specifically and she said, quote, "there was nothing marked classified on my e-mails either sent or received," end quote?

COMEY: I don't remember reviewing that particular testimony, I'm aware of that being said, though.

CHAFFETZ: Did the FBI investigate her statements under oath on this topic?

COMEY: Not to my knowledge. I don't think there's been a referral from Congress.

CHAFFETZ: Do you need a referral from Congress to investigate her -- her statements under oath?

COMEY: Sure do.

JORDAN: Thank you, Mr. Chairman.

Director, thank you for being with us. On Tuesday, you said, "any reasonable person in Secretary Clinton's position should have known that an unclassified system was no place for these conversations." You said on Tuesday, "some of her e-mails bore classified markings." And you also said on Tuesday there were potential violations of the appropriate statutes.

Now, I know a bunch of prosecutors back home would look at that fact pattern and look at that evidence -- you even referenced it in your opening statement, some of your prosecutor -- friends in the prosecution business have been on TV saying they would have looked at that same evidence and they would have taken it to a grand jury.

But on Tuesday, you said, and today in your opening statement, you said, "no reasonable prosecutor would bring such a case."

And then in your statement Tuesday, you cite factors that helped you make that decision and make that statement. And one of the factors you said was "consider the context of a person's actions." Typically, when I hear "context" in the course of a criminal investigation, it's -- it's from the defense side, not the prosecution side. It's at the end of the case after there's been a trial and a guilty verdict, and it's during the sentencing phase -- mitigating circumstances. That's the context we typically think about.

But you said it on the front end. You said "consider the context of the person's actions." And so I'm curious. What does "consider the context" mean? Because a lot of Americans are thinking just what the chairman talked about in his opening statement, that there are two standards: one for we the people, and one for the politically connected.

A lot of folks I get the privilege of representing back in Ohio think that when you said "consider the context," they think that's what Mr. Gowdy just talked about -- the fact that she is former first lady, former secretary of state, former senator, major party's nominee for the highest office in the land. And,

oh by the way, her husband just met with the individual you work with at an airport in Arizona five days ago.

So, you said none of that influenced your decision. But tell us what "consider the context" means.COMEY: Thank you, Mr. Jordan.

What I was trying to capture is the fact that the exercise for prosecutorial discretion is always a judgment case. It is in every single case. Among the things you consider are, what was this person's background? What was the circumstances of the offense? Were they drunk? Were they inflamed by passion? Was it somebody who had a sufficient level of education, and training, and experience that we can infer certain things from that to consider the entire circumstances of the conduct and background? I did not mean to consider political context.

JORDAN: The entire circumstances, and Mr. Gowdy just talked about this scheme -- remember what she did, right? She sets up this unique server arrange. She alone controlled it.

On the server, on that system are her personal e-mails, her work related e-mails, Clinton Foundation information, and now we know, classified information. This gets discovered. We find out this arrangement exists. Then what happens? Her lawyers, her legal team decides which ones we get and which ones they get to keep.

They made the sort on the front end. And then we find out the ones that they kept and didn't give to us, didn't give to the American people, didn't give to Congress, the ones they kept, they destroyed them. And you don't have to take my word. I'll take what you said on Tuesday, "they deleted all e-mails they did not return to the State Department, and the lawyers cleaned their devices in such a way as to preclude complete forensic recovery." Now, that sounds like a fancy way of saying they hid the evidence, right? And you just told Mr. Gowdy thousands of e-mails fell into those categories.

Now, that seems to me to provide some context to what took place here. Did Secretary Clinton's legal team -- excuse me, let me ask it this way. Did Secretary Clinton know her legal team deleted those e-mails that they kept from us?

COMEY: I don't believe so.

JORDAN: Did Secretary Clinton approve those e-mails being deleted?

COMEY: I don't think there was any specific instruction or conversation between the Secretary and her lawyers about that.

JORDAN: Did you ask that question? COMEY: Yes.

JORDAN: Did Secretary Clinton know that her lawyers cleaned devices in such a way to preclude forensic recovery?

COMEY: I don't believe she did.

JORDAN: Did you ask that question?

COMEY: Yes.

JORDAN: Do you see how someone could view the context of what she did, set up a private system, she alone controlled it, she kept everything on it? We now know from Ms. Abedin's deposition they did it for that reason, so no one could see what was there based on the depositions Ms. Abedin gave. And then when they got caught, they deleted what they had and they scrubbed their devices. Is that part of the context in evaluating this decision?

COMEY: Sure, sure. And I understand what inferences can be drawn from that set of facts, of course.

JORDAN: Mr. Chairman, I yield back.

Rep. Gowdy

CHAFFETZ: Yeah. We'll now recognize the gentleman from South Carolina, Mr. Gowdy, for five minutes.

GOWDY: Good morning, Director Comey. Secretary Clinton said she never sent or received any classified information over her private e- mail. Was that true?

COMEY: Our investigation found that there was classified information sent...

GOWDY: So it was not true?

COMEY: That's what I said.

GOWDY: OK. Well, I'm looking for a little shorter answer so you and I are not here quite as long. Secretary Clinton said there was nothing marked classified on her e-mails, either sent or received. Was that true?

COMEY: That's not true. There were a small number of portion markings on, I think, three of the documents.

GOWDY: Secretary Clinton said, I did not e-mail any classified material to anyone on my e-mail, there is no classified material. Was that true?

COMEY: There was classified material e-mailed.

GOWDY: Secretary Clinton said she used just one device. Was that true?

COMEY: She used multiple devices during the four years of her term as secretary of state.

GOWDY: Secretary Clinton said all work-related e-mails were returned to the State Department. Was that true?

COMEY: No. We found work-related e-mails, thousands that were not returned.

GOWDY: Secretary Clinton said neither she nor anyone else deleted work related e-mails from her personal account. Was that true?

COMEY: That's a harder one to answer. We found traces of work- related e-mails in -- on devices or in slack space. Whether they were deleted or whether when the server was changed out something happened to them. There's no doubt that the work-related e-mails that were removed electronically from the e-mail system.

GOWDY: Secretary Clinton said her lawyers read every one of the e-mails and were overly inclusive. Did her lawyers read the e-mail content individually?

COMEY: No.

GOWDY: Well in the interest of time, and because I have a plane to catch tomorrow afternoon, I'm not going to go through anymore of the false statements. But I am going to ask you to put on your old hat. False exculpatory statements, they are used for what?

COMEY: Either for the -- a substantive prosecution or for evidence of intent in a criminal prosecution.

GOWDY: Exactly. Intent and consciousness of guilt, right? Is that right?

COMEY: Right.

GOWDY: Consciousness of guilt and intent. In your old job, you would prove intent, as you just referenced, by showing the jury evidence of a complex scheme that was designed for the very purpose of concealing the public record and you would be arguing in addition to concealment the destruction that you and I just talked about or certainly the failure to preserve.

You would argue all of that under the heading of content (ph) -- intent. You would also be arguing the pervasiveness of the scheme, when it started, when it ended and the number of e-mails, whether they were originally classified or up-classified.

You would argue all of that under the heading of intent. You would also, probably, under common scheme or plan, argue the burn bags of daily calendar entries or the missing daily calendar entries as a common scheme or plan to conceal.GOWDY: Two days ago, Director, you said, "A reasonable person in her position should have known a private e-mail was no place to send and receive classified information." You're right. An average person does know not to do that.

This is no average person. This is a former first lady, a former United States senator, and a former secretary of state that the president now contends is the most competent, qualified person to be president since Jefferson. He didn't say that in '08, but he says is now.

She affirmatively rejected efforts to give her a state.gov account. She kept these private e-mails for almost two years, and only turned them over to Congress because we found out she had a private e-mail account.

So you have a rogue e-mail system set up before she took the oath of office, thousands of what we now know to be classified e-mails, some of which were classified at the time. One of her more frequent e-

mail comrades was in fact hacked, and you don't know whether or not she was. And this scheme took place over a long period of time and it resulted in the destruction of public records.

And yet you say there is insufficient evidence of intent. You say she was extremely careless, but not intentionally so. You and I both know intent is really difficult to prove. Very rarely do defendants announced "on this date, I intend to break this criminal code section; just to put everyone on notice, I am going to break the law on this date." It never happens that way.

You have to do it with circumstantial evidence. Or if you're Congress and you realize how difficult it is to prove specific intent, you will formulate a statute that allows for gross negligence.

My time is out, but this is really important. You mentioned there's no precedent for criminal prosecution. My fear is there still isn't. There's nothing to keep a future secretary of state or president from this exact same e-mail scheme, or their staff.

And my real fear is this -- it's what the chairman touched upon, this double-track justice system that is rightly or wrongly perceived in this country, that if you are a private in the Army and you e-mail yourself classified information, you will be kicked out. But if you are Hillary Clinton and you seek a promotion to commander in chief, you will not be. So what I hope you can do today is help the average -- the reasonable person you made reference to, the reasonable person understand why she appears to be treated differently than the rest of us would be.

With that, I would yield back.

GOWDY: Thank you Doctor Gosar. Director Comey, I want to go back to the issue of intent for just a second. We could disagree on whether or not it's an element of the offense, let's assume for the sake of argument, that you're right and I'm wrong and that it is an element of the offense.

Secretary Clinton said that she was, "Well aware of classification requirements". Those are her words, not mine and not yours. So if she were, "Well aware of classification requirements", how did that impact your analysis of her intent? Because I've heard you this morning, describe her as being less than sophisticated. She disagrees with that.

COMEY: Well, I was talking about technical sophistication. The question is, I would hope everybody who works in the Government is aware of classification requirements. The question then is, if you mishandle classified information, when you did that thing, did you know you were doing something that was unlawful? That's the intent question.

GOWDY: All right, well you and I are going to have to get together some other time and discuss all the people we prosecuted who were unaware that they were breaking the law. That, there are lots of really dumb defendants out there, who don't know that what they're doing is against the law. But let's go with what you say ...

COMEY: I disagree. I, you may have prosecuted a lot of those folks. I did not prosecute all those folks.

GOWDY: I was a gunner prosecutor and you were a white collar prosecutor. Trust me, there, there are lots of people who don't know you can't kill other people. Let me ask you this, on the issue of intent, you

say it was convenience, okay? You're a really smart lawyer, if it were convenience Director, she wouldn't have waited two years to return the documents and she wouldn't have deleted them four years after they were created.

So you can't really believe that her intent was convenience when she never turned them over until Congress started asking for them, could you?

COMEY: Yeah my focus, and I hope I made this clear, my focus is on, what was the thinking around the classified information. I mean it's relevant why the system was set up and the thinking there. But she didn't, I don't understand her to be saying, we'll I think I've said it already, that, that's my focus.

GOWDY: So, I know I'm out of time, but, but it just strikes me, you are reading a specific intent element into a gross negligence statute, not even general intent?

CHAFFETZ: Gentlemen's time.

GOWDY: A specific intent ...

CHAFFETZ: Gentleman's time has expired.

GOWDY: Element.

COMEY: Yeah. Is that? Oh, sorry.

CHAFFETZ: Go, the Director can answer. COMEY: I enjoyed, I enjoyed talking with him. The, the question you've got to ask is, why is it that the Department of Justice, since 1917, has not used that gross negligence statute for charging at once in an espionage case. And whether their decision was smart or not, that is the record of fairness.

And so you have to decide, do I treat this person against that record? And if I do, is that a fair thing to do? Even if you're not worried about the constitutionality of it, and my judgment is, no reasonable prosecutor would do that. That would be celebrity hunting. That will be treating this person differently than John Doe.

Rep. Farenthold

FARENTHOLD: Thank you very much.

Director Comey, I want to talk a little bit about cyber security. State Department's Inspector General reported (ph) detailed instances of multiple attacks on Secretary Clinton's computer, as well as her replying to suspicious e-mail from the personal account of Under Secretary Of State.

Director, you said that hostile actors (ph) successful gained access to the commercial e-mail accounts of people Secretary Clinton regularly communicated with. In the case of the Romanian hacker Guccifer, according to accessing Sidney Blumenthal's account -- and you know that's been public, for some time.

During your investigation, were there other people in the State Department or that regularly communicated with Secretary Clinton that you can confirm were successfully hacked?

COMEY: Yes.

FARENTHOLD: And were these folks that regularly communicated with the secretary?

COMEY: Yes.

FARENTHOLD: And were you able to conclude definitively that the attempted hacks referenced in the I.G. report were not successful?

COMEY: We were not able to conclude that they were successful. I think that's the best way to say it.

FARENTHOLD: All right, well while you said that given the nature of Clinton's server, it would be unlikely to see evidence one way or the other whether or not it had been successful hacked.

How many unsuccessful attempts did you uncover, did you find any there?

COMEY: There were unsuccessful attempts. I don't know the number off top of my head.

FARENTHOLD: Do you have an idea -- were they from foreign governments? Where'd they come from?
COMEY: I want to be careful what I say in an open setting and so I -- we can give you that information but I don't want to give the -- any foreign governments knowledge of what I know, so there...

FARENTHOLD: But you -- would you be so far as to say if they probably weren't American high school students fooling around?

COMEY: Correct, it was not limited to criminal activity.

FARENTHOLD: During your investigation, did you or anyone in the FBI interview the hacker Guccifer?

COMEY: Yes.

FARENTHOLD: And he claimed he gained access to Sid Blumenthal's e-mail account and traced them back to Clinton's private server. Can you confirm that Guccifer never gained access to her server?

COMEY: Yeah he did not. He admitted that was a lie.FARENTHOLD: All right, well, at least that's good to hear.

All right, Section 793 of Title 18 in the United States Code makes it a crime to allow classified information to be stolen through gross negligence. Were you to discover that hostile actors had actually gotten into Secretary Clinton's e-mail, would that have changed your recommendation with respect to prosecuting her?

COMEY: Unlikely, although we didn't consider that question because we didn't have those facts.

FARENTHOLD: All right. I want to go back to the question of intent real quick, for just a second.

I'm a recovering attorney. It's been decades since I actually practiced law. But you kept referring to she had to know it was illegal to have the requisite criminal intent. I was always taught in law school, and I don't know where this changed, that ignorance of the law was no excuse. If I'm driving a long at 45 miles and hour and didn't see the 35 mile and hour speed limit, I was still intentionally speeding, even though I didn't know it.

Now, I might not have had the requisite criminal intent if maybe my accelerator were jammed or something like that, but even though I didn't know the law was 35, I was driving 45, I'm going to get a ticket. And I'm probably going to be prosecuted for that.

So, how can you say ignorance of the law is an excuse in Ms. Clinton's case?

COMEY: Well, the comparison to petty offenses, I don't think is -- you spoke about the question of -- ignorance of the law is no excuse, but here's the distinction. You have to have general criminal intent. You don't need to know what particular statute you're violating, but you must be aware of the generally wrongful nature of your conduct...

(CROSSTALK)

FARENTHOLD: We -- now, so Congress when they enacted that statute said "gross negligence." That -- that doesn't say intent. So what are we going to have to enact to get you guys to prosecute something based on negligence or gross negligence? Are we going to have to add, "and oh by the way, we don't mean -- we really do mean you don't have to have intent there"? COMEY: That's a conversation for you all to have with the Department of Justice. But it would have to be something more than the statute enacted in 1917. Because for 99 years, they've been very worried about its constitutionality.

FARENTHOLD: All right. Well, I think that's something this committee and Congress as a whole, the Judiciary Committee, that Mr. Chaffetz and I also sit on, will be looking at it.

And I was on television this morning. And I just want to relay a question that I received from a caller into that television commercial (sic). It's just real simple: Why should any person follow the law if our leaders don't? And we can argue about intent or not, but you laid out the fact that she basically broke the law, but you couldn't prove intent.

Maybe I'm putting words in your mouth, but I do want to know why -- why any person should follow the law if our leaders don't have to. Maybe that's rhetorical, but I'll give you an opportunity to comment on that.

COMEY: That's a question I'm no more qualified to answer than any American citizen. It's an important question. In terms of my work and my world, my folks would not be -- one of my employees would not be prosecuted for this. They would face consequences for this. So the notion that it's either prosecute or you walk around, you know, smiling all day long is just not true for those people who work for the government.

The broader question is one for a democracy to answer. It's not for me.

FARENTHOLD: And I guess the ultimate decision as to whether or not Mrs. Clinton works in government or not is not in -- is in everybody's hands.

CHAFFETZ: I thank the gentleman.

FARENTHOLD: I yield back.

Rep. DeSantis

CHAFFETZ: We'll now recognize the gentleman from Florida, Mr. DeSantis for five minutes.

DESANTIS: Director, the reason why that's so important is because of if top secret information is compromised, that could damage our national security, correct?

COMEY: Yes, by definition...DESANTIS: And American lives are at stake in some instances, correct?

COMEY: Yes.

DESANTIS: You mentioned, a lot of people are upset that there are no consequences for Secretary Clinton, but in your statement you pointed out that administrative and security consequences would be appropriate if someone demonstrated extreme carelessness for classified information. So for those consequences, that would include potentially termination of federal employment?

COMEY: Correct.

DESANTIS: It could include revocation of security clearance?

COMEY: Yes.

DESANTIS: It could include and ineligibility for future employment in national security positions?

COMEY: It could.

DESANTIS: Would you as the FBI Director allow someone, and employee of your agency to work in a national security capacity, if that person had demonstrated extreme carelessness in handling top- secret info?

COMEY: The answer to that is we would look very closely at that in a suitability determination. It's hard to answer in the abstract, "yes in all cases and no in all cases," but it would be a very important suitability scrub.

DESANTIS: So there would be instances where someone could be extremely careless and maintain competence? We have a lot of people who are competent in this country who would love to work for your agency, but yet, it would be potentially -- you would allow someone to be potentially careless and carry on?

COMEY: In the hypothetical, I can imagine if it was a long time ago, and it was a small amount of conduct or something -- that's why it's hard to say other than it would be a very important part...

DESANTIS: Let's put it this way. Would being extremely careless in handling top secret information expose an employee of the FBI to potential termination? COMEY: Yes.

DESANTIS: Why shouldn't U.S. officials use mobile devices when traveling to foreign countries, especially if they're discussing classifying or sensitive information?

COMEY: Because the mobile device will transmit its signal across networks that are likely controlled or at least accessed by that hostile power.

DESANTIS: That's the guidance that the FBI gives all officials when they're traveling overseas? That's still good guidance, correct?

COMEY: That's good guidance.

DESANTIS: How did top secret information end up on the private server, because your statement addressed Secretary Clinton. You did not address any of her aides in your statement. Attorney general Lynch exonerated everybody. That information just didn't get there on its own, so how did it get there? Were you able to determine that?

COMEY: Yes, by people talking about a top secret subject in an e-mail communication.

DESANTIS: So...

COMEY: Not about forwarding a top secret document, it's about having a conversation about a matter that is top secret.

DESANTIS: And those were things that were originated by Secretary Clinton's aides and sent to her, which would obviously be in her server, but it was also included Secretary Clinton originating those e-mails, correct?

COMEY: That's correct.

In most circumstances, it initiated with aides starting the conversation. In the one involving top secret information, Secretary Clinton not only received but sent e-mails talking about the same subject.

DESANTIS: And of that top secret information you found, would somebody who is sophisticated in those matters, should it have been obvious to them that was sensitive information?

COMEY: Yes.

DESANTIS: So I guess my issue about knowledge of what you're doing is, in order for Secretary Clinton to have access to top secret, SCI FBI information, didn't she have to sign a form with the State Department acknowledging her duties and responsibilities under the law to safeguard this information?

COMEY: Yes. Anybody who gets access to SCI, Sensitive Compartmented Information would sign a read-in form that lays that out. I'm sure members of Congress have seen the same thing. DESANTIS: And it stresses in that document and other training people would get, that there are certain requirements to handling certain levels of information. For example, a top secret document, that can't even be on your secret system at the FBI, correct?

COMEY: Correct.

DESANTIS: So you have to follow certain guidelines. And I guess my question is, is she's very sophisticated person, she did execute that document, correct?

COMEY: Yes.

DESANTIS: And her aides who were getting the classified information, they executed similar documents to get a security clearance, correct?

COMEY: I believe so.

DESANTIS: And she knowingly clearly set up her own private server in order to -- let me ask you that, was the reason she set up her own private server in your judgment was because she wanted to shield communications from Congress and the public?

COMEY: I can't say that.

Our best information is that she set it up as a matter of convenience. It was an existing system her husband had and she decided to have a domain on that system.

DESANTIS: So the question is, is very sophisticated, this is information that clearly anybody who had knowledge of security information would know that it would be classified? But I'm having a little bit of trouble to see, how would you not then know that that was something that was inappropriate to do?

COMEY: Well, I just want to take one of your assumptions about sophistication. I don't think that our investigation established she was actually particularly sophisticated with respect to classified information and the levels and treatment, and so far as we can tell...

DESANTIS: Isn't she in an original classification of authority?

COMEY: Yes, sir.

DESANTIS: Good grief.

Well, I appreciate you coming. I yield back the balance of my time.

CHAFFETZ: I thank the gentleman. I ask unanimous consent to enter into the record two documents that Mr. DeSantis referred to. One is the Sensitive Compartmented Information Nondisclosure agreement, the other one is the Classified Information Nondisclosure Agreement, both signed by Hillary Rodham Clinton. Without objection, so ordered. I now recognize the gentleman from Missouri, Mr. Clay, for five minutes.

Rep. Buck

BUCK: Good morning, Director Comey.

COMEY: Morning, sir.

BUCK: Thank you for being here. I also respect your commitment to law and justice and your career. And I -- first question I want to ask you, is this hearing unfair? Has it been unfair to you?

COMEY: No.

BUCK: Thank you. One purpose of security procedures for classified information is to prevent hostile information -- hostile nations from obtaining classified information. Is that fair?

COMEY: Yes.

BUCK: And do -- did hostile nations obtain classified information from Secretary Clinton's servers?

COMEY: I don't know. It's possible, but we don't have direct evidence of that. We couldn't find direct evidence.

BUCK: I want to -- without making this a law school class, I want to try to get into intent. There are various levels of intent in the criminal law, everything from knowingly and willfully doing something all the way down, to strict liability. Would you agree with me on that?

COMEY: Yes.

BUCK: And in Title 18, most of the -- criminal laws in Title 18 have the words "knowingly" and "willfully" in them and that is the standard typically that United States attorneys prosecute under.

COMEY: Most do. Unlawfully, knowingly, willfully is our standard formulation for charging a case.

BUCK: And there are also a variety of others between the knowingly and willfully standard and the strict liability standard. And in many, like environmental crimes, have a much lower standard because of the toxic materials that are at risk of harming individuals. Is that fair?

COMEY: That's correct.

BUCK: Okay. Let's talk about this particular statute, 18 U.S.C. 1924. I take it we could all agree -- you and I can agree on a couple of the elements. She, Secretary Clinton was an employee of the United States.

COMEY: Correct.

BUCK: And as a result of that employment, she received classified information.

COMEY: Correct.

BUCK: And there is no doubt about those two elements. Now I don't know whether the next element is one element or two, but it talks about knowingly removed such materials without authority and with the intent to retain such material at an unauthorized location.

So I'm going to treat those as two separate parts of the intent element. First of all, do you see the word "willfully" anywhere in this statute?

COMEY: I don't.

BUCK: And that would indicate to you that there is a lower threshold for intent?

COMEY: No, it wouldn't.

BUCK: Why?

COMEY: Because we often -- as I understand, the Justice Department's practice and judicial practice will impute to any criminal statute at that level with a knowingly also requirement that you know that you're involved in criminal activity of some sort. A general mens rea requirement.

BUCK: So -- and you would apply that same standard to environmental (inaudible)?

COMEY: No, if it specifically says it is a negligence-based crime, I don't think a judge would impute that.

BUCK: But -- but Congress specifically omitted the word "willfully" from this statute, and yet you are implying the word willfully in the statute. Is that fair?

COMEY: That's fair.

BUCK: Okay. So what this statute does say is "knowingly removed such materials without authority." Is it fair that she knew that she didn't have authority to have this server in her basement?

COMEY: Yes, that's true.

BUCK: And she knew that she was receiving materials, classified information, in -- in the e-mails that she received on -- on her BlackBerry and other devices.

COMEY: I can't answer -- I'm hesitating as a prosecutor because it's always -- to what level of proof. I do not believe there's evidence beyond a reasonable doubt that she knew she was receiving classified information in violation of the requirements.

BUCK: But that's not my question.

COMEY: (Inaudible) evidence of that.

BUCK: That's not my question. My question, in fairness, is did she know that she was receiving information on the servers at her location?

COMEY: Oh, I'm sorry. Of course, yes. She knew she was using her e-mail system.

BUCK: And as secretary of state, she also knew that she would be receiving classified information.

COMEY: Yes, in general.

BUCK: OK. And did she then have the intent to retain such material at an unauthorized location? She retained the material that she received as secretary of state at her server in her basement and that was unauthorized.

COMEY: You're asking me did she have the -- I'm going to ask you the burden of proof question in a second. But did she have the intent to retain classified information on the server or just to retain any information on the server?BUCK: Well, we've already established that she knew, as secretary of state, that she was going to receive classified information in her e-mails. And so did she retain such information that she received as secretary of state on her servers in her basement?

COMEY: She did in fact -- there is, in my view, not evidence beyond certainly probable cause. There's not evidence beyond a reasonable doubt that she knew she was receiving classified information or that she intended to retain it on her server.

There's evidence of that but when I said there's not clear evidence of intent, that's what I meant. I could not, even if the Department Of Justice would bring that case, I could not prove beyond a reasonable doubt those two elements.

BUCK: Thank you very much.

Mccabe, Andrew G. (DO) (FBI)

From:	Mccabe, Andrew G. (DO) (FBI)
Sent:	Friday, September 23, 2016 5:53 PM
To:	James B. Comey
Subject:	RE: U.S. intel officials probe ties between Trump adviser and Kremlin

Nothing else major since we last spoke.

Notifications on foia are done, material has been posted. I am told that [redacted] went ballistic when he heard about it. So at least we accomplished one thing. ☺

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
W [redacted]
M [redacted]

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b7E

From: James B. Comey
Sent: Friday, September 23, 2016 5:50 PM
To: Mccabe, Andrew G. (DO) (FBI) [redacted]; Rybicki, James E. (DO) (FBI) [redacted]
Subject: RE: U.S. intel officials probe ties between Trump adviser and Kremlin

b7E

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-------- Original message --------
From: "Mccabe, Andrew G. (DO) (FBI)" [redacted]
Date: 9/23/16 5:45 PM (GMT-05:00)
To: "James B. Comey" [redacted], "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: FW: U.S. intel officials probe ties between Trump adviser and Kremlin

FYI

b7E

Andrew G. McCabe
Deputy Director
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W [redacted]
M [redacted]

https://www.yahoo.com/news/u-s-intel-officials-probe-ties-between-trump-adviser-and-kremlin-175046002.html?soc_src=social-sh&soc_trk=tw

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James B. Comey

From: James B. Comey
Sent: Friday, September 23, 2016 5:54 PM
To: Mccabe, Andrew G. (DO) (FBI)
Subject: RE: U.S. intel officials probe ties between Trump adviser and Kremlin

Great stuff. We march on, politically tone deaf, which is awesome.

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-------- Original message --------
From: "Mccabe, Andrew G. (DO) (FBI)" < [redacted] > b7E
Date: 9/23/16 5:52 PM (GMT-05:00)
To: "James B. Comey" [redacted] >
Subject: RE: U.S. intel officials probe ties between Trump adviser and Kremlin

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Federal Bureau of Investigation

W [redacted] b7E

M [redacted]

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Sent: Friday, September 23, 2016 5:50 PM
To: Mccabe, Andrew G. (DO) (FBI) < [redacted] >; Rybicki, James E. (DO) (FBI) b7E
[redacted]
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Subject: FW: U.S. intel officials probe ties between Trump adviser and Kremlin

FYI

b7E

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Deputy Director

Federal Bureau of Investigation

W[redacted]

M[redacted]

https://www.yahoo.com/news/u-s-intel-officials-probe-ties-between-trump-adviser-and-kremlin-175046002.html?soc_src=social-sh&soc_trk=tw

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Thursday, September 29, 2016 11:15 AM
To:	James B. Comey
Subject:	FW: HJC Oversight Hearing Transcript
Attachments:	HJC FBI Oversight 9-28-16.docx

-----Original Message-----
From: [redacted] (DO) (FBI)
Sent: Thursday, September 29, 2016 11:03 AM
To: Rybicki, James E. (DO) (FBI) <[redacted]>
Cc: Kortan, Michael P. (DO) (FBI) <[redacted]>
Subject: FW: HJC Oversight Hearing Transcript

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b7E

Here's the complete transcript from OCA.

[redacted]

-----Original Message-----
From: Beers, Elizabeth R. (DO) (FBI)
Sent: Thursday, September 29, 2016 11:01 AM
To: [redacted] (DO) (FBI) <[redacted]>; [redacted] (DO) (FBI) <[redacted]>; Herring, Jason V. (CD) (FBI) <[redacted]>; Kortan, Michael P. (DO) (FBI) <[redacted]>
Cc: [redacted] (DO) (FBI) <[redacted]>; [redacted] (DO) (FBI) <[redacted]>; [redacted] (DO) (FBI) <[redacted]>; [redacted] (DO) (FBI) <[redacted]>; [redacted] (DO) (FBI) <[redacted]>; [redacted] (DO) (FBI) <[redacted]>
Subject: HJC Oversight Hearing Transcript

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Attached is the final transcript from yesterday's hearing

Beth Beers
FBI Office of Congressional Affairs
[redacted]

House Judiciary Committee Holds Hearing on FBI Oversight

GOODLATTE:

Good morning. The Judiciary Committee will come to order. Without objection, the chair is authorized to declare a recess of the committee at any time. We welcome everyone to this morning's hearing on oversight of the Federal Bureau of Investigation.

Before I begin this hearing, I want to take a few minutes to recognize the chief counsel of the Subcommittee on Crime, Terrorism, Homeland Security and Investigation, Caroline Lynch.

After 15 years working on Capitol Hill, Caroline has decided to move back to her home state of Arizona be close to her family and to pursue the next steps in her career. Needless to say, we are very sad to see Caroline go. During her time in Washington, D.C., Caroline worked for Representative John Shadegg both in his personal office and as chief counsel of the House Republican Policy Committee.

In 2006, Caroline came to work for the House Judiciary Committee and in 2008 she became chief counsel of the Judiciary Committee's Crime Subcommittee. At the committee, Caroline has had an enormous impact on the reform of our criminal and national security laws. Few people in Washington have done as much to promote the safety of our communities.

Caroline has overseen the drafting, negotiation and passage of critical legislation regarding the Foreign Intelligence Surveillance Act, the Electronic Communications Privacy Act and the most sweeping set of reforms to government surveillance practices in nearly 40 years, the USA Freedom Act among many other priority legislative initiatives.

Anyone who has met Caroline knows she is immensely intelligent, hard working, loyal and a discerning chief counsel. And of course, those people she has negotiated with have found her to be a skillful and formidable but fair advocate. Her team at the subcommittee know her to be a determined leader and a steadfast friend. I have appreciated Caroline's deep knowledge of criminal laws, the strength of her convictions and her courage to speak the truth in a place where it is rarely convenient to do so.

We wish Caroline well in her new endeavors and I thank her for her years of dedicated service to this committee, the U.S. House of Representatives and the American people.

(APPLAUSE)

And I know the ranking member, Mr. Conyers, would like to say a few words as well.

CONYERS:

Thank you very much, Chairman Goodlatte.

This is a -- indeed a unique moment in our history. And on behalf of the Democratic staff and Democratic members of the committee, I want to recognize Caroline Lynch for her hard work and her dedication for the past 10 years.

As chief crime counsel for the Republicans during this time, she worked collegiately with her Democratic colleagues on a broad range of criminal justice issues. The Crime Subcommittee is legislatively the

busiest subcommittee, to me, in all of Congress and every crime- related bill that has been enacted during her time here has had the benefit of her expertise.

There are many examples of this, but I will cite her role in helping members find common ground on Section 215 of the PATRIOT Act so that we could enact important reforms in the USA FREEDOM Act. This important law will both safeguard our national security and our civil liberties and it set a precedent for how we can proceed on such issues in the future. Her work on this legislation was essential to its ultimate success.

CONYERS:

We'll miss her insight on these issues as well as her friendship and her friendliness as she leaves the committee for other endeavors in her home state of Arizona. We wish you all the best.

(APPLAUSE)

GOODLATTE:

I think you would agree with me in saying that while her work is not quite done, today and the rest of the week, she has also been very critical to the bipartisan work that we have been doing here the past few years culminating in 11 bills so far passing out of this committee dealing with criminal justice reform and we thank you for the contribution you made for that.

And that work has been indeed very bipartisan and thank you all. We now welcome Director Comey to your fourth appearance before the House Judiciary Committee since your confirmation as the seventh director of the FBI. Needless to say, the past year since our last oversight hearing has been challenging for the FBI on a number of fronts that we hope to review with you today.

I want to begin by commending the men and women of the FBI and the NYPD and the New Jersey Police Department for their swift action in identifying and apprehending Ahmad Khan Rahami, who's cold and cowardly acts of terrorism last week injured 29 American citizens. This was the latest in a string of attacks stretching back to the 2013 Boston Marathon bombing and continuing through the terror attacks in San Bernardino, Orlando and Minneapolis.

They all share one common thread, namely radical Islam. This administration however, including the FBI, has coined this cancer with the euphemism of countering violent extremism. If the FBI and the rest of our national security apparatus continues its myopia about focusing on ethereal issues of extremism, their mission to protect the American people will always be one of following up on terrorism aftermath.

I look forward to hearing from you about how the FBI is working to proactively combat radical Islamic terrorism and put an end to this string of violence. While terrorism is a malignancy which must be purged, other events at home have called into question the confidence that Americans have historically held in a blind and impartial justice system. Former Secretary of State Hillary Clinton and the FBI's investigation into her seemingly criminal conduct is a case in point.

It seems clear that former Secretary of State Hillary Clinton committed multiple felonies involving the passing of classified information through her private e-mail server. The FBI however, declined to refer

the case for prosecution on some very questionable bases. This past Friday afternoon, the FBI released additional investigative documents from the Clinton investigation which demonstrate, among other things, that more than 100 of the e-mails on Secretary Clinton's private server contained classified information and that e-mails required to be preserved under federal law were in fact destroyed.

Even more alarming, we have recently learned that President Obama used a pseudonym to communicate with Secretary Clinton on her e-mail server. Why is this relevant? As Secretary Clinton's top aide, Huma Abedin acclaimed (ph), when informed by the FBI of the existence of an e-mail between her boss an the president, how is that not classified?

Armed with knowledge of the president's now known to be false claim that he only learned of Clinton's private e-mail account quote, "the same time everybody else learned it through news reports," did the FBI review why the president was also sending classified information over unsecure means. In effect, this president and the former secretary of state improperly transmitted communications through non-secure channels placing our nation's secrets in harm's way.

Secretary Clinton's decision to play fast and loose with our national security concerned not simply her daughter's wedding planning or yoga routine, but instead quoting you Director Comey quote, "seven e-mail chains concerned matters that were classified at the top secret special access program level when they were sent and received." Top secret special access programs contain some of the most sensitive secret information maintained by our government. This is a truly remarkable fact.

Were anyone of lesser notoriety than Hillary Clinton guilty of doing this, that person would already be in jail. For Americans unsure what a special access program, or SAP is, it is the kind of information that a war planner would use to defeat an enemy or even clandestined (ph) intelligence operation. The Wall Street Journal explained that a SAP usually refers to highly covert technology programs, often involving weaponry. Knowledge of these programs is usually restricted to small groups of people on a need-to-know basis.

For those wondering whether this kind of information on an unsecure server is a problem, you need read no further than the Huffington Post, which reported Hillary Clinton's private e-mail server, containing tens of thousands of messages from her tenure as Secretary of State was the subject of hacking attempts from China, South Korea and Germany after she stepped down in 2013. To conclude, let me ask everyone to engage in a thought experiment.

One of this nation's signature accomplishments in the war on terror was the raid on Abbottabad, Pakistan on May 2, 2011 that resulted in the killing of Osama bin Laden. That operation, which was conducted an elite team of U.S. Navy special operators was of course, highly classified. Now imagine if you will, that classified information relating to the raid was passed through a non-secure e- mail server and was accessed by nations or individuals hostile to the United States.

Rather than a highly successful covert operation, we might have had a team of dead U.S. servicemen. Hillary Clinton chose to send and receive top secret information over a personal, unsecure computer server housed in her various homes and once reportedly placed in a bathroom closet. These actions, without a doubt, opened these communications to hostile interception by our enemies and those who wish America harm.

These facts, and not the imagined history I have asked you to contemplate, were the basis of the investigation by the FBI and these are the facts that you, Director Comey, chose to hold unworthy of a recommendation to prosecute, saying that no reasonable prosecutor would bring such a case. We, as Congress and the American people, are troubled how such gross negligence is not punished and why there seems to be a different standard for the politically well connected, particularly if your name is Clinton.

Mr. Director, I look forward to your testimony today.

And at this time I'm pleased to recognize the ranking member of the committee, the gentleman from Michigan, Mr. Conyers, for his opening statement.

CONYERS:

Thank you, Chairman Goodlatte.

Welcome again, Director Comey, for your appearance here today.

The FBI's mission is a complex undertaking to protect the United States from terrorism, to enforce our criminal laws and to lead the nation's law enforcement community. That mission ought to mirror our own priorities in this committee. In the past few days for example, we have witnessed near fatal terrorist attacks in Minnesota, New York and New Jersey. These attacks underscore the growing fear that individuals can be moved to violence at home by the propaganda by ISIS and other terrorist groups abroad even though they have no direct connection to those organizations.

To me, this threat is dire. We should be doing all we can within our communities and within our constitutional framework to mitigate the danger. But will our majority here in the House use their time today to discuss these attacks? I suspect that they will not be in their focus in this campaign season. In Charlotte, in Tulsa, in Dallas, right here in Washington and in other cities across this country, our citizens demand answers to questions about race and policing and the use of lethal force by law enforcement.

Our police are under siege, often under-resourced and in some cases, hard pressed to build trust with the communities they serve. Director Comey, your continued work to foster lines of communication between police officers and the general public is commendable and necessary if we are to keep our citizens safe from harm. But will my colleagues discuss this pressing issue with the director of the FBI, for his leadership in the law enforcement community is paramount? I hope so.

I'm almost afraid their focus may be elsewhere. The FBI is the lead agency in the investigation of cyber-based terrorism. Computer intrusions. Online sexual exploitation and major cyber fraud. We've known for some years about the persistent cyber threat to our critical infrastructure. Now we hear reports of a new cyber threat to the very basis of our democratic process. Twice this summer, Director Comey, I wrote to you with my fellow ranking members to ask you to look into reports that Russian state actors are working to undermine our election process.

Without objection Mr. Chairman, I ask that both these letters be placed in the record.

GOODLATTE:

Without objection, they will be made a part of the record.

CONYERS:

Thank you. It is now the clear consensus of the intelligence community that the Russian government was behind the hack of the Democratic National Committee and not, as some suggested, somebody sitting on their bed that weights 400 pounds. Our -- on Friday we learned that from one report that the United States intelligence officials are seeking to determine whether an American businessman, identified by Donald Trump as one of his foreign policy advisers, has opened up private communications with senior Russian officials.

Including talks about the possible lifting of economic sanctions if the Republican nominee becomes president. The report cites to an unnamed quote, "senior U.S. law enforcement official," end quote, which I presume means someone in your orbit, Mr. Director. Without objection, I ask that this article, Mr. Chairman, be placed into the record as well.

GOODLATTE:

Without objection it will remain part of the record.

CONYERS:

Thank you. Let me be clear. If true, this allegation represents a danger to our national security and a clear violation of federal law, which expressly prohibits this type of back channel negotiation. And I'm not alone in describing the nature of this threat. Speaker Ryan himself has said that, "Russia is a global menace led by a devious thug, Putin should stay out of this election." end quotation

But will our majority join us in press you on this problem today, Director Comey? Instead I believe that the focus of this hearing will be more of the same, an attack on you and your team at the Department of Justice for declining to recommend criminal charges against Secretary Hillary Clinton.

In recent weeks, this line of attack has been remarkable only for its lack of substance. Your critics dwell in character assassination and procedural minutia like the proper scope of immunity agreements and your decision to protect the identities of individuals wholly unrelated to the investigation.

They want to investigate the investigation, Director Comey, and I consider that an unfortunate waste of this committee's time. With so many actual problems confronting this nation and so many of those challenges within your jurisdiction and ours, you would think my colleagues would set their priorities differently. I hope that they do and they listen to our conversation today. I thank the Chairman and I yield back.

GOODLATTE:

Thank you Mr. Conyers and without objection, all other member's opening statements will be made a part of the record. We welcome our distinguished witness and if you would please rise, I'll begin by swearing you in.

Do you solemnly swear that the testimony that you are about to give will be the truth, the whole truth and nothing but the truth, so help you God? Thank you, let the record reflect that the witness answered in the affirmative.

FBI Director James Comey is a graduate of the College of William and Mary and the University of Chicago Law School. Following law school, Director Comey served as an assistant United States attorney for both the Southern District of New York and the Eastern District of Virginia.

GOODLATTE:

He returned to New York to become the U.S. attorney for the Southern District of New York and in 2003, he served as the deputy attorney general at the Department of Justice.

Director Comey, we look forward to your testimony. Your written statement will be entered into the record in its entirety and we ask that you summarize your testimony in five minutes. You may begin. Welcome.

COMEY:

Thank you, Mr. Chairman, Mr. Conyers, members of the Judiciary Committee. It's good to be back before you, as the chairman said, for the fourth time. I have six more to go and I look forward to our conversations each time. I know that this morning there will be questions about the e-mail investigation and I'm happy to answer those to the absolute best of my ability.

In July when we closed this case, I promised unusual transparency and I think we've delivered on that promise in frankly an unprecedented way and I will do my absolute best to continue to be transparent in every way possible. But what I thought I would do, because I know we'll talk about that quite a bit, I want to just focus on some of the other things the FBI has been doing just in the last couple of weeks.

And my objective is to make clear to you and the American people the quality of the people who have chosen to do this with their lives, to do something that's not about money, that's not about the living, it's about the life that they make. And I just picked four different examples of things we've been working on to illustrate the quality of the folks, the scope of the work, which is extraordinary, and the importance of partnerships because it is true that the FBI does nothing alone.

So just to tick off four from four different parts of our organization, obviously as the chair and Mr. Conyers both mentioned, in the last couple of weeks, our folks in the New York area have been working in an extraordinary way with their partners at federal, state and local organizations of all kinds to bring to justice very quickly the bomber in New Jersey and New York attacks.

That work was done in a way, frankly, that would have been hard to imagine 15 years ago in a time of turf battles and worries about my jurisdiction, your jurisdiction, they should you how it should be done, how it must be done and I think we should all be very proud of them.

Second, within the last week, a hacker from Kosovo who worked for the so-called Islamic State, in hacking in and taking the identities and personal information of American military employees and then giving it to the Islamic State so they could target these people.

He was sentenced to 20 years in jail for that hacking, his name is Ardit Ferizi. Our great folks, together with lots of partners around the world, found this Kosovar in Malaysia and our Malaysian partners arrested him, brought him back to Virginia where he was just sentenced to 20 years for his hacking on behalf of the Islamic State. Terrific work by our cyber investigators and obviously as you know, we are doing an awful lot of work through our counter-intelligence investigators to understand just what mischief is Russia up to in connection with our election.

That is work that goes on all day every day, about which I'm limited in terms of answering questions but I wanted you to note that's a part of our work we don't talk about an awful lot but it's at the core of the FBI.

And the last one I want to mention is, two weeks ago a six year old girl was kidnapped off her front lawn in Eastern North Carolina in a stranger kidnapping. And all of law enforcement in North Carolina surged on that case, we rolled out Child Abduction Rapid Deployment Team, which is a capability we built around the country to help in just these kinds of situations.

These are agents and analysts who are expert at doing what has to be done in that golden 24 hours you have to try and save a child. And so we rolled those resources, we worked with our partners at state and local levels in North Carolina and overnight we found that little girl. We found that little girl chained by her neck to a tree in the woods alive, thank God, and she was rescued.

The picture that they showed that morning of that little girl with wide eyes and her long hair around her shoulders with still a thick chain around her neck connecting her to that tree is one I will never be able to get out of my own head because it's both terrible and wonderful. It's terrible because of what happened to this little girl, it's wonderful because together we found her and saved her. So I called the sheriff in North Carolina, I called our key team members who worked on that to thank them, and they told me that they were relieved and exhausted.

And that they are all hardened investigators but they stood that early morning in the command center and cried together because it almost never ends this way. So I said to the sheriff and our people, I wish we didn't live in a world where little girls were kidnapped off of their front lawns, where we had to do this kind of work but unfortunately we live in that world and because we do, I am so glad that those people and the rest of the people that work for the FBI are in that world. Because we are safer, we're better, because they have chosen to do this with their lives.

The best part of my job is the people I get to watch. To see their work, to admire their work, to support their work in any way that I can. They are doing extraordinary work for the American people across an incredible array of responsibilities. I know you know that and we're very grateful for the support you give to the men and women of the FBI and I look forward to our conversation about their work Mr. Chairman, thank you.

GOODLATTE:

Thank you Director Comey. We will now begin questioning under the five minute rule and I'll begin by recognizing myself.

You testified that the FBI did not investigate the voracity of Secretary Clinton's testimony to the Select Benghazi Committee under oath. We referred the matter to the United States attorney for the District of Columbia. Is the FBI now investigating the voracity of Secretary Clinton's testimony to the Select Benghazi Committee?

COMEY:

Thank you Mr. Chairman. The department has the referral, I think there were two referrals, has the referrals. Now it's pending and so there's -- I'm not going to comment on a pending matter at this point but the matter has been received by the Department of Justice. They have the letters from the committee.

GOODLATTE:

And you cannot tell us whether or not you are indeed investigating?

COMEY:

I can't.

GOODLATTE:

When do you expect that you'll be able to tell us more about this pending matter before the FBI?

COMEY:

I don't know, sir.

GOODLATTE:

Paul Combetta with Platte River Networks posted to Reddit asking, "how to strip out a VIP's very VIP e-mail address from a bunch of archived e-mail," end quote. He went on, quote, "the issue is that these e-mails involve the private e-mail address of someone you'd recognize and we're trying to replace it with a place folder address as to not expose it," end quote. This clearly demonstrates actions taken to destroy evidence by those operating Secretary Clinton's private server and by her staff.

Certainly Combetta did not take it upon himself to destroy evidence but had been instructed to do so by Secretary Clinton or her staff. My first question to you is was the FBI aware of this Reddit post prior to offering Mr. Combetta immunity on May 3, 2016?

COMEY:

I'm not sure. I know that our team looked at it, I don't know whether they knew about it before then or not.

GOODLATTE:

Isn't this information evidence of obstruction of justice and a violation of Mr. Combetta's immunity deal?

COMEY:

Not necessarily, no.

GOODLATTE:

Why not?

COMEY:

It depends on what his intention was, why he wanted to do and I think our team concluded that what he was trying to do was when they produced e-mails, not have the actual address, but have some name or placeholder instead of the actual dot-com address in the "from" line.

GOODLATTE:

Last week the American people learned that Cheryl Mills, Secretary Clinton's long-time confidant and former State Department chief of staff, and Heather Samuelson, counsel to Secretary Clinton in the State Department, were granted immunity for production of their laptops.

Why were they not targets of the FBI's criminal investigation?

COMEY:

Well target is someone on whom you have sufficient evidence to indict. A subject is someone who's conduct at some point during the investigation falls within the scope of the investigation. So certainly with respect to Ms. Mills, at least initially, because she was an e-mail correspondent, she was a subject of the investigation.

GOODLATTE:

Did the FBI find classified information on either of their computers?

COMEY:

I think there were some e-mails still on the computer that were recovered that were classified, is my recollection.

GOODLATTE:

Is that a crime?

COMEY:

Is what a crime sir?

GOODLATTE:

Having classified information on computers that are outside of the server system of the Department of State unsecured?

COMEY:

No, it's certainly something, without knowing more you couldn't conclude whether it was a crime. You'd have to know what were the circumstances, what was the intention around that? But it's certainly something, it's the reason we conducted a year long investigation to understand where e-mails had gone on an unclassified system that contained classified information.

GOODLATTE:

And what did you determine with regard to the e-mails found on her computer?

COMEY:

I hope I'm getting this right and my troops will correct me if I'm wrong, but they were duplicates of e-mails that had been produced because the e-mails had been used to sort before our production.

GOODLATTE:

Now both Cheryl Mills and Heather Samuelson were granted immunity for production of these computers, these laptops. Why were they then allowed to sit in on the interview with Secretary Clinton?

COMEY:

Might be -- the Department of Justice reached a letter agreement with the two lawyers to give them what's called act of production immunity, meaning nothing that's found on there -- the laptop they turn over -- will be used against them directly and which is a fairly normal tool in investigations.

They were -- Ms. Mills in particular was a member of the -- Secretary Clinton's legal team and so Secretary Clinton decides which of her lawyers come to voluntary interviews with the FBI.

GOODLATTE:

Is it usual to allow a witness or potential witness in a subsequent prosecution had one been undertaken to be present in the room when the FBI interviews another witness and potential target of an investigation?

COMEY:

The FBI has no ability to exclude or include any lawyer that a subject being interviewed chooses to have there.

GOODLATTE:

Even if the lawyer is a witness in the case? Can you cite any other instance in which a witness to a criminal investigation who has already been interviewed by the FBI has been allowed to accompany and server as legal counsel to the target of that investigation?

COMEY:

I can't from personal experience. It wouldn't surprise me if it happened. The Department of Justice -- excuse me, the FBI has no ability to decide who comes to an interview in a voluntary interview context. If it was a judicial proceeding, a judge could police who could be there. Obviously lawyers are governed by canons of ethics to decide what matters they can be involved in but it doesn't fall to us to say you can be in, you can't be in.

GOODLATTE:

But wouldn't you agree that it is a conflict of interest for them to serve as attorney for Secretary Clinton in this matter having been interviewed by the FBI as witnesses?

COMEY:

That's a question a lawyer has to answer for him or herself.

GOODLATTE:

You're a lawyer, Director Comey. What's your opinion of that?

COMEY:

Oh, I don't want to offer an opinion on that but that's something a lawyer has to decide for themselves. I assume with counsel and consulting our canons of ethics what matters you can be involved in and what you can't. But again, the bureau's role in conducting a voluntary interview is to interview the subject. Who they bring is up to them.

GOODLATTE:

How can you trust the voracity of Secretary Clinton's answers knowing that witnesses previously interviewed by the FBI were allowed to participate in the interview?

COMEY:

We assessed the answers based on what's said and all the other evidence we've gathered. It...

GOODLATTE:

Consultation with her quote, "attorneys who are also witnesses to what was previously done early and may have in fact themselves violated the law for which they requested and were granted immunity."

COMEY:

The answer's the same. We make the assessment based on what the witness says and the other evidence we've gathered in the case. Who's sitting there, to me, is not particularly germane.

GOODLATTE:

Thank you. My time has expired. The chair recognizes the gentleman from Michigan, Mr. Conyers for his questions.

CONYERS:

Thank you. Thank you so much. Director James Comey, twice this past week, the city of Charlotte, North Carolina has been shaken by the shooting deaths of black men. It's only one city out of many in this country looking for answers about the use of force by police. We on this committee are looking for answers too. You are a vocal advocate for better collection of information about violent encounters between police and civilian.

Has the FBI's ability to collect this information improved in the years since we have last discussed it and why are these statistics so important to our current discussion on the use of force by police?

COMEY:

Thank you Mr. Conyers. We're having passionate, important conversations in this country about police of use force in connection with encounters with civilians especially with African Americans. All of those conversations are uninformed today.

They're all driven by anecdote because as a country we simply don't have the information to know, do we have an epidemic of violence directed by law enforcement against black folks, do we have an epidemic involving brown folks, white folks, we just don't know.

And in the absence of that data, we're driven entirely by anecdote and that's a very bad place to be. I don't know whether there's an epidemic of violence. My instincts tell me there isn't but I don't know. I can't tell you whether shootings involving people of any different color are up or down or sideways and nor can anybody else in this country.

And so to discuss the money important things that are going on in this country, we need information and the government should collect it -- I can't think of something that's more inherently governmental than the need to use deadly force in an encounter during law enforcement work.

And so what's changed in the last year, which is really good news, is that everybody in leadership in law enforcement of the United States has agreed with this, and they've agreed the FBI will build and maintain a database where we collect important information about all such encounters involving the use of deadly force.

That will allow us to know what's going on this country so we can have a thoughtful conversation and resist being ruled by individual anecdotes. That's why it matters so much.

We're making progress. We will have this done, I'd like to have it done in the next year. Certainly in the next two years, this database will be up and running because everybody gets why it matters so much.

CONYERS:

Thank you. On August 30th, I wrote to you regarding Donald Trump's extensive connections to the Russian government. The letter cites to a number of troubling reports, some that suggest mere conflicts of interests, others that might suggest evidence of a crime.

Last Friday, we read a new report suggesting that Mr. Trump's foreign policy advisor has been meeting with high ranking sanctioned officials in Moscow to discuss lifting economic sanctions.

If Mr. Donald Trump becomes president, the same report quotes -- quote, "a senior United States law enforcement official who says that this relationship is being quote "actively monitored and investigated" end quotation.

Is the FBI investigating the activities of Mr. Trump or any advisor to the Trump campaign with respect to any line of communication between the campaign and the Russian government?

COMEY:

I can't say sir. As I said in response to a different question from the Chairman, we don't confirm or deny investigation.

CONYERS:

Well, more generally then, is it lawful for a private citizen to enter into official government negotiations with a foreign nation?

COMEY:

I don't think it's appropriate for me to answer that hypothetical.

CONYERS:

Well, in my view our research shows that it is not. The Logan Act 18 USC section 953 prohibits this conduct in my view. And finally, does Mr. Trump currently receive intelligence briefings from the FBI?

COMEY:

Both candidates and their running mates are offered on a regular basis briefings from the entire intelligence community. Some portion of the first briefing included an FBI segment, so yes.

CONYERS:

Does his staff attend those meetings as well?

COMEY:

No, just the candidate and the vice presidential candidate.

CONYERS:

And finally, if a member of either...

COMEY:

OK, no I'm wrong. I'm sorry, I've got to correct what I said. Each was allowed to bring two people and as I recall, Mr. Trump did bring two individuals with clearances to the briefing. Secretary Clinton did not. I'm sorry, I misstated that.

CONYERS:

All right. Finally, if a member of either campaign were engaged in secret back channel communications with a foreign adversary, could that line of communication pose a threat to national security?

COMEY:

Mr. Conyers, I don't think it's appropriate given that I'm not commenting on whether we have an investigation to answer hypotheticals that might make it look like I'm commenting on whether we have an investigation so I'd prefer not to answer that sir.

CONYERS:

Well, thank you for being here today and I thank the Chairman and yield back.

GOODLATTE:

The chair thanks the gentleman and recognizes the gentleman from Wisconsin, Mr. Sensenbrenner for five minutes.

SENSENBRENNER:

Thank you Mr. Chairman. Director Comey welcome.

Who authorized granting Cheryl Mills immunity?

COMEY:

I'm sorry?

SENSENBRENNER:

Who authorized granting Cheryl Mills immunity?

COMEY:

It's a decision made by the Department of Justice. I don't know at what level inside. In our investigations, the -- anything -- any kind of immunity comes from the prosecutors not the investigations.

SENSENBRENNER:

OK. Did she request immunity?

COMEY:

I don't know for sure what the negotiations involved. I believe her lawyer asked for act of production immunity with respect to the production of her laptop. That's my understanding but again the FBI wasn't part of those conversations.

SENSENBRENNER:

Now, its been a matter of public record that Secretary Clinton brought nine people into the room where two FBI agents were questioning her. Is that normal practice?

COMEY:

No, there is no normal practice. I've been in -- done interviews with a big crowd and some with just the subject. It's unusual to have that large a number but it's not unprecedented in my experience.

SENSENBRENNER:

Now, Cheryl Mills you know, also stated that she was an attorney.

I'm very concerned that when a fact witness represents a client who might be the target of an investigation, there's a conflict of interest and rather than letting Ms. Mills make a determination, would the FBI be willing to refer the matter of fact witness, Ms. Mills in this case representing a target, Secretary Clinton in this case, to the appropriate bar association for investigation?

COMEY:

That's not a role for the FBI. We're investigating -- even though I happen to be a lawyer, we're not lawyers, we're investigators. So that's a question for the legal part of the Department of Justice.

SENSENBRENNER:

OK, why did Ms. Mills request immunity? Was she hiding something or was she afraid that something would incriminate her that was on her laptop?

COMEY:

I don't know. That's a -- I'm sure that's a conversation she and her lawyer had and then her lawyer had with lawyers at the department. I just don't know.

SENSENBRENNER:

Well, there was an op-ed by Professor Jonathan Turley that appeared in the media that said that there are a lot of good cases scuttled by granting immunity and there was lots of immunity that was granted here.

Doesn't it concern you as an investigator that your chiefs in the Justice Department decided to become an immunity producing machine for many people who would have been very key witnesses should there have been a prosecution?

COMEY:

I don't think of it that way. Doesn't strike me there was a lot of immunity issued in this case. I know it's a complicated subject but there's all different kinds of immunity. There's probably three different kinds that featured in this case. Fairly typical in a complex white collar case especially as you try and work your way up towards your subject. So my overall reaction is, this looks like ordinary investigative process to me.

SENSENBRENNER:

Well, the target was not an ordinary target. I think we all know that and since you announced that there would be no prosecution of Secretary Clinton in July, there have been several very materially issues that are troubling and would this not require a re- opening of the investigation to sole those issues?

COMEY:

I haven't seen anything that would come near to that kind of situation. I know there's lot's of questions, lot's of controversy, I'm very proud of the way this was done.

SENSENBRENNER:

Well, you know -- come on now, with all due respect, since you made this announcement there have been many more issues that came out that were not on the table prior to your announcement that the investigation against Secretary Clinton had been dropped and I think the American public is entitled to answers on this particularly since we have to know the extent of the classified information which ended up being on the private e-mail server.

All of us on this committee have got security clearances of some kind or another and I'm kind of worried that if I got some classified information and went back to my office and used an unsecured server to send it to somebody who may also have had classified information, I would be in big trouble. And I should be in big trouble if I did something like that.

SENSENBRENNER:

There seems to be different strokes for different folks on this and that's what Americans are concerned about, particularly when we're looking to elect someone to the highest office of the land and the leader of the free world. I don't think your answers are satisfactory at all, Mr. Comey. I do have a great deal of respect for you but I think that there's a heavy hand coming from some place else and with that I yield back.

GOODLATTE:

The chair thanks the gentleman and recognizes the gentleman from New York, Mr. Nadler for five minutes.

NADLER:

Thank you Mr. Chairman. First let me express my admiration and thanks to the FBI for their professional manner and excellent work they did in the bombings that occurred in New York about a block out of my district to apprehend this suspect within what, 48 hours and do everything was a very good indication of team work and professionalism and I congratulate on that.

Secondly, let me say that I think that the mud that is being thrown from the other side of this table here continually only because of the ongoing presidential elections in a case in which the FBI decided there was nothing to prosecute, it's over and we all know nobody would even be talking about it if Hillary Clinton weren't the presidential candidate. This is pure political maneuvering.

But let me talk about a case that may pose a current national security threat to the United States and ask you a few questions about that. In his earlier remarks, Mr. Conyers referenced an August 30th letter from the ranking members of a number of House committees.

That letter asked whether the FBI was investigating troubling connections between Trump campaign officials and Russian interests and whether they contributed to the illegal hacking of the Democratic National Committee and the Democratic National Campaign Committee. You're familiar with that letter, I think?

COMEY:

Yes, I'm familiar with the letter.

NADLER:

If I could ask you a few questions. The letter said this and I quote, "on August 8th, 2016, Roger Stone, a Donald Trump confidant revealed that he has communicated with WikiLeaks founder, Julian Assange about the upcoming release of additional illegally hacked Democratic documents. Mr. Stone made this statements during a Republican campaign event while answering a question about a potential October surprise.

Obviously if someone stating publicly that he's in direct communication with the organization that obtained these illegally hacked documents, I assume the FBI would want to talk to that person. Has the FBI interviewed Roger Stone about his communications with Julian Assange for his knowledge of how WikiLeaks got these illegally obtained documents?

COMEY:

I can't comment on that.

NADLER:

Mr. Stone stated that he has knowledge about upcoming leaks of additional illegally hacked documents. Has the FBI asked him about those communications?

COMEY:

I also can't comment on that.

NADLER:

Because it's an ongoing investigation?

COMEY:

I don't want to confirm whether there is or is not an investigation. That's why -- that's the way I answered Mr. Conyer's questions as well.

NADLER:

Director Comey, the FBI acknowledged in private -- in public statements and testimony that it was -- acknowledged that it was investigating Secretary Clinton's use of a private e-mail server and that was while the investigation was still ongoing. Now you can't comment on whether there's an investigation. Is there a different for Secretary Clinton and Donald Trump? If not, what is the consistent standard?

COMEY:

No, our standard is we do not confirm or deny the existence of investigations. There's an exception for that when there is a need for public to be reassured, when it's obvious, it's apparent given our activities, public activities that the investigation is ongoing but our overwhelming rule is we do not comment except in certain exceptional circumstances.

NADLER:

I know, aren't there exceptional circumstances when close officials to a candidate of a major political party for the United States says publicly that he's in communication with foreign officials and anticipates further illegal activity?

COMEY:

I don't think so.

NADLER:

Mr. Trump's campaign chairman, Paul Manafort resigned after failing to disclose his role in assisting a pro-Russian party in Ukraine. The Associated Press reported, and I quote, "Donald Trump's campaign chairman helped a pro-Russian party in Ukraine secretly route $2.2 million in payments to two primary Washington lobbying firms in 2012 and did so in a way that affectively obscured the foreign political party's efforts to influence U.S. policy.

Has the FBI interviewed Mr. Manafort about his failure to disclose his work for this foreign government as federal law requires?

COMEY:

I have to give you the same answer Mr. Nadler.

NADLER:

Has the FBI interviewed Rick Gates, who reported that he still works for the Trump campaign about his involvement in this thing (ph)?

COMEY:

Same answer sir.

NADLER:

Director Comey, after you investigated Secretary Clinton, you made a decision to explain publicly who you interviewed and why. You also disclosed documents including those from those interviews. Why shouldn't the American people have the same level of information about your investigation with those associated with Mr. Trump?

COMEY:

I'm not confirmed that we're investigating people associated with Mr. Trump. In the matter of the e-mail investigation, it was our judgment, my judgment and the rest of the FBI's judgment that those were exceptional circumstances where the public needed...

NADLER:

OK my final question is the following, you investigated Secretary Clinton's e-mails and so-forth, everything we've been talking about. You concluded, I believe quite properly, that there was nothing to prosecute and you announced, in my opinion quite properly, that you had investigated it and there was nothing there, there was nothing to prosecute. That was proper.

But having announced that a prosecutorial agency announced that we've investigated so and so and we've decided to prosecute because, or we've investigated so and so and we've decided not to prosecute because.

Why is it appropriate for that prosecutorial agency to go further and say, even though we decided not to prosecute, we still think this person did this, that or the other thing and it was proper, improper, why is it proper for a prosecutorial agency to characterize your opinion of the propriety of the actions of someone who you have announced that you have decided there's nothing criminal and shouldn't be prosecuted?

COMEY:

It's a very hard decision, that's why it's the exception to the rule. It -- you do risk damaging someone who isn't convicted. The judgment I made in this case is given the unusual, in fact I hope unprecedented, nature of this investigation that it was appropriate to offer that transparency. Not an easy call, I really wrestled with it but I think I'm balancing...

NADLER:

Let me just say before my time expires that I think, and I'm just talking to myself, that that was highly inappropriate. That having determined that there was nothing to prosecute and having announced that quite properly, the prosecuting agency, the Department of Justice to comment with comments that will be looked upon as authoritative.

That what she did was right or wrong or good or bad is not the appropriate role of a prosecuting agency and risks, not in this case perhaps, but risks -- and I talk really now because of the future, I don't want to see that happen again.

With regard to anybody because it puts anybody, who did not commit a crime, who you have -- you or the Justice Department, whoever's determined, did not commit a crime and there's no evidence that's sufficient to prosecute isn't at the mercy of the opinion of an individual or individuals within the prosecuting agency and that's just not right under our system. I yield back.

GOODLATTE:

Time of the gentleman has expired. The chair recognizes the gentleman from Texas, Mr. Smith for five minutes.

SMITH:

Thank you Mr. Chairman. Director Comey thank you for those examples of the FBI's good work in your opening statement. I think we all appreciate what the FBI has done. My first question is this, would you re-open the Clinton investigation if you discovered new information that was both relevant and substantial?

COMEY:

It's hard for me to answer in the abstract. We would certainly look at any new and substantial information.

SMITH:

In general, and less impartializing (ph), in general if you discovered new information that was substantial and relevant, you would re-open an investigation, would you not?

COMEY:

Again, even in general, I don't think we can answer that in the abstract. What we can say is if any investigation of people have new and substantial information, we'd like to see it so we can make an evaluation.

SMITH:

OK, let me give you some examples and mention several new developments that I think have occurred and ask you if you have become aware of them. The first example is what the chairman mentioned a while ago.

An employee at a company that managed Former Secretary Clinton's private e-mail server said quote, "I need to strip out ABIP's (ph), bury BIP e-mail address from a bunch of archived e-mails. Basically they don't want the BIP's e-mail address exposed to anyone." I assume you're aware of that?

COMEY:

I'm aware of that.

SMITH:

OK, the same employee called a new retention policy designed to delete e-mails after 60 days a quote, "Hillary cover-up operation," and you saw that did you not?

COMEY:

Say the last, I'm sorry Mr. Smith, I couldn't hear the last...

SMITH:

Same employee called a new retention policy designed to delete e-mails after 60 days a Hillary cover-up operation. You saw that?

COMEY:

I don't know that particular language.

SMITH:

Oh, OK. We'll get you the source but you can take my word for it that that's what he said.

COMEY:

I will.

SMITH:

Another examples, a former Clinton Foundation employee who also managed the Clinton server destroyed devices used by Former Secretary Clinton by smashing them with a hammer. You're aware of that?

COMEY:

Yes.

SMITH:

OK. Two employees of the company that managed Former Secretary Clinton's server recently plead the fifth amendment to Congress to avoid self-incrimination. You're aware of that?

COMEY:

Yes.

SMITH:

OK, and then lastly, 15,000 more work related e-mails were discovered though there had been an attempt to wrongly delete them. And you're aware of that?

COMEY:

I think we discovered them.

SMITH:

Right. To me, Director Comey, what I cited are not the actions of innocent people. There is a distinct possibility that Mrs. Clinton or her staff directed others to destroy evidence in a government investigation which of course is against the law. So I would urge you to re-open your investigation. Do you want to comment on that?

COMEY:

I don't.

SMITH:

OK. I know you can't tell us whether you have or have not, but I believe I have given evidence of new information that is relevant and substantial that would justify re-opening the investigation. My next question is this, I know you have granted immunity to a number of individuals but if you had new information that is relevant and substantial, you would be able to investigate them further wouldn't you?

COMEY:

Not to quibble, the FBI doesn't grant immunity to anybody, the Department of Justice is able to grant very different kinds of immunity. Yes (ph) an immunity -- if new and substantial evidence develops either that a witness lied under a grant of use immunity or under any kind of immunity, of course the Department of Justice can pursue it.

SMITH:

OK.

COMEY:

Nobody gets lifetime immunity.

SMITH:

Right, OK. Thank you Director Comey. Last question is, as chairman of the Science Committee, I issued the FBI a subpoena on September 19th, 2016. The due date for a response was two days ago, September 26th. Your all (ph) staff has still not provided the requested information and documents.

Yesterday we pointed out to them that the Science Committee has jurisdiction over the National Institute of Standards and Technology, which sets standards for the Federal Information Security Modernization Act of 2014. I trust you intend to comply with the subpoena?

COMEY:

I intend to continue the conversations we've been having about the subpoena. As you know we've made a lot of documents available to at least six committees and the question of whether we should make additional -- to available to another committee is something that we're struggling with but talking to your folks about.

SMITH:

And to me there's no struggle if we have clear jurisdiction which we can demonstrate it, I think obligates you to comply with this subpoena.

COMEY:

Yes sir, we're not trying to be disrespectful. We're just not sure we see the jurisdictional issue the way that your folks do but we're continuing to talk about it.

SMITH:

OK, thank you Director Comey.

GOODLATTE (?):

The gentleman -- did the gentleman yield?

SMITH:

I'll yield to the gentleman from California.

ISSA:

Thank you, the chairman of full committee had asked something earlier and I just want to point out and ask to be placed in the record. According to the Maryland Code of Ethics, 19301.11, it specifically prohibits a former or current government officer and employee from acting as a counsel to someone that they represented in government. I'd like that to be placed in the record.

GOODLATTE:

Without objection, it will be made a part of the record.

ISSA:

In light of the fact that the Maryland Bar has this prohibition, would that have changed your view of allowing her in and saying you had no authority?

COMEY:

I'm not qualified nor am I going to answer questions about legal ethics in this forum. The FBI has no basis to exclude somebody from an interview who the subject of the interview says is on their legal team.

ISSA:

OK.

SMITH:

And thank you Director Comey, thank you Mr. Chairman. I yield back.

GOODLATTE:

The chair thanks the gentleman, recognizes the gentlewoman from California, Ms. Lofgren for five minutes.

LOFGREN:

Thank you Mr. Chairman and thank you Director Comey for once again appearing before this committee as you appear before so many committees here on the House. Sometimes I wonder how you get any work done at all that you are called up here so frequently. You know there's been a lot of focus on the private e-mail that Secretary Clinton used just as her predecessor Colin Powell used.

So far as I'm aware from the public comments, there's no forensic evidence that there was a breach of that service although theoretically you could intrude and not leave evidence. But there's been very little focus on the breach at the State Department e-mail system. Now its been reported in the press that this breach of the State Department e-mail system was one of the largest ever of a federal system and was accomplished by, according to the press, either China or Russia.

I'm wondering if you are able to give us any insight into whether it was in fact the Russians who hacked into the State Department e- mail system or whether that's still under investigation.

COMEY:

Not in this open forum I can't.

LOFGREN:

All right, I'm hoping that we can get some insight in an appropriate classified setting on that. Now we have watched with some concern, and I know you are also concerned, about the Russian intrusion into our election system.

The -- its been reported to us that the Russians hacked into the Democratic National Committee database. They also hacked into the Democratic Congressional Campaign Committee and it seems that they are making an effort to influence the outcome of this election.

We've been warned that the information stolen might not just be released but also be altered and forged and then released in an effort to impact the election here in the United States.

Yesterday there were press reports, and I don't know if they're accurate and I'm interested if you are able to tell us, that the Russians have also hacked the telephones of Democratic staffers and that there was a request for Democratic staffers to bring their cell phones into the FBI to have them mirrored. Can you tell us anything about that?

COMEY:

I can't at this point but I can say in response to the first part of your question, any hacking is something we take very seriously. Any hacking in connection with this nation's election system is something we take extraordinarily seriously.

The whole of government and so it is something the FBI is spending a lot of time on right now to try and understand, so what are they up to and what does it involve and what's the scope of it, to equip the president to decide upon the appropriate response. And so that's one of the reasons I have to be very careful about what I say about it. That work is ongoing.

I should make clear to folks, when we talk about our election system, there's been a lot of press reporting about attempts to intrude into voter registration databases. Those are connected to the internet, that's very different than the electoral mechanism in this country...

LOFGREN:

No I -- we have actually a hearing and I had the chance to talk to Alex Pedilla, who's the secretary of state in California. Number one they encrypt their database. Number two, even if you were to steal it, there's back ups that you couldn't steal so they can't really manipulate that but you could cause a lot of damage.

I mean you could create chaos on election day that would -- and you could target that chaos to areas where voters had a tendency to vote for one candidate over another in an attempt to influence the outcome.

So it's not a benign situation certainly and one that we want to worry. I want to just quickly touch on a concern I have also on cyber on Rule 41 and how the FBI is interpreting that. I'm concerned that the change as understood by the FBI would allow for one warrant for multiple computers but would include allowing the FBI to access victims' computers in order to clean them up.

The cyber security experts that I've been in touch with have raised very strong concerns about that provision, especially using malware's own signaling system to disable the malware.

The cyber experts who have talked to me and expressed concern believe that that ultimately could actually trigger attacks and so I'm wondering if you have any comments on how the FBI intends to use Rule 41 vis a vis malware on victims' computers.

GOODLATTE:

Thank you, the time of the gentlewoman has expired. The witness will be permitted to answer the question.

COMEY:

Thank you Mr. Chairman. I'm not an expert but one of the challenges we face especially in dealing with these huge criminal bot- nets, which have harvested and connected lots of innocent people's computer is, how do we execute a search warrant to try and figure out where the bad guys are and get them away from those innocent people and the challenge that we've been facing is to go to every single jurisdiction and get a warrant would take literally years.

And so we're trying to figure out, can we use Rule 41 to have one judge issue that order and give us that authority?

LOFGREN:

But -- Mr. Chairman, I know my time is expired, I'd just like to close my expressing the hope that the FBI might seek the guidance of some of the computer experts at our national labs on this very question of triggering malware attacks and I yield back.

GOODLATTE:

The point is well taken. The chair recognizes the gentleman from Ohio, Mr. Chabot for five minutes.

CHABOT:

Thank you Mr. Chairman. Director Comey, Chairman Goodlatte in his introduction of you mentioned that you're a graduate of the College of William and Mary and as you may well know, I'm a graduate of William and Mary as well.

Anyway, you may remember that our alma mater is very proud of something called the honor code. And I checked out the wording of the honor code to make sure that I was correct on it and I'll tell you exactly what it says.

It says, "as a member of the William and Mary community, I pledge on my honor not to lie, cheat or steal either in my academic or my personal life." Well, one of the people who's behavior you investigated, Hillary Clinton, didn't have the good fortune to attend the College of William and Mary but

she did attend Wellesley and I wondered whether they had an honor code and I found out, I looked it up, they do and they did.

And here's what it says, "as a Wellesley college student, I will act with honesty, integrity and respect. In making this commitment, I am accountable to the community and dedicate myself to a life of honor." Let me repeat part of that again, "I will act with honesty."

Now, I'm sure the young women attending Wellesley today, and those that have attended it in the past, are proud that one of their own could be the next president of the United States.

But a majority of the American people have come to the conclusion that Hillary Clinton is not honest and cannot be trusted, it's about two to one who say that she's dishonest.

In the latest Quinnipiac Poll for example, the question being, would you say that Hillary Clinton is honest or not, 65 percent said no and only 32 percent said yes, she is honest. Republican and Democrats not surprisingly were overwhelmingly one way or another, but Independents, 80 percent of them said no, she's not honest and only 19 percent of them said she is.

So, Director Comey, since you and your people were the ones who investigated Hillary Clinton's e-mail scandal, I'd just like to ask a couple of questions. First, Hillary Clinton claimed over and over that none of the e-mails that she sent contained classified information. Was she truthful when she said that?

COMEY:

As I said when I testified in July, there were -- I'm forgetting now, two, two and a half months, the exact number but there were 80 or so e-mails that contained classified information.

CHABOT:

OK, so she said they didn't contain classified information and they did so that sounds like not being truthful. Not trying to put words into your mouth but I think that's what that means. Hillary Clinton then came up with a fall-back position saying, well, none of the e-mails I sent were marked classified but that wasn't true either, was it?

COMEY:

There were three, as I recall, three e-mails that were within the body of the text portion marking that indicated they were classified confidential.

CHABOT:

And again, not putting words in your mouth but I think that means that no, she didn't tell the truth in that particular instance. Hillary Clinton said she decided to use a personal e-mail server system for convenience and that she had only had to carry around one Blackberry. Was she being truthful when she said she just used one device?

COMEY:

She used during her tenure as secretary of state, multiple devices, not at the same time but sequentially.

CHABOT:

OK again I'm going to take that as she said one and it was more. So therefore, not honest. And in fact, some of the devices were destroyed with a hammer as its already been mentioned. Is that the type of behavior that you would expect from someone who is being fully cooperative with an investigation, destroying devices containing potential evidence with hammer?

COMEY:

Well, we uncovered no evidence that devices were destroyed during the pendency of our investigation and so why people destroyed devices when there's no investigation is a question I'm not able to answer.

CHABOT:

OK, thank you and Mr. Director, a little less than two months Hillary Clinton, in talking about her e-mails, claimed that you said and I quote, "that my answers were truthful." PolitiFact by the way gave this claim a pants on fire rating. Did you say that she was telling the truth with respect to her e-mail claims?

COMEY:

I did not. I never say that about anybody. Our business is never to decide whether someone, whether we believe someone, our business is always to decide what evidence do we have that would convince us not to believe that person. It's an odd way to look at the world but it's how investigators look at the world.

CHABOT:

Thank you. Director Comey, it must have been, and I'm almost out of time, it must have been very awkward for you.

You're tasked with investigating a person who could be the next president of the United States and the current president of the United States has already pre-judged the case and telegraphed to you and the entire Justice Department that he, your boss, has come to the conclusion that there is not even smidgen of corruption.

His own words, before you've even completed your investigation. You were aware that he'd said that, weren't you?

COMEY:

Yes I saw those, they were reported in the press.

CHABOT:

OK and finally it just seems to me here that there was clearly a double standard going on, by for example, if anybody else had done this like a soldier or a serviceman who did virtually the same thing, they would've been prosecuted and were, but not Hillary Clinton. And that's a double standard and that's not the way it's supposed to work in America and I'm out of time, I yield back.

COMEY:

I disagree with that characterization but...

GOODLATTE:

The gentleman is permitted to respond.

COMEY:

I don't think so. I actually if I -- if we were to recommend she be prosecuted, that would be a double standard because Mary and Joe at the FBI or some other place, if they did this, would not be prosecuted. They'd be disciplined, they'd be in big trouble. In the FBI if you did this, you would not be prosecuted, that wouldn't be fair. OK.

GOODLATTE:

The time of the gentleman has expired, the chair recognizes the gentlewoman from Texas, Ms. Jackson Lee for five minutes.

JACKSON LEE:

Chairman thank you so very much. Many Americans have come to trust Hillary Clinton as a dedicated, committed public servant but I believe it's important as we address these questions, let me make one or two points. My colleagues have already made it and I look forward maybe to coming back to Washington to dealing with the potential Russian intrusion on the election system.

I'm not asking you Director at this time, and also the issue of connecting the dots as we deal with terrorism across America.

But I do want to acknowledge Eric Williams (ph), an outstanding detailee (ph) to this Judiciary Committee, thank him for his service and I want to thank the sack (ph) in Houston, Mr. Turner for helping us in the shooting that occurred in Houston as you well know that gave us a great deal of fear and scare just a couple of days ago.

But Director Comey, my Republican colleagues have questioned, second guessed and attacked you and your team of career FBI agents.

They disagree with the results of your investigation, they want you to prosecute or to ask the DOJ to prosecute Secretary Clinton regardless of the facts. So they've engaged in an almost daily ritual of holding hearings definitely trying to tear down the investigation and your recommendation.

I believe you testified previously that your recommendation in that case was unanimous and your investigation was carried out by what you called an all star team of career agents and prosecutors. Is that right?

COMEY:

Yes, these were some of our very best. And sometimes because I'm lucky enough to be the person who represents the FBI, people think it's my conclusion. Sure it's my conclusion but I'm reporting what the team thought and their supervisors and their supervisors. As I said, this was, as painful as it is for people sometimes, this was not a close call.

JACKSON LEE:

Let me continue. You have written that the case itself was not a cliffhanger. Is that right?

COMEY:

Correct, correct.

JACKSON LEE:

Recently Republicans have attacked the decision to provide limited immunity to individuals during the investigation.

For example, when Congressman Chaffetz learned about this he stated and I quote, "no wonder they couldn't prosecute a case, they were handing out immunity deals like candy." I understand that the FBI does not make the final call on immunity agreements, that was the DOJ, you made that clear.

So his statement was just wrong. But did you consult closely with DOJ before these immunity agreements were concluded by giving, by having facts?

COMEY:

Right, our job is to tell them what facts we'd like to get access to. The prosecutor's job is to figure out how to do that and so they negotiate, I think there were five limited immunity agreements. There are different kinds that they negotiated.

JACKSON LEE:

Did you or anyone at the FBI ever object to these decisions to grant immunity, did you think they made sense?

COMEY:

No, it was fairly ordinary stuff.

JACKSON LEE:

Was the FBI or DOJ handing out immunity agreements like candy?

COMEY:

That's not how I saw it. I didn't see it.

JACKSON LEE:

Congressman Gowdy, a good friend, also objected to granting immunity to Brian Pagliano and Mr. Combetta at Platte River networks.

He quoted, these are the two people that FBI decides to give immunity to, Brian and the guy at Platte River -- if it happened, those are the two that you would want to prosecute so you're giving immunity to the trigger people and everybody goes free. Do you agree with this assessment? Did the FBI screw up here and let everyone go free because of these limited immunity deals?

COMEY:

No I don't think so. The goal in an investigation like this is to work up and if people have information that their lawyers are telling you that you're not going to get without some limited form of immunity and they're lowered down, you try to get that information to see if you can make a case against your subjects.

JACKSON LEE:

Congressman Gowdy also said this about the FBI and I quote, I've been underwhelmed by an agency that I once had tremendous respect for.

Let me just say sitting on this Judiciary Committee for many, many years, going through a number of investigations, I have never been proud of an agency that has always been there when vulnerable people are hurting and when there is a need for great work. But my question to you is, what is your response to that, Director Comey? Do you believe these criticisms are fair?

COMEY:

I think questions are fair. I think criticism is health and fair. I think reasonable people can disagree about whether I should have announced and how I should have done it. What's not fair is any implication the bureau acted in any way other than independently, competently and honestly here.

That's just not true. I knew this going to be controversial, I knew there'd be all kinds of rocks thrown but this organization and the people who did this are honest independent people.

We do not carry water for one side or the other. That's hard for people to see because so much of our country, we see things through sides. We are not on anybody's side. This was done exactly the way you would want it to be done. That said, questions are fair. Feedback is fair.

JACKSON LEE:

Absolutely but the foot soldiers, we use that term in the civil rights movement, your agents on the ground, you take issue with whether or not they were compromised or they were adhering to somebody's message. Is that what you're saying?

COMEY:

Absolutely. You can call us wrong but don't call us weasels. We are not weasels, we are honest people and we did this in that way. Whether your disagree or agree with the result, this was done the way you want it to be done.

JACKSON LEE:

You were able to learn that Mr. Pagliano and Mr. Combetta, you learned what they had to say and if anyone provided statements to the FBI had actually provided evidence that Secretary Clinton had committed a crime, would you then have recommended prosecution to the DOJ?

COMEY:

Oh yes, if the case was there, very aggressively.

JACKSON LEE:

You sure you wouldn't have been a little nervous about doing so, a little intimidated?

COMEY:

No, I really don't care.

JACKSON LEE:

You don't look like it, you're kind of tall and that's...

COMEY:

I have a 10 year term, that's the beauty of this -- while there's a lot of challenging things about this job, one of the great things is I have a certain amount of job security and so no, either way we would have done what the facts told us should be done.

JACKSON LEE:

So are you now second guessing your decision regarding Hillary Clinton?

COMEY:

No.

(CROSSTALK)

JACKSON LEE:

Mr. Chairman, I want to thank the director and ask my colleagues to give the respect that this agency in this instance deserves. Thank you so very much for your service, I yield back.

GOODLATTE:

The chair thanks the gentlewoman, recognizes the gentleman from California, Mr. Issa for five minutes.

ISSA:

Thank you Mr. Chairman. Director, I've got a lot of concerns but one of them refers to Reddit.

At the time that the Department of Justice at your behest or your involvement gave Paul Combetta immunity, did you do so knowing about all of the posts he had on Reddit and capturing all of those posts in correspondence where he was asking where to wipe or completely erase on behalf of a very, VVIP so to speak?

COMEY:

I'm not sure sitting here. My recollection isn't -- and I'll check this and fix it if I'm wrong, that we had some awareness of the Reddit post. I don't know whether our folks had read them all or not. We had a pretty good understanding of what we thought he had done but that's my best recollection.

ISSA:

OK in the last week, en masse he's been deleting them from Reddit post. Is that consistent with preserving evidence? And I said that because there's still an ongoing interest by Congress and only in spite of Reddit's own senior, what they call flack team, trying to hide it only because a few people caught it, do we even know about and is this and other committees interested in getting the backups that may exist on these deletions.

I guess my question to you is, is he destroying evidence relevant to Congressional inquiries? And I'll answer it for you, yes he is and what are you going to do about it?

COMEY:

That's not something I can comment on.

ISSA:

Let me go into something that concerns this body in a very specific way. As a former chairman issuing subpoenas, I issued a subpoena and additionally I issued preserved letters in addition to that. Now Chairman Chaffetz issued whatever effectively preserved letters.

Some of them were directly to Hillary Rodham Clinton while she was still secretary. Others, the subpoena in the 2013 was to Secretary Kerry. These individuals destroyed documents pursuant, or took it out of federal custody, pursuant to our subpoena and our discovery.

As a result, they committed crimes. My question to you is, when I was a chairman and I wanted to grant immunity to somebody, I had to notice the Department of Justice and you were consulted, isn't that correct?

COMEY:

In a particular matter?

ISSA:

In any matter.

COMEY:

I don't know whether the FBI is consulted in that circumstance.

ISSA:

OK, for the record yes, the Department of Justice does not grant immunity without checking with federal law enforcement to see whether it will impact any ongoing investigation. That's the reason we have a requirement to give notice.

When the reverse was occurring, you were granting, handing out like candy according to some, immunity. Did you, or to your knowledge, Department of Justice confer with Chairman Goodlatte, Chairman Chaffetz, Chairman Smith or any of the other chairmen who had ongoing subpoenas and investigations?

COMEY:

Not to my knowledge.

ISSA:

So isn't there a double standard that when you granted immunity to these five individuals, you took them out of the reach of prosecution for crimes committed related to destruction of documents or withholding or other crimes pursuant to Congressional subpoenas?

COMEY:

I don't think anybody was given transactional immunity.

ISSA:

Oh really? Now we have not allowed to make your immunities public but I'm going to take the privilege of making one part of it public. I read them. You gave immunity from destruction to both of those attorneys, not just turning them, the documents over, specifically destruction. You did the same thing with these other two individuals, Brian and Paul Combetta. You gave them immunity from destruction.

COMEY:

Yes I don't think -- again, I could always be wrong but I don't have them in front of me...

ISSA:

Well, because you don't let us take them out of the skiff, it's a little hard for us too but the fact is when you read them...

(CROSSTALK)

COMEY:

... my answer -- I'm pretty sure that what was granted was use immunity. In the case of those two people coextensive with 18 USC 6001, which means no statement you make can be used against you directly or indirectly. Transactional immunity is sometimes given also by prosecutors, says you will not be prosecuted in any event for this set of facts. I don't think there was any transactional immunity.

ISSA:

Well, when I read for both of the attorneys that immunity was granted, it in both cases said destruction in addition to the turning over. Why was that -- why would you believe that was necessary or do you believe that would be necessary?

You wanted the document -- you wanted the physical evidence, why did you have to give them immunity from destruction of materials and because my time is expiring, when you look into it and hopefully get back to this committee, I'd like to know does that immunity apply only to destruction on the computers delivered so that other destructions by Cheryl Mills could still be prosecuted?

COMEY:

Yes, again my recollection is no transactional immunity was given. A protection of statements was given to the Combetta guy and Mr. Pagliano.

ISSA:

Thank you Mr. Chairman.

GOODLATTE:

The chair thanks the gentleman, recognizes the gentleman from Tennessee, Mr. Cohen.

ISSA:

Mr. Chairman. I would ask unanimous consent quickly that a group of documents be included and I'll summarize them. They're basically the letters and subpoenas that led up to the destruction of documents that were previously held for preservation. Additionally, the blog post from Reddit if those could all be placed in the record.

GOODLATTE:

Without objection, they will be a part of the record.

ISSA:

Thank you Mr. Chairman.

GOODLATTE:

Gentleman from Tennessee is recognized.

COHEN:

Thank you sir. Director Comey, would you consider the FBI's most important job presently fighting terrorism and threats to the homeland?

COMEY:

Yes, that's our top priority.

COHEN:

How much time do you think the FBI and you have spent responding to Congressional inquiries and on this particular e-mail investigation? Could you give me an idea how many man, months or years have been expended on responding to the different committees that have called you in time after time after time and repetitiously accused you of doing politics rather than being an FBI director.

COMEY:

I can't, I don't have any sense.

COHEN:

Could it be, would it be months of cumulative man hours or would it be years of cumulative man hours?

COMEY:

You know I don't know. A lot of folks have done a lot of work to try and provide the kind of transparency that we promised. Its been a lot by a lot of people. I just don't have a sense of the...

COHEN:

How many hours have you spent before Congress on this?

COMEY:

Testimony? Four hours and 40 minutes, without a bathroom break, I want a note for the record and whatever today is. Those would be the two main appearances. I was asked questions at Senate Homeland yesterday about this and then House Homeland in July I think. I'm guessing 10 hours or so.

COHEN:

And you prepared for this though and the 10 hours is just like the iceberg.

COMEY:

Oh, sure.

COHEN:

Could your time and the FBI's time better be used fighting terrorist threats here in America?

COMEY:

You know we're still doing it all so no one should think that we've taken a play off because we're also doing oversight. We do both.

COHEN:

In the case in New York where Mr. Rahami tried to detonate some bombs, did detonate a bomb, his father had accused him of being a terrorist at one time and he'd stabbed his brother and was in jail. Did the FBI interview him when he was in jail about his possible terrorist tendencies and his trips to Pakistan or Afghanistan?

COMEY:

I'll answer that -- I'm trying to be very circumspect in how I answer questions about the case because the guy's alive and is entitled to a fair trial and so I don't want to do anything that would allow him to argue he lost the ability to have a fair trial. The answer is we did not interview him when he was in jail in 2014.

COHEN:

Fourteen. And why would that be? You interviewed the father I believe, you might have talked to the brother, you might have talked to a friend. The best evidence was him. He's in jail, you didn't have to -- why did they not go and talk to him?

COMEY:

Yes, sitting here I don't want to answer that question yet. I've commissioned as I do in all of these cases a deep look back. We're trying to make the case now. We will go back very carefully, try to understand what decisions the agents made who investigated that and why and whether there is learning from that. So I don't want to answer it just now because I'd be speculating a bit.

COHEN:

Thank you sir. Some people have suggested you made a political calculation in your recommendation dealing with Secretary Clinton and the e-mails. Did you make a political calculation in your recommendation dealing with Secretary Clinton and the e-mails? Did you make a political calculation in coming to your ultimate decision?

COMEY:

None.

COHEN:

Some said that the -- on national television that Secretary Clinton's e-mails were destroyed after a direct implement (ph) Clinton campaign. You announced your decision, you stated publicly and I quote, "we found no evidence that Secretary Clinton's e-mails were intentionally deleted in efforts to conceal them." Is that not correct?

COMEY:

That's correct.

COHEN:

Others have said they lost confidence in the investigation and question the genuine effort in which it was carried out. Did the FBI make a genuine effort to carry out a thorough investigation?

COMEY:

Oh yes, very much.

COHEN:

And did you take some hits from the position you took when you announced your decision?

COMEY:

A few, yes.

COHEN:

Difficult.

COMEY:

Difficult but I just thought it was the right thing to do. I'm not loving this but I think it's important that I come and answer questions about it. As long as people have questions, I will try to answer them.

COHEN:

You're not loving this. Do you need a bathroom break?

COMEY:

No, no I'm good.

COHEN:

Setting a record?

COMEY:

I'll let you know at 4:40.

COHEN:

Thank you sir. And FBI billings (ph), we know what they shouldn't be named and you know my position on that and I hope you keep that well in mind. You're a credit to the FBI, you're a credit to government service and to your alma mater and I yield back the balance of my time.

GOODLATTE:

Chair thanks the gentleman and recognizes the gentleman from Iowa, Mr. King, for five minutes.

KING:

Thank you Mr. Chairman. I thank you Director for your testimony here before this committee. Again, listening in the exchange between yourself and Mr. Issa, I'd just like to confirm that you were confirming that Mr. Combetta made the Reddit posts?

COMEY:

No one (ph) confirming it. I think he did is my understanding but -- yes, that's my understanding. I think he did. I haven't dug into that myself. I've been focused on a lot of other stuff as we've talked about but I think that's right.

KING:

I certainly can accept that and I'd like to just go back to the interview with Hillary Clinton and how that all came about on that July 2nd date but first I'm looking at the dates of the conditional immunity documents that I've reviewed and I see that Mr. Pagliano had one dated December 22nd and another one dated December 28th.

Can you tell me what brought about that second agreement, why the first one wasn't adequate and if there was an interview with Mr. Pagliano in between those dates of December 22nd and 28th of 2015?

COMEY:

I think what it is and Mr. Gowdy and Mr. Marino will recognize this term, the first one is what we call a Queen For a Day Agreement, which was to govern an interview, so limited use immunity for an interview.

And I believe the second one is the agreement for use immunity in connection with the investigation. So it's sort of a try out for him to get interviewed for the prosecutors and investigators to poke at him and then the second one is the agreement they reached. I think that's right.

KING:

And so they said, if we're going to go any further we'll go off of the December 28th agreement. That'd be how I would understand that, your description.

COMEY:

I think they're both important to him and his lawyer but the first is an intermediate step to the second.

KING:

OK, thank you. Then were you aware of the president's statement on October 9th, 2015 when he has reported to -- and this what they reported on October 9th of 2015, that he said that Hillary Clinton would not have endangered national security?

COMEY:

Obviously, I don't know the dates but I remember public reporting on a -- on a statement like that.

KING:

And -- and the fall (ph) October -- and I'll state it as (inaudible) the report I have is October 9th. Then again on April 10th, 2016, it was reported that the president had said that Hillary Clinton was careless but not intentionally endangering national security.

Were you aware of that statement as well?

COMEY:

Yes.

KING:

And then I'd like it if you could characterize the interview sometime around, I believe, May 16th, it was reported that you said you intended to interview Hillary Clinton personally?

COMEY:

I never said that because I never intended that. I'm sure I didn't say that publicly.

KING:

Were you aware of the report that that was your public statement?

COMEY:

Yes. I think I read it and smiled about it. People imagine the FBI Director does things that the FBI -- doesn't do.

KING:

In fact, and I'm not disputing your answer, I've just simply, for the record, this is -- this is a record that is dated September 28th, 2016. "Buffalo News" (inaudible) your picture on it, and takes us back to -- that's when it was printed, excuse me -- takes us back to a document, May 16th, 2016, has a picture of you on the front of it, and I will ask to introduce it in the record.

It says, FBI director James Comey told reporters that he would personally interview Hillary Clinton, quote, "in coming days," close quote. And I would ask unanimous consent to introduce this article into the record.

GOODLATTE:

Without objection, it will be made a part of the record.

KING:

Thank you, Mr. Chairman. And -- and not as a matter, and I don't dispute your word on this, it's what the public expectation was hanging out there, is my real point. And then with that public expectation, I think the public was surprised to learn about who was or was not in that room.

Can you tell us who was in the -- who was in the room involved in either listening to or conducting the interview of Hillary Clinton on that date of July 2nd (ph), 2016?

COMEY:

I cannot tell you for sure. I can give you a general sense. The witness and her legal team and then on our side of the table, our agents, prosecutors from the Department of Justice, I don't know if (ph) any of our analysts were in there or not. But sort of our team, their team.

KING:

And how many of your team? How many FBI investigators?

COMEY:

I do not know for sure sitting here. I think we probably had 8 to 10 people on our side, prosecutors and agents. That is a noble fact. I just do not know it sitting here.

KING:

Prosecutors, did Loretta Lynch have her people in there?

COMEY:

If you mean Department of Justice lawyers, yes, sure.

KING:

So how many Department of Justice lawyers would have been there?

COMEY:

I do not know for sure. Again, I think it was probably about eight people, probably about four lawyers, about four from the FBI. But again, I could be wrong.

KING:

OK. I think I -- I think I got it (ph). So about around four investigators, around four potential prosecutors from the DOJ, a couple of attorneys for Hillary Clinton, Hillary Clinton herself. That would set the scene fairly closely?

COMEY:

I think the -- Secretary Clinton's team was bigger than that. I do not know the exact number.

KING:

OK. And then when you receive (ph) the counsel as to the recommendation you were to make to Loretta Lynch, I'm just going to just say -- go through this quickly. You did not review a videotape, an audiotape, or a transcript, so you would have had to rely upon the briefings from the people that were in the room who would have been your investigative team.

COMEY:

Yes, the agents -- the agents who conducted the interview, yes.

KING:

Uh-huh. And they were briefing off of notes that they had taken, which are now in the skiff, but (ph) redacted.

COMEY:

Right. They write them up in what is called an FBI 302 (ph).

KING:

And so Loretta Lynch had her people in the room and they would have had access to your investigators in the room and out of that came a piece of advice to you that she had already said she was going to hand that responsibility over to you as director of the FBI as to making the recommendation, which turned out to be the decision, on whether or not to indict Hillary Clinton.

GOODLATTE:

The time of the gentleman has expired. The director -- will answer the question.

COMEY:

I'm not sure I'm following entirely. There was no advice to me from the Attorney General or any -- any of the lawyers working for her. My team formulated a recommendation that was communicated to me and the FBI reached its conclusion as to what to do, uncoordinated from the Department of Justice.

KING:

Even though a justice was in the room with your investigators and I -- make that final comment and I yield back. Thank the Chairman.

GOODLATTE:

Chair thanks the gentleman. Recognize the gentleman from Georgia, Mr. Johnson, for five minutes.

JOHNSON:

Thank you, Mr. Chairman. Russian hacking into the databases of the Democratic National Committee and the Democratic Congressional Campaign Committee, as well as Russian hacks into the voter registration systems of Illinois (ph) and Arizona, serve as ominous warnings to the American people about the risks that our electoral processes face in this modern era.

Unfortunately, Trump Republicans in the House are as obsessed with Hillary Clinton's damn e-mails as Trump has been about President Obama's birth certificate. Just like the Donald closed his birth certificate investigation after five years of fruitless investigation, however, I predict that the Trump Republicans will at some point close this e-mail persecution.

The American people are sick of it. The attention of the American public is increasingly focused on the security of this nation's election infrastructure.

On Monday the ranking members of the House and Senate Intelligence Committees, Senator Dianne Feinstein and Congressman Adam Schiff, issued a joint statement setting forth the current status of this investigation.

It said this, and I quote, "Based on briefings we have received, we have concluded that the Russian intelligence agencies are making a serious and concerted effort to influence the U.S. election. They work closely with intelligence community individuals to be able to put that statement out to the American public."

Director Comey, I do not want to ask you about any classified information, but is their statement accurate?

COMEY:

I do not -- I cannot comment on that in this forum. As I said in my opening, we are investigating to try to understand exactly what mischief the Russians might be up to in connection with our political institutions and the election system, more broadly. But I do not want to comment on that at this point.

JOHNSON:

Free and fair elections are the linchpin of our society. A compromise or disruption of our election process is something that this Congress certainly should be looking into. Would you agree with that?

COMEY:

I cannot speak, sir, to what Congress should be looking into, but the -- the FBI is looking into this very, very hard for the reasons you say. We take this extraordinarily seriously.

JOHNSON:

Thank you. In June, the FBI's cyber division issued a flash alert to state officials warning that hackers were attempting to penetrate their election systems. The title of the flash alert was, and I quote -- quote, "targeting activity against State Board of Election systems," end quote.

JOHNSON:

The alert disclosed that the FBI is currently investigating cyber attacks against at least two states. Later in June, the FBI warned officials in Arizona about Russian assaults on their election system and hackers also attacked the election system in Illinois, where they were able to download the data of at least 200,000 or up to 200,000 voters.

In August, the Department of Homeland Security convened a conference call warning state election officials and offering to provide federal cyber security experts to help scan for vulnerabilities and yesterday it was announced that at least 18 states have already requested election cyber security help to defend their election systems.

Director Comey, since these flash alerts and warnings went out over this summer, I'd appreciate you letting us know whether or not there have been any additional attacks on state operations or databases since June.

COMEY:

There have been a variety of scanning activities, which is a preamble for potential intrusion activities as well as some attempted intrusions at voter registration databases beyond those we knew about in July and August. We are urging the states just to make sure that their deadbolts are thrown and their locks are on and to get the best information they can from DHS just to make sure their systems are secure.

And again, these are the voter registration systems. This is very different than the vote system in the United States which is very, very hard for someone to hack into because it's so clunky and dispersed. It's Mary and Fred putting a machine under the basketball hoop at the gym.

Those things are not connected to the internet but the voter registration systems are so we urge the states to make sure you have the most current information and your systems are tight because there's no doubt that some bad actors have been poking around.

JOHNSON:

All right and with that I will yield back the balance of my time and thank you sir.

GOODLATTE:

The chair recognizes the gentleman from Texas, Mr. Gohmert for five minutes.

GOHMERT:

Thank you Mr. Chairman and Director Comey thanks for being here. I was a bit astounded when you said the FBI is unable to control who a witness coming in voluntarily brings into an interview. I've seen a lot of FBI agents tell people who could come into an interview and who could not.

And in this case, and I'm sure you've heard some of the questions raised by smart lawyers around the country about providing immunity to people like Cheryl Mills in return for her presenting a laptop that you had every authority to get a subpoena.

And if you had brought a request for search warrant, based on what we now know, I would have had no problem signing that warrant so you could go get it anywhere you want. And in fact I've talked to former U.S. attorneys, AUSA's, who have said if an FBI agent came in and recommended that we give immunity to a witness to get her laptop that we could get with a subpoena or a warrant, then I would ask the FBI not to ever allow this agent on a case.

Can you explain succinctly why you chose to give immunity without a proffer of what was on the laptop, give immunity to Cheryl Mills while she was an important witness and you could have gotten her laptop with a warrant or a subpoena?

COMEY:

Sure, I'll give it my best shot. The immunity we're calling about here, and the details really matter that we're talking about, is Act of Production Immunity, which says, we want you to give us a thing. We won't use anything we find on that thing directly against you. Right, it's a fairly...

GOHMERT:

And I understand that and I understood that from reading the immunity deal and that's what's so shocking because she was working directly with Hillary Clinton and therefore it's expected since the evidence indicates she was pretty well copied on so many of the e-mails that Hillary Clinton was using that pretty much anything in there would've been usable against her. And you cleaned the slate before you ever knew.

Now, some of the immunities you gave, the last paragraph mentions a proffer. Was there a proffer of what the witness would say before the immunity deals were given to those that those immunities?

COMEY:

Can I answer first though your question about why I think it made sense to have active production immunity for Cheryl Mills' laptop?

GOHMERT:

I'd rather -- my time is so limited. Please.

COMEY:

OK, all right -- it's an important question and I think there's a reason why I answer it but I'll give it another time. The -- I think in at least one of the cases, and I'm mixing up the guys but with Mr. Combetta maybe also with Mr. Pagliano, no I got that reversed...

GOHMERT:

It's yes or no. Did you have a proffer from them as to what they would say before you gave them immunity?

COMEY:

I believe there was a proffer session governed by what I just referred to, is called a Queen for a Day Agreement, with at least one of them to try and understand what they would say but...

GOHMERT:

Because the deals that I have seen back 30 years ago before I went to the bench, the FBI would say, you in the DOJ, of course we know FBI can't give immunity, it has to come from DOJ just like it's not the FBI's job to say what a reasonable prosecutor should do or not do.

You give them the evidence and then you let them decide but a proffer is made saying this is what my client will say, then the DOJ decided based on that proffer, here's the plea we'll offer, here's the immunity we'll offer and if your client deviates from that proffer, the deal's off.

You got really nothing substantial. It's as if you went into the investigation determined to give immunity to people instead of getting a warrant. You gave immunity to people that you would need to make a case if a case were going to be made. And I know we have people across the aisle that are saying, well it's only because she's a presidential candidate.

It happens to be in my case, I wouldn't care whether she was a presidential candidate or not. What is important to maintaining a civilization with justice and fairness is a little righteousness where people are treated fairly across the board and it does not appear that in this case, it comports with anything that FBI agents with centuries of experience have told me, they'd never seen anything like this.

So one other thing, I know this happened before your watch, but under Director Mueller, Kim Jensen, who prepared 700 pages of training material for those who would go undercover and try to embed with Al- Qaeda.

It was wiped out because CAIR (ph) and some of the people that were unindicted co-conspirators named in your Holy Land Foundation trial, they said we don't like them. They do not allow agents to know what Kim Jensen put in that 700 pages that was so accurate, so good about Islam that we could embed people in Al-Qaeda and they wouldn't suspect them.

GOHMERT:

I would encourage you to start training your FBI agents so whether they're in San Bernardino, Orlando, New Jersey, wherever, they can talk to a radicalized Islamist and determine whether they're radicalized. Without Kim Jensen's typed (ph) material, you'll never be able to spot them again and we'll keep having people die. Thank you, my time's expired.

GOODLATTE:

The time of the gentleman has expired.

The director is permitted to respond if he chooses to do so.

COMEY:

I don't think I have anything at this point.

GOODLATTE:

The chair recognizes the gentlewoman from California, Ms. Chu, for five minutes.

CHU:

Thank you.

Director Comey, during this committee's oversight hearing last year, I asked you about the cases of Sherry Chen and Shao-jung Chi (ph), both U.S. citizens who were arrested by the FBI accused at different crimes related to economic espionage for China, only to have those charges dropped without explanation.

Since you last testified before the committee, both cases have been closed. Now, I know they may not be personally familiar with the individuals' cases or may not be inclined to comment on the facts of these cases to the committee today, however, would you be willing to provide a written explanation or possibly a summary of the investigations to clarify how and why the FBI handled the cases the way they did?

COMEY:

I don't want to commit to that sitting here. We would certainly consider what we can supply consistent with things like the Privacy Act. But we'll certainly consider it.

I'm familiar with the case. I remember our -- your questions about it last year. And so we'll take a look at what we can share with you. We can't obviously do it in an open forum in any event.

CHU:

I understand that, but I appreciate the consideration.

Now, I'd like to address a different topic. Director Comey, your agency recently introduced an online initiative aimed at promoting education and awareness about violent extremism called Don't be a Puppet. This program was designed to serve as a tool for teachers and students to prevent young people from being drawn toward violent extremism.

However, national education groups, faith groups and community organizations have raised serious concerns about the way in which the program presents the problem of violent extremism. Particularly troublesome is the website's charge that teachers and students should look for warning signs that a person may be on a slippery slope of violent extremism and to report activity that may -- may or may not be indicative of radicalization.

For instance, the website encourages students and teachers to report when others use unusual language or talk about traveling to suspicious places. The user of the website, however, is left to draw inferences about what constitutes a suspicious place or what language is unusual enough to be reported to a trusted authority.

For example, a trip to France or Germany, which hosts many far- right extremist groups, may not sound suspicious to many users, but a trip to Saudi Arabia or Iraq, home to various Muslim holy sites, possibly would.

So on August 9th, the American Federation of Teachers led a number of national groups in a letter written to you -- and Mr. Chair, I'd like to submit this for the record. And among the many concerns they raise is the potential for such initiatives to exacerbate the profiling and bullying of students of Middle Eastern background that -- that -- and what they -- over and above what they already experience.

So how do you respond to the concerns expressed by the American Federation of Teachers about the impact of the FBI's Don't be a Puppet program and the effect it may have on schools (ph) in immigrant communities?

COMEY:

Thank you for that. I'm glad they shared their feedback. Boy, I hope either before or after the feedback they go on and actually go through the Don't be a Puppet because I've done it. I honestly can't understand the concerns. It's a very common sense thing.

One of our big challenges is how -- if a kid starts to go sideways towards violence, the people closest to him are going to see something likely.

How do we get folks to a place where they're sensitized to make common sense judgments that this person may be headed in a very dangerous direction? It's never going to be perfect, but I actually think a lot of thought went into this, including faith groups, all kinds of civic groups to make sure we got something that was good common sense education for kids and for teachers.

And so I'm a -- I'm a little bit at a loss. Maybe we (ph) ought to meet with them, they can show me which parts of it they actually think are problematic. But I think it's a pretty darn good piece of work is my overall reaction.

CHU:

So -- so Director Comey, you've gone to the website and -- and looked at it. So what then would you consider to be a place that sounds suspicious or what would you consider to be an unusual language that somebody is speaking, so much so that a student should report them to the authorities?

COMEY:

I think what it says is speaking -- using unusual language not -- not -- not speaking Pesh (ph) to or French or German. I think it means speaking in an unusual way about things. And suspicious place -- Syria leaps to my mind.

If someone is talking to classmates about thinking about traveling to Syria, the classmates ought to be sensitized to that, the teacher ought to be sensitized to it so we can try and intervene with that kid before we have to lock them up for most of their life.

CHU:

But do you have evidence to show that this program is actually countering recruiting efforts by violent extremists?

COMEY:

I don't, but it sure makes a lot of sense to me. It seems like a common sense way to equip kids to resist the siren song that comes from radical Islamists or skinhead groups or hate groups of different kinds.

And so look, it's not -- I'm sure it's not perfect because nothing in life is. We'd welcome feedback, but the general idea makes a lot of sense to me.

CHU:

I yield back.

GOODLATTE:

The chair recognizes the gentleman from Ohio. Mr. Jordan, for five minutes.

JORDAN:

Thank you, Mr. Chairman.

Director, in your opening comments, you said this was an unusual case. I would say that's the understatement of the year.

Husband of the subject meets with the attorney general three days before Secretary Clinton is interviewed by the FBI. Nine people get to sit in with Secretary Clinton during that interview. One of those was her Chief of Staff Cheryl Mills, who was a subject of the investigation. Five people get some kind of immunity.

Five people get some kind of immunity, yet no one is prosecuted. Three of those people who get immunity take the Fifth in front of Congress and one of them doesn't even bother to show up when he's subpoenaed. Supposed to have been at that very chair you're sitting at.

And of course, the attorney general announces that she's going to follow your recommendations, even though she doesn't know what those recommendations are. The only time she's ever done that. So of course this was unusual. We've never seen anything like this.

Which sort of brings me to the post. I'd like to put up the post that some have talked about, which is the post by Mr. Combetta on Reddit. And you said earlier that you don't know if you examined this during your investigation, so let's examine it now. "I need to strip out a VIP's address from a bunch of archived e-mail. Basically, they do not want the VIP's e-mail address exposed to anyone."

Director, when I hear the term strip out e-mail address, I think somebody's trying to hide something, somebody's trying to cover up something. And this sort of raises an important question from these two sentences. Who's the they who wants something said hid? And who's the VIP who also wants something hid?

Director Comey, is it likely the VIP (inaudible) just the VIP, it's a very, very important person according to Mr. Combetta. Is it likely that person is Secretary Clinton?

COMEY:

Yes, sure.

JORDAN:

OK. And is it also likely that the "they" refers to her -- Secretary Clinton's staff and specifically Cheryl Mills?

COMEY:

I don't know that. Either her lawyers or some staff that had tasked him with the production.

JORDAN:

So one other thing that's important on that -- if we could put that back up. One other thing that's important is the date. The date at the top says July 24, 2014. So whenever I see a date -- I'm sure you do

the same thing -- I always look at what's happening about that same timeframe, what may have happened directly before that and maybe directly after that.

JORDAN:

So I went back to your reports that you guys had given to us. The first report back last month, August 18, 2016, page 15. On page 15 it says, during the summer of 2014, State Department indicated to Cheryl Mills a request for Clinton's work related e-mails would be forthcoming.

State Department gives Cheryl Mills a heads up that she's got to go round up all of Secretary Clinton's e-mail. On that same page, it says the House Select Committee on Benghazi had a recent agreement with the Statement regarding production of documents on July 23rd, 2014.

Just the day before, which I find kind of interesting. Then from your report that we got just last week, after reviewing several documents dated in and around July 23rd, 2014, Paul Combetta had a conversation with Cheryl Mills and after reviewing a July 24th, there's that date again, 2014 e-mail from Brian Pagliano, Paul Combetta explains, Cheryl Mills was concerns (ph), Clinton's then current e-mail address would be disclosed publicly.

So, sure looks to me like it's Secretary Clinton, as you said, but also that it's Cheryl Mills and Brian Pagliano who are urging Mr. Combetta to cover this stuff up. Do you agree?

COMEY:

With what you read it sure sounds like they're trying to figure out a way to strip out the actual e-mail address from what they produce.

JORDAN:

Well, they're actually trying to strip it all out, PSD file, everything. Here's the takeaway in my mind. Mills gets a heads up, Cheryl Mills gets a heads up in mid-summer of 2014.

July 23rd, the day before Mr. Combetta's Reddit post, the Benghazi Committee and the Senate Department reach an agreement on production of documents. Cheryl Mills has a conversation with Paul Combetta. He goes on Reddit then and tries to figure out how he can figure out how he can get rid of all this e-mail.

Even though he's not successful then, he has to do it later down the road with BleachBit, and then the clincher. The clincher, just last week, he's gone online and trying to delete these Reddit posts. He's trying to cover up his tracks, he's trying to cover up the cover- up. So I guess the question is, and someone's asked it earlier, in light of all this, are you thinking about re-opening the investigation?

COMEY:

I may have misunderstood what you said during the question. I don't understand that to be talking about deleting the e- mails. I understand it to be talking about removing from the from line, the actual e-mail address. And but anyhow, maybe I misunderstood you but...

JORDAN:

Well, this same guy later BleachBit, to Bleachbit, and did delete e-mails.

COMEY:

Sure, yes. That's...

JORDAN:

My question is, the guy you gave immunity to, the guy who took the fifth in front of us, is online trying to figure out how to remove e-mail addresses, change evidence, later uses BleachBit.

That guy, who won't testify in front of Congress, and he has correspondence with Cheryl Mills. Cheryl Mills, a subject of the investigation, Cheryl Mills who also got some kind of immunity agreement, Cheryl Mills who walked out for part of the questions during the interview with the FBI. Seems to me that's pretty compelling and the timeline's pretty compelling as well.

COMEY:

I'm not following compelling of what? There's no doubt that Combetta was involved in deleting e-mails.

JORDAN:

After conversations with Cheryl Mills.

COMEY:

He had the oh, S-H-I-T moment, as he told us, and that's why it was very important for us to interview this guy to find out who told you to do that, why did you do that, that's why he was giving you...

JORDAN:

Did you know about the Reddit post when you interviewed him?

COMEY:

As I said earlier, I think we did, I mean -- I think our investigators did. I'm not positive as I sit here.

JORDAN:

Mr. Chairman I -- I mean the guy is trying to cover up the Reddit post where he's trying to figure out how he can cover up the e-mail addresses and I find that compelling, particularly in light of the fact that just the day before he's talking with Cheryl Mills and the State Department is on notice that the Benghazi Committee wants these very documents.

JORDAN:

I find that compelling. Obviously, the FBI didn't, and this is just one more -- one more on that list of things that make this case highly unusual.

I yield back.

GOODLATTE:

The director is permitted to respond, if he chooses to do so.

COMEY:

No, I don't think so.

GOODLATTE:

The chair recognizes the gentleman from Florida, Mr. Deutch, for five minutes.

DEUTCH:

Thank you, Mr. Chairman.

Director Comey, the FBI is tasked with a very serious responsibilities. You're on the front lines trying to prevent terrorist attacks. You're investigating public corruption. And as I told your agents on a recent visit to your Miami field office, I'm grateful to you and your agents, all of the women and men of the FBI, for your dedication to and commitment to the pursuit of justice. We're most grateful.

Now, one critical responsibility of the FBI is to investigate when American citizens violate federal laws involving improper contacts with foreign governments.

Director Comey, if an American national goes outside government channels to negotiate with a foreign government on behalf of the United States, that's a very serious crime, one that would violate the Logan Act, which as you know, is the law the prohibits unauthorized people from negotiating with foreign governments in the place of the United States government.

Director Comey, would the FBI take allegations of Logan Act violations seriously? Is that within your jurisdiction?

COMEY:

Yes, it's within our jurisdiction.

DEUTCH:

And if you had credible evidence that someone had violated the Logan Act, would the FBI investigate that alleged violation of law?

COMEY:

I think we have done many Logan Act investigations over the years and we certainly will in the future.

DEUTCH:

And am I correct in assuming that you're familiar with publicly quoted comments from various intelligence sources that have said that Russia has targeted the United States with illegal state- directed hacking?

COMEY:

I'm aware of the published reports.

DEUTCH:

If an American citizen, Director Comey, conducted meetings with a Russian individual who has been sanctioned by the United States about potential weakening of U.S. sanctions policy, in violation of the Logan Act, would the FBI investigate?

COMEY:

I don't think it's appropriate to answer that. That gets too close to confirming or denying whether we have an investigation. It seems too close to real life. So I'm not going to commment.

DEUTCH:

OK. But there are -- you have investigated Logan Act violations? It's something that's clearly within your jurisdiction.

I appreciate, Director Comey, your confirming that the FBI would treat these potential violations of law both seriously and urgently. Because everything that I just outlined that you said the FBI would investigate, has apparently happened already.

Public reports suggest that the Logan Act may have been violated by Carter Page, one of the men Donald Trump singled out as a top foreign policy adviser, who now the campaign appears eager to revise Mr. Page's role, given the attention rightly being given to his illicit negotiations with a sanctioned Russian official.

I've read reports from Yahoo News from last week that law enforcement may already be looking into this issue and I assume we all agree that the allegations are very serious.

Russia, a nation that hacks America, a nation that continues to enable Assad -- the Assad regime to slaughter the Syrian people, a nation that threatens and violates the territorial integrity of its neighbors and our European allies -- it is a dangerous violation of federal law if Donald Trump's adviser, Carter Page, is engaging in freelance negotiations with Russia.

And here's what we know. In March, Donald Trump named Carter Page as a foreign policy adviser. In July, Mr. Page traveled to Moscow to give a speech that was harshly critical of the United States.

And during that trip, Mr. Page is reported to have also met with a Russian official named Igor Sechin, a member of Vladimir Putin's inner circle and the president of the petroleum company, Rosneft, who was sanctioned by the United States under executive order 13361 prohibiting him from traveling to the United States or conducting business with U.S. firms.

So, Mr. Sechin has a clear and personal interest in lifting U.S. sanctions against him and other top Russian officials put in place by President Obama after Russia's military action in Ukraine.

Now, if these two men met to discuss sanctions policy or lifting of sanctions under a potential Trump administration, this would be enormously concerning. Just last week, the press reported that U.S. intelligence officials are seeking to determine whether an American businessman identified by Donald Trump as one of his foreign policy advisers has opened up private communications with senior Russian officials, including talks about possible lifting of sanctions.

Mr. Comey, it is illegal if Trump's adviser met with Russians who have been sanctioned by the United States about lifting these sanctions. And I am grateful for your reassurances this morning that the FBI would investigate potential violations of the Logan Act by any individual who engages in unauthorized negotiations with a foreign government.

I remind my colleagues that Donald Trump invited Russia to hack the United States. I remind my colleagues that Donald Trump suggested breaking America's longstanding commitment to our NATO allies and weakening U.S. sanctions against Russia.

Is there a connection between these reckless and dangerous policy proposals and the potential violation of the Logan Act by Donald Trump's Russia adviser?

Mr. Comey, we appreciate very much the FBI's vigilance in pursuing justice.

Mr. Chairman, I yield back.

GOODLATTE:

The witness is permitted to respond if he chooses to do so.

The chair now recognizes the gentleman from Pennsylvania, Mr. Marino, for five minutes.

MARINO:

Thank you, Chairman.

Thank you, Director, for being here. I think we worked on a couple of cases together in our districts.

Would you clarify something for me on active production immunity? Does active production immunity go beyond the scenario that I'm going to state?

You ask for a computer from a witness. You give that witness act of production immunity that, in my interpretation, is that the agent who has that now in his or her hand, the witness is immune from the agent getting on the stand and saying that person -- this is that person's computer because they gave it to me.

Does it go beyond that? And -- or was there additional immunity for Ms. Mills stating that anything on that computer cannot be used against her?

COMEY:

As I recall it, Congressman, the act of production immunity for Ms. Mills was you give us this computer; we will not use -- "we" the Justice Department -- anything we find on the computer directly against you in connection with investigation or prosecution for mishandling of classified information.

I think that's how they defined it.

MARINO:

But that goes beyond act of production. Doesn't act of production simply state that I'm the agent; I can't get on the stand and say that belongs to that individual because they simply gave it to me. It sounds like more additional immunity was given that says "and what is on this we cannot hold against you."

COMEY:

I think of it as -- I still think of it as an act of production immunity. From my experience, that's what I would characterize that agreement. I guess you're right, there could be a more limited form of act of production immunity which simply says "your fact of giving us this object will not be used against you directly." I have to think through whether it can be parsed that way.

But I think I take your point.

MARINO:

So that's why I'm saying additional immunity was given. And I don't think it was warranted at that point.

Let me ask you this, we have both impaneled many grand juries, investigative grand juries. Why not impanel an investigative grand jury whereby you have reasonable suspicion that a crime may have been committed, and then you have the ability to get warrants, subpoenas, (inaudible) information, subpoena witnesses before the grand jury under oath.

And if they take the Fifth, if it's not the target, if they take the Fifth, they simply -- and say "I'm not going to talk to you," you can give them, whether it's use immunity, the A.G. can give them that, and you had that authority, and then transactional has to come from the judge.

And if they refuse to testify then, then you can say, fine, we're going to take you before a judge, hold you in contempt, and then you're going to sit in jail until you answer our questions.

Wouldn't that have been much simpler and more effective than the way this has gone about? I know that I've done it many, many times. And sometimes we find a situation where there isn't enough evidence, and most of the time we find there is enough evidence.

COMEY:

It's a reasonable question. The -- and I don't want to talk about grand jury in connection with this case or...

(CROSSTALK)

MARINO:

That's why I posed it the way I did.

COMEY:

Right. From our training, we know we're never supposed to talk about grand jury publicly.

MARINO:

Yes.

COMEY:

But I can answer more generally than that. Anytime you're talking about the prospect of subpoenaing a computer from a lawyer, it involves the lawyer's practice of law, you know you're getting into a big magilla.

MARINO:

Please let me interrupt here.

COMEY:

Sure.

MARINO:

I understand that clearly. Why did you not decide to go to an investigative grand jury? It would have been cleaner. It would have been much simpler. And you would have had more authority to make these witnesses testify -- not the target, but the witnesses testify.

That seems the way to go, Director. We've done it thousands of times. This just was too convoluted.

COMEY:

Again, I need to steer clear of talking about grand jury use in a particular matter. In general, in my experience, you can often do things faster with informal agreements, especially when you're interacting with lawyers.

In this particular investigation, the investigative team really wanted to get access to the laptops that were used to sort these e- mails. Those are lawyers' laptops. That is a very complicated thing. I think they were able to navigate it pretty well to get us access.

MARINO:

The media says that Mrs. Clinton repeated -- the media says -- 41 times that "I do not recall" or "I do not remember" or variations of that. Is that a fact?

COMEY:

I don't know. I have not counted. I have read the 302, obviously.

MARINO:

Wouldn't that have been taken into consideration?

COMEY:

I'm sorry?

MARINO:

Wouldn't that selective memory be taken into consideration?

COMEY:

Sure. The nature and quality of a subject's memory is always a factor.

MARINO:

My time is expired. Thank you, sir.

GOODLATTE:

The chair recognizes the gentlewoman from Washington state, Ms. Delbene, for five minutes.

DELBENE:

Thank you, Mr. Chair.

And thank you, Director Comey, for spending all this time with us today.

In 2010, the White House set up the vulnerabilities equities process, the VEP, and implemented it in 2014. So if you give the government a process for determining whether, how, and when to disclose vulnerabilities to technology companies so that they would be able to address those vulnerabilities and patch them.

And in a couple of situations, I know there was disclosure from the FBI. In April of this year, the FBI informed Apple of a security flaw in older versions of IOS and OS-10 -- its first vulnerability to Apple under the vulnerability equities process.

DELBENE:

In May of this year, the FBI Cyber Division warned the private sector about a fake USB device charger that can log the keystrokes of certain wireless keyboards. And that was 15 months after the FBI discovered the vulnerability.

In the warning, the FBI stated quote, "If placed strategically in an office or other location where individuals might use wireless devices, a malicious cyber actor could potentially harvest personally identifiable information, intellectual property, trade secrets, passwords or other sensitive information," end quote.

Other instances of the FBI using the VIP are scarce and indeed, there have been reports that it's rare for the FBI to use this process. And so I wanted to you know, ask you why this is and what's your view of the process?

COMEY:

Thank you for that question. The process seems to me to be a reasonable process to -- to in a structured fashion, bring everybody who might have an optic on this in the government together to talk about how do we think about disclosing a particular vulnerability to the private sector as against the equities that may be at stake in terms of national security, in particular.

So I think it makes sense to have such a process. The FBI participants in it -- when we come across a vulnerability that we know the vulnerability and it falls within the VIP's jurisdiction. I don't know the particulars of the case (ph) you said there was a 15 month delay in disclosing a particular vulnerability.

I don't know enough to react to that probably wouldn't react in an open forum in any event. But that's my overall reaction.

DELBENE:

And does every vulnerability discovered go through this process in terms of understanding whether or not you would disclose?

COMEY:

I think there's a definition of what falls under the process. You have to know the vulnerability so we have to have knowledge so what is it that allows it, the vulnerability to be exploited.

We didn't for example, in the San Bernardino case. We bought access but we didn't know the vulnerability, what was behind it. But I forget the definitions I sit (ph) here of which vulnerabilities have to be considered.

DELBENE:

And so is there another process that you might use that's different from the VEP or when you're looking at vulnerabilities and whether or not they...

COMEY:

For the VIP, I know our folks would routinely have made a disclosure to private entities. But I don't think there's a -- I don't know of a process outside of VIP.

DELBENE:

And so that -- but you're not sure if in every situation, the VIP is used whenever you discover a vulnerability?

COMEY:

Sounds like a circular answer but if it's a -- and obviously, I didn't read the VIP before coming here today. I -- we can get smart on it very quickly and have somebody talk to you about it.

But if it falls under the definition of things that have to be discussed at the VIP of course we do. I just can't remember what that definition is, exactly.

DELBENE:

OK I'm trying to understand if a vulnerability is discovered, if there's always a standard process that you would go through to understand whether or not that's -- that information would be disclosed and if that process is the VIP, that's the.

COMEY:

Yeah that's a great question, I don't know the answer to that whether there's a set of vulnerabilities that would fall outside of the VEP process. And if that's the case, how do we deal with it I -- I don't know sitting here.

DELBENE:

Thanks, if you have other feedback on that I'd appreciate that another time. In August, you said that stakeholders needed to take some time to collect information on the going dark issue and come back afterward to have an adult conversation.

And I agree with you and so I wondered if you had agreed that there's room for us to work together on ways to help law enforcement that don't include mandating a back door.

COMEY:

Totally. I keep reading that I'm an advocate of back doors, I wanna mend these back doors -- I am not. I have never advocated we have to have back doors. We have to figure out how we can solve this problem together and it has to be everybody who cares about it coming together to talk about it.

I don't know exactly what the answer is, frankly. I can see the problem which I think is my job is to tell people the tools you're counting on us to use to keep you safe. You're (ph) less and less effective, that's a big problem.

But what to do and how to do it is -- is a really complicated thing and I think everybody has to participate.

DELBENE:

Thank you. Thank you so much for that.

And I yield back, Mr. Chair.

GOODLATTE:

Chair thanks the gentlewoman.

Recognize the gentleman from South Carolina, Mr. Gowdy for five minutes.

GOWDY:

Well, thank you Mr. Chairman.

I wanna start by acknowledging progress, I think it's important that we do so. This morning, we've had nine straight Democrats talk to the FBI about e-mails without asking for immunity. That's a record.

And I suspect the reason that they have not asked for immunity from Director Comey is they would say they've done nothing wrong. I find that interesting because that's exactly what Heather Samuels said and Cheryl Mills attorneys said.

In fact, they said it just a few days ago and I'll -- I'll quote it, "The FBI considered my clients to be witnesses and nothing more." And then Ms. Mills and Ms. Samuels's attorney said this, I think this is the most interesting part, "The Justice Department assured us, my clients, that nothing wrong."

Well, Mr. Chairman if you're assuring subjects or targets or witnesses whatever you wanna call them that they've done nothing wrong, it does begs to the question, what are you seeking and receiving immunity from? I mean if you've done nothing wrong -- laptops don't go to the Bureau of Prisoners, Mr. Chairman, people do.

So the immunity was not for the laptop. The immunity was for Cheryl Mills. And if the Department of Justice says you've done nothing wrong, it does beg the question of why you are seeking or receiving immunity.

And it could be, Mr. Chairman, for a couple of different -- it could be for the classified information that was the -- the genesis of the investigation. It would be for the destruction of federal records which came from that initial investigation.

Or it could be both. Mr. Comey, I wanna -- I wanna ask you this. Did the bureau interview everyone who originated an e-mail that ultimately went to Secretary Clinton that contained classified information?

COMEY:

I don't think so, nearly everyone but not everyone.

GOWDY:

Well, you and I had a discussion the last time about intent. You and I see the statute differently. My opinion doesn't matter. Yours does, you're the head of the bureau.

But -- but in my judgment, you read an element into the statute that does not appear on the face of the statute. And then we had a discussion about intent. So why would you not interview the originator of the e-mail to number one, determine whether or not that originator had a conversation with the secretary herself?

COMEY:

We're a handful of people who we -- that the team decided it wasn't a smart use of resources to track down. One was a civilian in Japan as I recall who had forwarded something that somehow got classified as it went up.

And the other were a group of low level State Department people deployed around the world who had written things that ended up being classified. Nearly everyone was interviewed, but there was a small group that the team decided it isn't worth the resources.

GOWDY:

Well, to that extent, if you interviewed the overwhelming majority of the originators of the e-mail, will you make those 302s available to Congress because I counted this morning, 30-something 302s that we do not have.

COMEY:

OK I'll go back and check. My goal is maximum transparency consistent with our obligations under the law. I'll check on that.

GOWDY:

Well, I -- and I'll appreciate it for this reason, intent is awfully hard to prove. Very rarely do defendants announce ahead of time I intend to commit this crime, on this date, go ahead and check and code section, I'm gonna do it. That rarely happens.

So you have to prove it by circumstantial evidence, such as whether or not the person intended to set up an e-mail system outside the State Department, such as whether or not the person knew or should've known that his or her job involved handling classified information.

Whether or not the person was truthful about the use of multiple devices, whether or not the person knew that a frequent e-mailer to her had been hacked and whether she took any remedial steps after being put on notice that you're e-mail or someone who's been e-mailing with you prolifically had been hacked.

And whether or not -- and I think you would agree with this, director -- false exculpatory statements are gold in a court room. I would rather have a false exculpatory statement than a confession.

I would rather have someone lie about something and it be provable that that is a lie, such as that I neither sent nor received classified information. Such as, that I turned over all of my work- related e-mails.

All of that to me goes to the issue of intent. So I got two more questions then I'm gonna be out of time. For those who may have to prosecute these cases in the future, what would she have had to do to warrant your recommendation of a prosecution?

If all of that was not enough, because all of that's what she did. If all of that's not enough, then surely you cannot be arguing that you have to have an intent to harm the United States to be subject in this prosecution.

I mean that -- that's treason. That's not a violation of the statute.

COMEY:

No I think we'd have to be able to prove beyond a reasonable doubt a general awareness of the -- of the unlawfulness of your conduct. You knew you were doing something you shouldn't do.

And then, obviously that's the -- on the space (ph) of the statute itself, then you need to consider so who else has been prosecuted and what circumstances because it's all about prosecutorial judgment. But those two things would be the key -- key questions.

Can you prove that the person knew they were doing something they shouldn't do, a general criminal intent, general mens rea?

GOWDY:

But the -- but the way to prove...

(CROSSTALK)

COMEY:

...treated other people similarly?

GOWDY:

The way to prove that is whether or not someone took steps to conceal or destroy what they've done. That is the best evidence you have. That they knew it was wrong. That they lied about it.

COMEY:

It's awful -- it's very good evidence, always wanna look at that the subject said about their conduct.

GOWDY:

Well, and there's a lot, there's a lot. If you saw her initial press conference, it all falls under the heading of false exculpatory statement.

I'm out of time, Mr. Chairman.

But the director -- you started off by giving us examples of things the bureau has done. And -- and everyone of us who's worked with the FBI, that is -- that is the FBI that I know, the one that went and saved that girl in North Carolina. That is the FBI that I know.

What concerns me director, is when you have five immunity agreements and no prosecution. When you are allowing witnesses who happen to be lawyers, to happen to be targets, to sit in on an interview; that is not the FBI that I used to work with.

So I've been really careful to not criticize you, in fact I said it again this morning. They wanted to know was he gotten to (ph), did somebody corrupt him? No I just disagree with you. But it's really important to me that the FBI be respected.

And you -- you gotta help us understand because it looks to be like some things were done differently that I don't recall being done back when I used to work with them.

And with that, I will yield back to the chairman.

COMEY:

Can I respond to that?

GOODLATTE:

Yes you may.

COMEY:

I hope some day when this political craze is over, you will look back on this. Because this is the FBI you know and love. This was done by pros in the right way. That's the part I have no patience for.

Sorry, sir.

GOODLATTE:

The chair recognizes the gentleman from Rhode Island Mr. Cicilline for five minutes.

CICILLINE:

Thank you, Mr. Chairman.

And thank you Director Comey for your extraordinary service to our country and please convey to the professionals at the FBI my gratitude for their exemplary service to the people of this country.

And particularly, I want to acknowledge the extraordinary prompt and effective response to the recent bombings in New Jersey and New York.

It's just another example of this extraordinary agency and your extraordinary leadership. Director Comey, many of us have expressed a concern about the growing incidence of gun violence in this country.

We expressed condolences and concern following the recent mass shootings in Burlington, Washington where five people lost their lives. We shared the same sentiments after incidents in Aurora and Newton and Charleston but as more Americans lose their lives to senseless gun violence, this Congress has been absolutely silent and inactive on this issue.

So I'd like to really turn to you and your career in public service and both as U.S. attorney and now as the FBI director, with so much experience in dealing with the consequences of gun violence and ask you to kind of share with us what you think might be some things Congress could do to help reduce gun violence in this country?

I know -- if I recall correctly in 2013 during confirmation hearings, you at least alluded to your support for universal background checks, bans on illegal trafficking of guns, assault weapons and high capacity magazines. So I'm wondering what you think would be effective for us to do to help reduce the incidence of gun violence in this country.

COMEY:

Thank you Congressman. And you're exactly right, we do spend a lot of time thinking, investigating and mourning the deaths in mass shootings. I think it's really important though the bureau not be in the policy business and be in the enforcement business. And so I'm going to respectfully avoid your question honestly, because I think we should not be in the place of -- we should be a factual input to you, we should not be suggesting particular laws with respect to guns or anything else.

CICILLINE:

So let me ask you Director about a very specific enforcement challenge. I introduced a piece of legislation called the Unlawful Gun Buyer Alert Act to get at this issue of a default (ph) process. This is where people buy a gun, they purchase a gun but they are not permitted to buy one under law but the three day time period has elapsed and between 2010 and 2014, 15,729 sales to prohibited persons occurred.

That means people who are not lawfully permitted to buy a gun got a gun 15,000 times. So my legislation would require that when that happens that local enforcement is notified. They can then make a decision, should we go prosecute this person who's now in possession of a gun illegally, should we execute a search warrant but they would at least be put on notice.

In your community, a person who should not have a gun bought one, so they can take some action. Would that make sense in terms of your enforcement responsibilities?

COMEY:

It might. I know ATF is notified in those circumstances.

CICILLINE:

Which of course is a very different set of priorities for ATF. Do they go and actually execute a warrant and charge somebody? But there are state and local prohibitions on that, that could be acted upon. So would it also make sense to notify local law enforcement?

COMEY:

It might. I'd want to think through and ask ATF how do they think through the de-confliction issues that might arise there but it's a reasonable thing to look at.

CICILLINE:

The second -- my next question, Director, is there has been a recent discussion about implementing stop and frisk in cities to address crime even at the national level.

And although the data shows that this disproportionately targets people of color, and just to give you some context, in 2011 when stop and frisk activity reached an all-time high in New York City, police stopped 685,000 people. Fifty-three percent of those individuals were black, 34 percent were Latino and nine percent were White.

More than half were aged 14 to 24 years old and of the 685,000 people that were stopped and frisked, 88 percent were neither arrested nor received any sort of citation. Do you believe this stop and frisk policy is an effective tactic to address crime in our nation's cities?

What would a federal implementation look like that Mr. Trump has called for and how can Congress minimize racial profiling and discriminatory ineffective techniques like stop and frisk and instead promote activities that build trust and confidence between the police and the community?

COMEY:

I don't know what a federal program would look like because we're not in the policing business. We're investigative agencies at the federal level. But the Terry stop, the stop and frisk is not a term we use in the federal system, the Terry stop, which is the stop of an individual based on reasonable suspicion that they're engaged in criminal activity, is a very important law enforcement tool. To my mind, its effectiveness depends upon the conversation after the stop.

When it's done well, someone has stopped, then they are told, I stopped you because we have a report of guy with a gray sweatshirt who matches you. That's why I stopped you sir, I'm sorry.

Or I stopped you because I saw you do this behavior. Because the danger is, what's an effective law enforcement technique can become a source of estrangement for a community and you need the help of the community. So it's an important tool when used right and what makes the different between right and wrong is what's the nature of the conversation with the person you've stopped.

CICILLINE:

Thank you Director. Mr. Chairman I would just like to finally associate myself with the remarks of Congressman Deutch regarding the Logan Act violations and the remarks of many of colleagues regarding the attempts by the Russians to interfere with our democracy and electoral process and take great comfort in the director's commitment to continue to understand this as an important responsibility of the agency to protect the integrity of our democracy and with that I yield back.

GOODLATTE:

The chair thanks the gentleman. The chair recognizes the gentleman from Utah, Mr. Chaffetz, and as I do so I want to thank him for making, as chairman of the Oversight and Government Reform Committee, this very nice hearing room available to us while the Judiciary Committee hearing room is under renovation so gentleman is recognized for five minutes with my thanks.

CHAFFETZ:

Well, and I appreciate the extra five minutes of questioning for doing so, so thank you very much. Director thank you for your accessibility, you have been very readily available and we do appreciate that.

This investigation started because the inspector general found classified information in a non-secure setting and the FBI went to a law firm and found this information. They seized at least one computer and at least one thumb drive, did you need an immunity agreement to get those?

COMEY:

It was not -- I don't think there was -- in fact, I'm certain there was no immunity agreement used in connection with that.

CHAFFETZ:

So, did it really take the FBI a full year to figure out that Cheryl Mills and Heather Samuelson also had computers with classified information on them?

COMEY:

No, it took us to that point in the investigation to insist that we try to get them.

CHAFFETZ:

Were you getting them because they had classified information or because there was some other information you wanted?

COMEY:

No, we thought those tools, as we understood it, that had been used to sort the e-mails and the investigative team very much wanted to understand if they could, whether there was an electronic tale of how that had been done because the big issue was, what did they delete, what did they keep...

CHAFFETZ:

But why did you need an immunity agreement? Why didn't they just cooperate and hand them over? The law firm did, didn't they?

COMEY:

Well, yes. That's a question really I can't answer. That's between a lawyer and her client and the Justice Department lawyers. For whatever reason, her lawyer thought it was in her interest to get an active production immunity agreement with the Department of Justice.

CHAFFETZ:

The FBI interviewed David Kendall's partner but did not interview David Kendall. Why didn't you interview David Kendall?

COMEY:

I don't remember. I don't remember that decision.

CHAFFETZ:

Going back to this Reddit post, this was put up on July 24th of 2014. You believe this to be associated with Mr. Combetta, correct?

COMEY:

Yes, I think that's right.

CHAFFETZ:

This is the one that Mr. Jordan put up about the need to strip out a VIP's very VIP e-mail address and a bunch of archived e-mails. This is a -- he's referring to a federal record, isn't he?

COMEY:

I don't know what exactly which records he's referring to.

CHAFFETZ:

How is this not a conscious effort to alter federal records? I mean the proximity to the date is just stunning.

COMEY:

Sorry, what's the question?

CHAFFETZ:

How is this not a conscious effort to alter a federal record?

COMEY:

Well, depending upon what the record was and exactly what he was trying to do and whether there would be disclosure to the people they were producing it to saying we changed this for privacy purposes. I just don't know sitting here.

CHAFFETZ:

These are documents that were under subpoena. These federal records were under subpoena, they were under a preservation order. Did Mr. Combetta destroy documents?

COMEY:

I don't know whether that was true in July of 2014 they were under subpoena.

CHAFFETZ:

Did he ultimately destroy federal records, Mr. Combetta?

COMEY:

No. I have no reason to believe he destroyed federal records.

CHAFFETZ:

He used BleachBit, did he not?

COMEY:

Yes, the question is what was already produced before he used the BleachBit. He definitely -- the reason he wanted immunity was he had done the BleachBit business after there was publicity about the demand from Congress for the records. That's a potential...

CHAFFETZ:

Not just publicity. There was a subpoena.

COMEY:

Right, that's...

CHAFFETZ:

And there was communication from Cheryl Mills that there was a preservation order, correct?

COMEY:

Yes.

CHAFFETZ:

And he did indeed use BleachBit on these records?

COMEY:

Sure.

CHAFFETZ:

So he...

COMEY:

That's why the guy wouldn't talk to us without immunity.

CHAFFETZ:

And so when you got him immunity, what did you learn?

COMEY:

We learned that no one had directed him to do that. That he had done it...

CHAFFETZ:

You really think that he just did this by himself?

COMEY:

I think his account, again I don't, I never affirmatively believe anybody except my wife but the question is do I have evidence to disbelieve him and I don't.

His account is credible that he was told to do it in 2014, screwed up and didn't do it. Panicked when he realized he hadn't and then raced back in and did it after Congress asked for the records and the New York Times wrote about them. That was his oh, S-H-I-T moment.

That was credible, again I don't believe people, but we did not have evidence to disbelieve that and establish someone told him to do that. No e-mail, no phone call, nothing. The hope was, if he had been told to do that, that'd be a great piece of evidence. If we give him immunity, maybe he'll tell us so and so told me so, so and so asked me to and then we're working up the chain.

CHAFFETZ:

But he did indeed destroy federal records and he was told at some point to do this, correct? Who told him to do that initially? When he was supposed to do it in December and he didn't do it, who told him to do that?

COMEY:

One of Secretary Clinton's staff members. I can't remember sitting here, we know that. One of her lawyers, it might have been Cheryl Mills. Someone on the team said, we don't need those e-mails anymore, get rid of the archived file.

CHAFFETZ:

This is what's unbelievable about this because there is classified information, there are federal records that were indeed destroyed and that's -- that's just the fact pattern. Let's go back to -- let's go back to this -- here's the other thing that I'll draw to your attention that is new.

September 15th of this year, I issued a subpoena from the Oversight and Government Reform Committee on these Reddit posts. Four days later they were destroyed, or taken down. They were deleted.

I would hope the FBI would take that into consideration. Again, we're trying under a properly issued subpoena to get to this information. Let's go to Heather Mills real quick.

CHAFFETZ:

How does the -- in the 2016 interview with Cheryl Mills, she says quote, "Mills did not learn" -- in the interview report that you -- the interview summary from the FBI, "Mills did not learn Clinton was using a private e-mail server until after Clinton's tenure."

Back -- also, you have this interview with Mr. Pagliano, who said he approached, quote, "Pagliano then approached Cheryl Mills in her office and relayed a State Department employee's concerns regarding federal records retention and the use of a private server. Pagliano remembers Mills replying that former secretaries of state had done similar things to include Colin Powell."

It goes then on to a page 10 -- and this is what I don't understand -- the FBI writes, "Clinton's immediate aides, to include Mills, Abedin, Sullivan," and - a redacted name - "told the FBI they were unaware of the existence of a private server until after Clinton -- Clinton's tenure at State or when it became public knowledge."

But if you look back at the email from -- from Heather Mills, if you go back to 2010, this is to Justin Cooper, OK, Mills to Cooper, who does not -- which you were -- he works for Clinton's. He doesn't work for the State Department.

"FYI, HRC email coming back. Is server OK?" Cooper writes back, "You are funny. We're on the same server." She knew there wasn't (ph) a server. When there was a problem with Hillary Rodham Clinton's e- mail, what did they do? She called the person, who has no background in this, who is not a State Department employee, no security clearance, and then tells the FBI, well, I never knew about that.

CHAFFETZ:

But there's direct evidence that contradicts this. How do you come to that conclusion and write that in the summary statement that she had no knowledge of this?

COMEY:

That's a question?

CHAFFETZ:

Yes.

GOODLATTE:

The time of the gentleman has expired, but the director will answer the question.

COMEY:

I don't remember exactly sitting here (ph) -- having done many investigations myself, there is always conflicting recollections of facts, some of which are central, some of which are peripheral. I don't remember sitting here (ph) about that one.

GOODLATTE:

The chair recognizes the gentleman from Florida, Mr. DeSantis, for five minutes.

DESANTIS:

Director Comey, violent crime is up in this country, isn't it?

COMEY:

Our UCR stats we just released show a rise in homicide and other violent crime -

DESANTIS:

Violent crime, I think, was about 4 percent. But the homicides were up 10 percent, is that correct?

COMEY:

10.8 percent.

DESANTIS:

And that's a pretty startling, concerning increase, do you agree?

COMEY:

Yes, it is concerning.

DESANTIS:

Now, I don't know if you have data on 2016, but is your sense that 2016 is going to look closer to 2015 or will it be - is there any indication that the rate's going to go back down?

COMEY:

No, we continue to see spikes in -- in some big cities in a way we can't quite make sense of. There's no doubt that's -- that some 15 to 30 cities are continuing to experience a spike. Whether that will drive the whole number up, I don't know.

DESANTIS:

Now the FBI has now assumed control of the - Dahir Adan, the Minnesota stabbing terrorist investigation. Is that confirmed that that was a terrorist attack at this point?

COMEY:

We're still working on it. It -- it does look like, at least in part, he was motivated by some sort of inspiration from radical Islamic groups. Which groups and how, we're not sure of yet.

DESANTIS:

But he was - he was praising Allah, was asking at least one of the potential victims whether they were Muslim, and I know ISIS did take the responsibility for it, correct?

COMEY:

They claimed responsibility, that is an - a dispositive for us, because they will claim responsibility for any savagery they can get their name on. But we're going through his entire electronic record and history of -- of all of his associations to try and understand that.

DESANTIS:

Now there was a report from the House Homeland Security last year that said that Minnesota was actually the number one source for ISIS fighters in the United States. One - do you acknowledge that that, or do you agree that that's true? And if so, why is Minnesota churning out so many jihadists?

COMEY:

I don't know for sure whether that's true, but it sounds about right. We have very few ISIL fighters from the United States, even - over the last two years, there have been a number of Somali American heritage young men who've gone to fight with Al-Shabaab in Somalia and -- and with ISIL.

I suspect the reason is that's one of the few areas in the United States where we have a large concentration that is susceptible to that recruiting. The great thing about America is everybody's kind of dispersed.

That's one of the areas where there's an immigrant Muslim community that seems to be susceptible for some reason. In -- in small measure, again, we're talking about eight people, I think the number is. But that -- that's my reaction to that.

DESANTIS:

But what's the FBI doing a deal with -- with the problem? You have an insular community that -- that -- that may make this problem more -- more significant. So how's the FBI combating that?

COMEY:

Oh, in a bunch of different ways. With (ph) lots of partners to make sure we know the folks in - in -- especially the Somalia-American community in Minneapolis. U.S. attorney there has done a great job -

DESANTIS:

have they been helpful with the FBI?

COMEY:

Very. Very. Because they don't want their sons or daughters involved in this craziness anymore than anybody else does.

DESANTIS:

Now with - with Paul Combetta, I'm just trying to figure out what happened here. He never said that he remembered anything from that March 25th phone conversation with the Clinton people. Of course, that was days before he BleachBitted the e-mails.

He never said he had any factual knowledge of anything that happened on that call. Is that his basic statement? Because I read the 302s (ph), he didn't really provide any information.

COMEY:

I can't remember for sure. It would be in the 302. You've probably seen it more recently than I have.

DESANTIS:

Well, I saw one 302 said that he pled the fifth, obviously, he was given immunity. Another said that there was an invocation of attorney-client privilege at one time in one of the other summaries. So I'm just trying to figure out, you know, what happened - with Combetta? Why was he not able to provide information?

He had immunity, this was something that was much more fresh in his mind than previous conversations with Clinton people would've been. And yet you said he was credible.

To me, feigning ignorance, that is not credible given the timeline where you have the time - "New York Times" saying that the server existed. The House immediately sends a subpoena. He has this conversation and then lo and behold a few days later all the e-mails are BleachBitted.

COMEY:

he told us that, with immunity, that no one directed him to do it, instructed him to do it. We developed no evidence to contradict that. Again, we're never in the business of believing people. The question is always what evidence do we have that establishes disbelief. We don't have any contrary evidence. His account is uncontradicted by hard facts.

DESANTIS:

Well it's -- it's -- he's in a situation where he has these things are now under a subpoena and he has conversations with people who they -- they potentially could implicate. Then he takes this - this action.

So I guess the question is, is it more reasonable to think that he just would have said, oh, you know what, I just need to all of a sudden BleachBit this stuff without any direction at all? I just find that to be something that is -- that is difficult to square.

Let me ask you this. In September, you sent a memo to your employees at the FBI basically defending the way the bureau handled this investigation. Why did you send that?

COMEY:

It was about how we were doing transparency, because it was all kinds of business about whether we were trying to hide stuff by putting it out on a Friday and I wanted to equip our workforce with transparency about how we were doing, our productions to Congress, so they can answer questions from their family and friends. I want them to know we're conducting ourselves the way they would want us to.

DESANTIS:

And you have -- because you mentioned former agents and people in the community, I mean, this has provoked some controversy within -- within the ranks of current and former agents?

COMEY:

Not within the FBI. Again, who knows what people don't tell the director, but I should've -- I should've asked Mr. Gohmert (ph).

If there are agents in the FBI who are concerned or confused about this, please contact me. We will get you the transparency you need to see that your brothers and sisters did this the way you would want them to.

DESANTIS:

All right. I'm out of time, but I will say just - when I was in the military, you had said no one would be prosecuted. I mean - and maybe that was just for civilian, but I can tell you that people, if you had compromised top-secret information, there would've been a court-martial in your future. And I yield back

GOODLATTE:

Would the director care to respond to that?

COMEY:

No. Fine (ph).

GOODLATTE:

It's a direct comparison to the finding of yourself that, as you test -- as you stated in your news conference, that no prosecutor could (ph) prosecute somebody under similar (ph) circumstances.

COMEY:

I understand Mr. DeSantis to be expressing a personal opinion. I -- I accept that at face value. I just haven't seen the cases that show me on the public record that that's true. But I accept - I accept his good faith.

GOODLATTE:

The chair recognizes the gentleman from Texas, Mr. Ratcliffe, for five minutes.

RATCLIFFE:

Thank you, Mr. Chairman. Director, did you make the decision not to recommend criminal charges relating to classified information before or after Hillary Clinton was interviewed by the FBI on July the 2nd?

COMEY:

After.

RATCLIFFE:

OK, then I'm going to need your help in trying to understand how that's possible.

I think there's a lot of prosecutors or former prosecutors that are shaking our heads in (ph) how that could be the case, because if there was ever any real possibility that Hillary Clinton might be charged for something that she admitted to on July the 2nd, why would two of the central witnesses and the (ph) potential prosecution against her be allowed to sit in the same room to hear the testimony?

Now I've heard your earlier answers today. You said that, well, it was because the interview was voluntary and -- and they were her lawyers. But I think you're skirting the real issue there, Director.

First of all, the fact that it was voluntary, it didn't have to be, right? You could've impaneled an investigative grand jury. She could've been subpoenaed. And I know you've said that you can't comment on that. And I don't really care about the decision about whether or not there should've been a grand jury here.

But since you didn't have one, it -- it goes to the issue at hand about whether or not this interview should've ever taken place. With - (inaudible) respect to the answers that you've given, the FBI and the Department of Justice absolutely control whether or not the interview is going to take place with other witnesses in the room.

Because the simple truth is -- under the circumstances, as you've described, those interviews never take place.

If there was ever any possibility that something Hillary Clinton might've said on July 2nd could have possibly resulted in criminal charges, that might possibly resulted in a trial against or relating to this classified information, well then to use your words, Director, I don't think that there's any reasonable prosecutor out there who would've allowed two immunized witnesses central to the prosecution approving the case against her to sit in the room with the interview -- the FBI interview of the subject of that investigation.

And if I heard you earlier today, in your long career I heard you say that you've never had that circumstance. Was that - did I hear you correctly?

COMEY:

That's correct, but -

RATCLIFFE:

OK. And I never have either, and I've never met a prosecutor that's ever had that. So to me, the only way that an interview takes place with the two central witnesses and the subject of the investigation is if the decision has already been made that all three people in that room are not going to be charged.

COMEY:

Can I respond?

RATCLIFFE:

Yes, please.

COMEY:

I know in our political life (ph) sometimes people casually occur - accuse each other of being dishonest, but if colleagues of ours believe I am lying about when I made this decision, please urge them to contact me privately so we can have a conversation about this.

All I can do is tell you again, the decision was made after that because I didn't know what was going to happen in that interview. She maybe lied during the interview in a way we can prove (ph) - let me finish.

I would also urge you to tell me what tools we have, as prosecutors and investigators, to kick out of an interview someone that the subject says is their lawyer.

RATCLIFFE:

That's not my point. The interview never should've taken place if you were going to allow the central witnesses that you needed to prove the case to sit there and listen to the testimony that the subject was going to give. It never happens. It never happened to you and it's never happened to me or any other prosecutor that I've met.

And I know you've defended the people that were involved of this of being great (ph), but if it's never happened, I wonder why this is a case of precedent with respect to that practice that you and I have never seen in our careers.

COMEY:

You and I don't control the universe of what's happened. I suspect it's very unusual. A key fact, though, that maybe is leading to some confusion here, is we had already concluded we didn't have a prosecutable case against Heather Samuelson, or Cheryl Mills at that point. If they were targets of our investigation, maybe we would've canceled the interview, but frankly, our focus was on the subject. The subject at that point was Hillary Clinton.

RATCLIFFE:

All right. Let me move on.

According to the FBI's own documents, Paul Combetta was in his first interview on February the 18th, told FBI agents that he had no knowledge about the preservation order for the Clinton e-mails. Correct?

COMEY:

I don't know the dates of that, but I'm sure it's in the 302.

RATCLIFFE:

OK. But then two and a half months later on May the 3rd, his second interview, he made a 180 degree turn and he admitted that in fact he was aware of the preservation order and he was aware of the fact that that meant that he shouldn't disturb the Clinton e- mails. Correct?

COMEY:

Yes.

RATCLIFFE:

OK. Well, then, I need your help again here because when I was at the Department of Justice, your reward for lying to federal agents was an 18 USC 1001 charge or potential obstruction of justice charge, it wasn't immunity.

COMEY:

It depends on where you're trying to go with the investigation. It's a low-level guy, you're trying to move up in the chain, you might think about it differently.

RATCLIFFE:

Well, you -- he lied to an FBI agent. You don't think that's important?

COMEY:

It's very important. Happens all the time unfortunately. It's very, very important. Sometimes, you prosecute that person and end their cooperation. Sometimes, you try and sign them up.

RATCLIFFE:

But if they lie to an FBI agent after they're given immunity, they violated the terms of their immunity agreement.

COMEY:

Oh sure. After -- after the agreement.

RATCLIFFE:

And so that's my point. If -- he shouldn't have immunity anymore.

COMEY:

I'm sorry. I may have misunderstood you. He lied to us before he came clean under the immunity agreement and admitted that he had -- had deleted the e-mails.

RATCLIFFE:

No, not according to the FBI's documents. He had an immunity agreement in December of 2015. These interviews took place in February and March and May of this year, 2016.

COMEY:

Combetta?

RATCLIFFE:

Combetta.

COMEY:

OK. I'm -- then I'm -- I'm confused and misremembering. But I don't think that's right.

RATCLIFFE:

OK. Well, let me -- my time's expired, but I have one last question and I think that's important. At this point, based on everything, do you think that any laws were broken by Hillary Clinton or her lawyers?

COMEY:

Do I think that any laws were broken?

RATCLIFFE:

Yeah.

COMEY:

I don't think there's evidence to establish that.

RATCLIFFE:

OK. Well, I think you're making my point when you say there's no evidence to establish that. Maybe not in the way she handled classified information, but with respect to obstruction of justice -- and you've got a pen (ph) here, I just want to make sure the record's clear about the evidence that you didn't have that you can't use to prove.

So this comes from the FBI's own report. Says that the FBI didn't have the Clinton's personal Apple server used for Hillary Clinton work e-mails. That was never located, so the FBI could never examine it. An Apple Macbook laptop and thumb drive that contained Hillary Clinton's e-mail archives was lost, so the FBI never examined that. Two Blackberry devices provided to the FBI didn't, have SIM cards or SD data card. Thirteen Hillary Clinton personal mobile devices were lost, discarded or destroyed with a hammer, so the FBI clearly didn't examine those.

Various server backups were deleted over time, so the FBI didn't examine that. After the State Department and my colleague, Mr. Gowdy here, notified Ms. Clinton that her records would be sought by the Benghazi Committee, copies of her e-mails on the laptops of both of her lawyers, Cheryl Mills and Heather Samuelson, were wiped clean with BleachBit, so the FBI didn't review that.

After those e-mails were subpoenaed, Hillary Clinton's e-mail archive was also permanently deleted from the Platte River Network with BleachBit, so the FBI didn't review that. And also after the subpoena, backups of the Platte River server were manually deleted.

Now, Director, hopefully that list is substantially accurate because it comes from your own documents. My question to you is this. Any one of those in that very, very long list to me says obstruction of justice. Collectively, they scream obstruction of justice. And to ignore them, I think, really allows not just reasonable prosecutors but reasonable people to believe that maybe the decision on this was made a long time ago not to prosecute Hillary Clinton.

And with that, I yield back.

GOODLATTE:

Director, do you care to respond?

COMEY:

(inaudible), to ignore that which we don't have -- we're in a fact-based world, so we make evaluations based on the evidence we're able to gather using the tools that we have. So I -- it's hard for me to react to these things that you don't have. So that's my -- that's my reaction to it.

GOODLATTE:

The chair recognizes the gentleman from Texas, Mr. Farenthold, for five minutes.

FARENTHOLD:

Thank you very much.

Director Comey, thank you for being here. I know this is -- there are a lot of things you would probably much rather be doing than sitting on the hot seat, so to speak.

And here's where I'm coming from on this. You've been asked a lot of questions today about the Clinton investigation, and what I'm hearing from folks back in Texas -- and I'm just going to take (ph) a big picture view of this -- is this stuff just simply doesn't pass the smell test on a lot of -- a lot of (inaudible).

You just had my colleague from Texas, Mr. Ratcliffe, list a long list of things that y'all didn't have in the investigation. You've been asked earlier today, well, you know, would you re-open the investigation, what would it take to get you to re-open the investigation.

We've had five people given immunity, which basically we got nothing, when perhaps a plea (ph) agreement or something else might have worked. You have your interpretation in your -- in your previous testimony before Congress that Section 793F required intent, when in fact, the standard is -- is gross negligence. And it's just a long list of things that just have people scratching their heads going, "If this were to happen to me, I would be in a world of hurt, probably in jail."

And the -- how do you respond to people who are saying that this is not how average American would be treating (sic), this is only how Hillary Clinton would be treated?

COMEY:

Look, I've heard that a lot, and my -- my response is demand -- when people tell you that, that others have been treated differently, demand from a trustworthy source the details of those cases because I -- I'm a very aggressive investigator, I was a very aggressive prosecutor.

I have gone back through 40 years of cases, and I'm telling you under oath that to treat (ph), to prosecute on these facts would be a double standard, because Jane and Joe Smith would not be prosecuted on these facts.

Now, you'd be in trouble. That's the other thing I've had to explain to the FBI workforce. You use our -- an unclassified e-mails system to do our business, and in the course of doing our business talk about classified topics, you will be in big trouble with the FBI. I'm highly confident of that. I'm also highly confident, in fact certain, you would not be prosecuted. That's what folks tend to lump together.

So I care deeply about what people think about the justice system and that it not have two standards. It does not and this demonstrates it.

FARENTHOLD:

But you look at General Petraeus and his handling of classified information. You look at -- and I'll go back to what you're saying...

COMEY:

But when you look at it, demand to know the facts. I don't want to dump on General Petraeus because the case if over, but I would be happy to go through how very different that circumstance is than this circumstance.

FARENTHOLD:

And you talk about -- you tell your FBI agents if you do what we're investigating here with material from the FBI, you'll be in a world of trouble. I would assume that could potentially be fired. Is Hillary Clinton in -- she didn't get in any trouble at the State Department. The only trouble she's got now is trying to explain it to the American people.

COMEY:

She's not a government employee, so the normal range of discipline that would be applied to FBI employees if they did something similar doesn't apply. And I gather -- I think that's some of the reason for people's confusion, lumping these two together and their frustration, but it is what it is. And all I can tell people is demand the facts. When people tell you so and so's been treated differently, demand the facts on that.

FARENTHOLD:

All right. So if somebody were to -- let's just do a hypothetical. Let's say somebody here in Congress were to e-mail my personal e-mail some classified information and I -- I'm on my -- I get my phone -- it comes to my cell phone too, my personal e-mail comes to my personal cell phone. I look at it, go "Wow, that probably shouldn't be on there," and don't do anything.

I mean, to me, that's being grossly negligent with classified information and I should -- and that's a violation of 793F. And that's exactly what Hillary Clinton did I think. At what point -- at what point do you get to intent? The classified information was on an unsecure server, you knew it was there and you didn't do anything about it. To me, that's gross negligence period. I would think -- I would be prosecuted for that.

COMEY:

I'm confident that you wouldn't, but we'd just have to agree to disagree.

FARENTHOLD:

All right, if I ever get trouble...

COMEY:

Don't do it.

FARENTHOLD:

... I'll just (inaudible).

COMEY:

Don't do it. But I guess I can't control Congress. If you work for us, don't do it.

FARENTHOLD:

No, I have absolutely no intention of doing it.

So again, I -- I just want to say don't -- don't get frustrated when we continue to ask these questions because we're not badgering you because we want to badger you. We are talking to you because the American people are upset about this and don't think it was handled appropriately, and that's the basis at least of my questioning. And I thank you for appearing here.

COMEY:

And I totally understand that. I think there are lots of questions people have, which is why I've worked so hard to try and be transparent. There's never been this kind of transparency in a criminal case ever, but because I understand the questions and the importance of it, I've tried.

And I hope people will separate two things; questions about facts and judgment from questions and accusations about integrity. As I said before, you can call us wrong, you can call me a fool. You cannot call us weasels, OK? That is just not fair. And I hope we haven't gotten to a place in American public life where everything has to be torn down on integrity basis just to disagree. You can disagree with this. There is just not a fair basis for saying that we did it in any way that wasn't honest and independent. That's when I get a little worked up. Sorry.

FARENTHOLD:

I'm out of time.

GOODLATTE:

The chair recognizes the gentleman from Michigan, Mr. Bishop, for five minutes.

BISHOP:

Thank you.

Thank you, Director Comey. I appreciate your testimony here today. Just to follow up to all this discussion regarding the Clinton investigation, specifically with regard to the interview of Secretary Clinton, I'm holding in my hand a memorandum from Deputy Attorney General James Cole. It's dated May 12, 2014. This memorandum was issued to you and others on the policy concerning electronic recording of statements. Are you familiar with this...

COMEY:

Yes.

BISHOP:

... memorandum?

COMEY:

Mhm.

BISHOP:

The policy established a -- establishes a presumption that the FBI will electronically record statements made by individuals in their custody. Now, I know that Secretary Clinton was not technically in custody, but the policy also encourages agents and prosecutors to consider electronic recording in investigative or other circumstances where that presumption does not exist.

BISHOP:

The policy also encourages agents and prosecutors to consult with each other in such circumstances, and given the magnitude of what we've been talking about today and the -- and the huge public interest in demand for information with regard to the public trust, I -- I think this is specifically important to this discussion. Now, you're aware of this policy, correct?

BISHOP:

Right, that applies to people that are in handcuffs. But not -- it also applies to -- the policy also encourages agents and prosecutors consider electronic recording in investigative matter -- in other matters where that presumption does not exist. Does it not?

COMEY:

Sure. The FBI doesn't do it, but sure I understand the -- they encouraged us to talk about it.

BISHOP:

So did -- did the agents then did not consider to conduct the interview in -- in a recorded situation then?

COMEY:

We do not record non-custodial interviews. Now, maybe someday folks'll urge us to change that policy, but we don't. And we sure wouldn't want to change it in one particular case.

BISHOP:

Well, that's the policy. I'm just reading the policy that's issued by the Deputy Attorney General, James Cole, that is to you and to others in the Department of Justice that establishes the policy. So I -- if you don't do it, I -- I assume that you're doing it against the policy of the Department of Justice.

COMEY:

No, that -- that policy only governs custodial interrogations. So people who have been locked up. We do not, and it is not inconsistent with Department of Justice policy, record non- custodial -- that is voluntary interviews where someone's not in our custody.

BISHOP:

Well, I'm reading this differently then because it does say that there's an exception that -- that it is within your discretion to -- to record such...

COMEY:

You could and, I don't know, maybe some other federal investigative agencies do. The FBI's practice is we do not record non-custodial interviews.

BISHOP:

OK, thank you, Director. I -- I want to pivot, if I can and build off Representative's Desantis' question with regard to the refugees attempting to enter the United States, and specifically with regard to Syrian refugees.

Wondering if you could tell me, we've -- we've talked about this -- this process and the fact that we do not have a process in place that we can rely upon. Even the kid (ph) before, when you testified and asked the question that it's -- we simply don't have enough information to ensure that we have the information that we need to ensure that these people are not a threat to our country.

Can you -- can you expand upon that now after a year? Can you tell me whether or not we've got more information, more capabilities to vet these refugees? And I say this because, in my district in Michigan,

in this fiscal year Michigan has taken the fourth most refugees of all states, 4,178, and we're the -- we've taken the third most for Iraq, the second most from Syria.

Michigan has absorbed enormous number of refugees, and I think you can understand our concern with regard to the fact that we don't have information necessary to identify whether or not they're a threat.

Can you assuage my concern, the concerns of my constituents, that we have a system in place that we can vet these individuals and they don't pose a threat to our country?

COMEY:

I can assuage in part and restate my concern in part. The -- our process inside the United States government has gotten much better at making sure we touch all possible source of information about a refugee.

The interview process has gotten more robust, so we've gotten our act together in that respect. The challenge remains, especially with respect to folks coming from Syria, we're unlikely to have anything in our holdings.

That is, with people coming from Iraq, the United States government was there for a very long period of time. We had biometrics, we had source information. We're unlikely to have that kind of picture about someone coming from Syria, and that's the piece I just want folks to be aware of.

BISHOP:

Has anything change in your vetting process? Have you updated it? Do you have any concerns with regard -- now we've seen an increased terrorist activity in the last six months, including New York, New Jersey, and Minneapolis.

Has anything changed in the vetting process? Can you be confident that foreign fighters or other refugees entering the country are not planning future attacks on our country?

COMEY:

Well, as I said, over the last year since I was last before you, the vetting process has gotten more effective in the ways I described. I'm in the business where I can't ever say there's no risk associated with someone.

So we wake up every day in the FBI worrying about who might have gotten through in any form or fashion to the United States or who might be getting inspired while they're here. So I can't ever give a blanket assurance.

BISHOP:

Director, I respect your opinion. And this is not a policy question, I'm asking you based on your personal opinion as a law enforcement officer that we rely upon to keep this country safe. Is there anything that you would do to ensure, as you said, that our country is safe with regard to this -- this refugee process?

COMEY:

Anything that I would do?

BISHOP:

Anything that you'd do, any recommendations you have for Congress, for this country that would ensure our safety.

COMEY:

I -- I'd (ph) shy away from assurances of safety given the nature of the threats we face. I do think that there may be opportunities to do more in the social media space with refugees in particular. And I -- and I talked to Jeh Johnson yesterday about it. I know there's (ph) a work in progress.

So much of people's lives, even if we don't have in our holdings, may be in the -- in digital dust that they've left in different places, are we harvesting that dust on people who want to come into this country in the best way. And I think there may be ground for improvement there.

BISHOP:

Thank you, Director.

And -- and I will yield back, but Mr. Chairman, I'd ask unanimous consent to enter the memorandum that I referenced earlier from -- dated May 12, 2014 into the record.

GOODLATTE:

Without objection, it will be made part of the record.

The chair recognizes the gentleman from Georgia, Mr. Collins, for five minutes.

COLLINS:

Thank you, Mr. Chairman.

Director Comey, I -- I appreciate you being here. You are, I believe, forthright, much more so (inaudible) you said as any criminal case we've had. But I'm also still in the military. I'm still in the Air Force Reserve. I went to my drill (ph) back in July.

I was hit by an amazing amount of questions from different servicemembers on this issue of how the secretary -- former secretary of State get to do this, and yet, we have members of the military who are prosecuted all the time.

Your statements earlier were fairly startling when you said, "I don't know of anybody else that's been (inaudible) this." Just since 2009, Department of Justice prosecuted at least seven people under the Espionage Act all for very similar cases. Now, you said go look at the facts. Well, we're looking at the facts in these cases.

The interesting one, and you know, you said that in looking back at your investigation, the (ph) mishandling or removal of classified information, we cannot find a case that will support bringing criminal charges on these facts. All right. Well, it didn't take nothing but a simple legal search to find a Marine -- the following. Now, I guess their name is not Jane or Joe, so they did get prosecuted, OK?

And this is the issue. Under 18 USC 793F, gross negligence. This is what the Marine did. Out of -- they took classified information that was put into a gym bag (inaudible) and took, all right? Simple mishandling.

Court of Appeals actually upheld this case, and is what they said, that the purpose of federal espionage statutes (ph) to protect classified documents from unauthorized procedures such as removal from proper place of custody, which would mean how you deal with this, regardless of means of removal, it was (inaudible) gross and was (ph) approximate cause of the document's removal.

It is -- and they quote United States vs. (inaudible), said it is clear the Congress' (ph) intent to create a hierarchy of offenses against national security ranges from (inaudible) to merely losing classified materials through gross negligence or the mishandling of.

COLLINS:

It was sort of also ironic for me that when I had to go back in July and this past month when I went back, I had to do my annual information assurance training.

They went through everything that we have to do with handling classified information.

I have been in a war zone, I've been in -- this is just common knowledge among most everybody in the world, obviously not to the secretary. How can you then explain to me this Marine's mistake in taking classified documents, or mishandling them, is more severe than the secretary of state who sent and received classified e-mails on a regular basis?

Including those that were originally classified, not those that were classified later, but were originally classified.

COMEY:

I'm familiar with the case and I'm quite certain it's not a 793F case. It was prosecuted...

COLLINS:

His conviction was under 793F.

COMEY:

Yes, I don't think -- I mean I'll go back and check again and I'd urge you to too. I'm pretty sure it's not under the gross negligence prong (ph) of 793F but it's a uniform court of military justice prosecution, not by the Department of Justice, am I remembering correctly?

COLLINS:

This was from and has appealed at in the U.S. Court of Appeals for the Armed Forces of the United States...

COMEY:

OK, OK, but regardless. I think even -- I don't think this is under the same provision but even there, that's a case involving someone who actually stole classified information, hard copies.

What people need to remember, and I don't say this to make little of it, I think it's a very matter, what happened here is, the secretary used an unclassified e-mail system, her personal system, to conduct her business.

COLLINS:

And let's just stop right there. That in and of itself, and I understand as an (inaudible), you've been through a lot of questions, I apologize. But let's just come back to the basics here. We're trying to parse that I didn't have such a sandy burger or all these others who confronted you, they took a hard copy.

In today's society and even understanding if you go through any insurance class or anything else, they tell you it cannot be on a personal laptop (ph). In fact, there was another chief petty (ph) officer who had classified information on a personal computer and went back and forth to work (ph).

That is not physical documents, it's on a -- to parse words like that is why the American people are fed up. They're fed up with the IRS commissioner when he does it, they're fed up here. I'm not attacking your -- I think you're one of the more upright people I've met. I think you just blew it. I think the attorney general blew it, I shared this with her, and I think when we come to this thing, there's no other way that you can say that there's no others that resemble this.

As a lawyer, you're taught all the time to take facts and put them -- they may not be exact, but they fit under the law. You can -- I mean, so I guess maybe I'm going to change the question because we're going to go down to a dead end. You're going to say...

(CROSSTALK)

COLLINS:

Now let me ask you this. I want to change the questions.

Do you honestly believe that a lady, a woman of vast intelligence, who was the first lady of the United States, who was a senator, who had access to classified information, all the members here do, who was secretary of state who had even further classification ability even beyond what we have here, do you believe that in this case, honestly she was not grossly negligent or criminal in her acts?

COMEY:

First of all, I don't believe anyone, other than my wife. My question is what evidence do I have to establish that state of mind and I don't believe I have evidence to establish it beyond a reasonable doubt.

COLLINS:

Then really what we're saying here is this, if she is -- and this is in essence to what you're saying, you said I can't prove it and I understand. There's a lot of folks out there in the law that they come to us all the time. I'm an attorney as well and they come to us, say this, it's not what we know, it's not what we think, it's what we can prove.

I get it but here's the problem with this and this is the person who's asking to lead this country. If she can hide behind this and gleamily (ph) get approval from the FBI through an investigation which has been covered here thoroughly, then I just do not understand.

She is either the most arrogant, which probably so, or the most insanely naive person we've ever met. Because when I actually show evidences of basically the same thing which you can take fact and correlate to law. This is why the Armed Forces right now have the term called the Clinton Defense.

I didn't know, I didn't mean to, it's on my -- it's the Clinton Defense. With questions like this, Director, we have (ph) give the ability now to where nobody takes this seriously and this is why people are upset.

When it was originally classified, she can tell all the stories she wants. She can have the back up from you that no prosecutor, which is again amazing to me, that a law enforcement would tell the prosecutor because how many times I've been on both sides of this, where the law enforcement agent said, I'm not sure we have a case here but when the prosecutor looks at it, the prosecutor says, yes there's a case here.

I don't really frankly, no offense, care if I'm in prosecuting, what the law enforcement -- if I can see the case and I can make it, that's my job, not yours. And yet now we have a whole system that has been turned upside down. Not because I don't believe your honesty of your people but I believe you blew it because you frankly didn't have the whole situation into effect where the FBI wouldn't look political and unfortunately, that's all you've become in this and it's a sad thing because y'all do great work.

You have done great work and you will do great work. But I think it's time to start bringing down the curtain. There's a wizard behind the thing, Mrs. Hillary Clinton, who is playing all of us because she's not that naive, she's not stupid.

She knew what she was doing because she was simply too bored. If she, God forbid, gets into 1600 Pennsylvania Avenue and just gets bored with the process, then God help us all. Mr. Chairman, I yield.

COMEY:

Mr. Chairman, there's two...

GOODLATTE:

The director is permitted to respond.

COMEY:

Yes, two pieces that I need to respond to. First, he said, hiding behind something. This case was investigated by a group of professionals. So if I blew it, they blew it too. Career FBI agents, the very best we have were put on this case and career analysts.

We are a team. No one hid behind anything. American citizens should insist that we bring criminal charges if we're able to investigate and produce evidence beyond reasonable doubt to charge somebody.

That should be true whether you're investigating me, or you or Joe Smith on the street. That's the way this case was done. It's about evidence and the rest of it I'll let go.

COLLINS:

Mr. -- I would and I apologize, if (inaudible) -- I'm not -- this is the problem though. When you take it as a whole, its been setup here this is a unique case. You talked about it being a unique case.

Director, this is a unique case because I truly, and I don't think you convinced hardly anybody except your own group, that I don't think you ever said they couldn't blow it, they blew it. Anybody else would have been prosecuted under this. In my humble opinion...

COMEY:

You're just wrong. You're just wrong. We'll just have to agree to disagree.

COLLINS:

Well, unfortunately there's a lot to disagree on this one, thank you Mr. Chairman.

GOODLATTE:

The time of the gentleman has expired. The gentleman from Idaho, Mr. Labrador is recognized for five minutes.

LABRADOR:

Thank you Mr. Chairman and Director Comey, I've always appreciated your testimony before this committee and I respect the work that you do for the FBI. When you made your recommendations to the Department of Justice to not prosecute Hillary Clinton, I actually disagreed with your decision but I appreciated your candor in explaining to the American people and to us those recommendations.

Since that decision I continued to view you as honorable and a strong leader for the critical federal agency. In fact, I did 20 town hall meetings over the recess and I was lambasted at every one of them, in fact I think I lost votes because I defended your integrity at every one of those town hall meetings. And I told them why, even though I disagreed with your conclusions, I thought you came from an honorable place.

LABRADOR:

However, as more and more information has come to light, I question the thoroughness and I'm not questioning your integrity, but the thoroughness and the scope of the FBI's investigation. In the past week, we have learned of the granted immunity to several key witnesses in the Clinton investigation including Hillary Clinton's former chief of staff and one of the individuals responsible for setting up her server.

And I'm really disappointed by this revelation, and confused as to why these immunity grants were necessary and appropriate given the circumstances.

It appears to me that the FBI was very early in this investigation -- too willing to strike deals and ensure that top officials could never be prosecuted for their role in what we now know was a massive breach of national security protocol. We have a duty to ensure that our FBI is still in the business of investigating criminal activity.

So at what point in the investigation was Cheryl Mills offered immunity?

COMEY:

Cheryl Mills was never offered immunity -- not to quibble, but she was given letter (ph) immunity to govern...

LABRADOR:

At what point?

COMEY:

June of 2016, so June of this year. So about 11 months into the investigation.

LABRADOR:

So to be clear, was she offered immunity for an interview and potential (ph) testimony or for turning over the laptop as evidence?

COMEY:

Turning over the laptop as evidence. It governed what could be done -- in terms of using it against her -- that laptop.

LABRADOR:

To you knowledge, was Cheryl Mills an uncooperative witness prior to the immunity deal?

COMEY:

I think our assessment was, she was cooperative -- I forget the month she was interviewed -- but she was interviewed fully before that.

LABRADOR:

And she always cooperated?

COMEY:

I think our assessment was -- again, this is the odd I look at the world -- we had no reason to believe that she was being uncooperative.

LABRADOR:

So could this investigation have been completed without these grants of immunity in place?

COMEY:

In my view, it couldn't be concluded professionally without doing our best to figure out what was on those laptops. So getting the laptops was very important to me and to the investigative team.

LABRADOR:

So in your vast experience as investigator, as a DOJ attorney, now as an FBI director; how many times have you allowed a person who is a material witness to a crime you're investigating to act as the lawyer in that same investigation?

COMEY:

"To let," is what I'm stumbling on. The FBI has no power to stop someone in a voluntary interview...

LABRADOR:

No, no, you're speaking -- let's just be honest. You allowed -- the FBI allowed Cheryl Mills to act as the attorney in a case that she was a material witness. How many times...

COMEY:

In the same sense that I'm allowing you to question me.

LABRADOR:

How many times...

COMEY:

I can't stop you from questioning me.

LABRADOR:

How many times have you done that prior?

COMEY:

I have not had an experience where the subject of the interview was represented by a lawyer who was also a witness in the investigation.

LABRADOR:

OK, so you have never had that experience?

COMEY:

Not in my experience.

LABRADOR:

You prosecuted terrorists and mobsters, right?

COMEY:

Correct.

LABRADOR:

And during your time in Justice, how many times did you allow a lawyer who was a material witness to the case that you were prosecuting to also act as the subject of -- as the attorney to the subject of that investigation?

COMEY:

As I said, I don't think I've encountered that situation where a witness -- a lawyer for the subject of the investigation was also a witness to the investigation.

LABRADOR:

So this was highly unusual to have...

COMEY:

In my experience, yes.

LABRADOR:

OK.

In your answer to Chairman Chaffetz, you indicated that you had no reason to disbelieve Paul Combetta when he told you that he erased the hard drive on his own, is that correct?

COMEY:

Correct.

LABRADOR:

However, in the exchange on Reddit, he said, "I need to strip out a VIP's e-mail address from a bunch of archived e-mails. Basically they don't want the VIP's e-mail address exposed to anyone." Those two statements are not consistent.

How can you say that he was truthful when he told you, nobody told him to act this way. But yet, you saw this Reddit account where it says where "they" told him that he needed to act in this way.

COMEY:

I think the assessment of the investigative teams --- those are two very -- about two different subjects. One is a year before about -- in the summer of 2014 -- about how to produce e-mails and whether there's a way to remove or mask the actual e-mail address, the HRC, whatever it is, dot com and the other is about actually deleting the content of those e-mails sitting on the server.

LABRADOR:

It seems like, in your investigation, you found time after time evidence of destruction, evidence of breaking iPhones and other phones -- all these different things -- but yet, you find that there's no evidence of intent.

And I'm a little bit confused as to your interpretation of 18 U.S.C. 793 (f). On the one hand you've said that Secretary Clinton couldn't be charged because her conduct was extremely careless, but not grossly negligent, correct?

COMEY:

That's not exactly what I said.

LABRADOR:

That is what you said today. But you have also said there was no evidence of her intent to harm the United States.

So -- but you will agree that a person can act with gross negligent or even act knowingly without possessing some additional specific intent? So which is it? Is it a lack of gross negligence that she had or a lack of intent?

COMEY:

In terms of my overall judgment about whether the case was worthy of prosecution, it is the lack of evidence to meet what I understand to be the elements of the crime, one. And two, a consideration of what would be fair with respect to how other people have been treated. Those two things together tell me, and I'm -- nothing has happened that's changed my view on this -- that no reasonable prosecutor would bring such a case.

The -- the specific intent question, yes, I agree that harm -- specific intent to harm the United States is a different thing than a gross negligence or a willfulness.

LABRADOR:

So just one last question.

You have talked about Mary and Joe. Now Mary and Joe would be disciplined at the FBI if they did what Hillary Clinton did. If Mary and Joe came to you and asked for a promotion immediately after being disciplined, would you give them that promotion?

COMEY:

It's tough to answer that hypothetical. It would depend upon the nature of the conduct and what discipline have been imposed.

LABRADOR:

And what if they ever ask for a promotion that would give them management and control of cybersecurity of your agency and the secrets of your agency after they had done these things? Would you give them that promotion?

COMEY:

That's a question I don't want to answer.

LABRADOR:

All right.

GOODLATTE:

The time of the gentleman has expired.

The Chair recognizes the gentlewoman from California, Ms. Walters, for five minutes.

WALTERS:

Hi, Director Comey.

Despite the absence of an intent Mens Rea, standard in 18 U.S.C. Section 79 - 793 (f) , you have said that there has never been a prosecution without evidence of intent. Thus, the standard has been read into the statute despite the specific language enacted. What exactly are the legal precedents that justify reading intent into the statute?

COMEY:

Well, my understanding of 793 (f) is governed by a couple of things. Three things, really.

One, the legislative history from 1917, which I've read and the one case that was prosecuted -- in the case. And those two things combined tell me that when Congress enacted 793 (f), they were very

worried about the gross negligence language, and actually put in legislative history -- we understand it to be something very close to willfulness.

Then the next hundred years of treatment of that actually tell me that the Department of Justice for a century has had that same reservation because they've only used it once. And that was in a case involving an FBI agent who was -- in an espionage context. So those things together inform my judgment of it.

WALTERS:

Considering the important of protecting classified information for national security purposes, a lot of people disagree that an intent standard should be read into that statute. What specific language would you recommend we enact to ensure gross negligence is the actual standard for the statute and not intent?

COMEY:

I don't think that's something the Bureau ought to give advice on. It's a good question as to what the standard should be. I could imagine federal employees being very concerned about how you draw the line for criminal liability, but I don't think that is something that we ought to advise on, the legislation.

WALTERS:

OK. Should we enact a Mens Rea standard for extreme carelessness for the statute?

COMEY:

Same answer, I think, is appropriate.

WALTERS:

Should we enact a civil fine?

COMEY:

A civil fine for mishandling classified information? I don't know, actually, 'cause it's already subject to discipline, which is suspension, or loss of clearance, or loss of job, which is a big monetary impact to the people disciplined. So I don't know is (ph) whether it's necessary.

WALTERS:

OK. I want to change subjects...

COMEY:

OK.

WALTERS:

...for my next question. As you know, the number of criminal background checks for non-criminal purposes, such as for employment decisions, continues to increase annually. I don't expect that you have this information on hand.

However, would you be willing to provide the committee and my staff with the number of criminal history record checks for fingerprint-based background checks that the FBI has conducted over each of the past five years? And what are your thoughts regarding whether the FBI has the capacity to process the increasing number of background check requests?

COMEY:

I'm sure we can get you that number, 'cause I'm sure we track it. So I'll make sure my staff follows up with you. I do believe we have the resources. Where we've been strained is on the background checks for firearms purchases.

The other background check processes we, my -- overall sense is we have enough troops to do that. We're able to -- we charge a fee for those and I think we're able to generate the resources we need.

WALTERS:

OK. Thank you. I yield back my time.

ISSA:

Could the gentlelady yield to me?

WALTERS:

Sure. I'd be happy to yield to you, Mr. Issa.

ISSA:

Thank you. Thank you. Director, some time ago you appeared before this committee and you -- you told us that you had exhausted all of the capability to unlock the San Bernardino iPhone, the 5C. Did that turn out to be true?

COMEY:

Still true.

ISSA:

That you had exhausted all of your capability?

COMEY:

That -- that the FBI had? Yes.

ISSA:

So shouldn't we be concerned from a cyber standpoint that you couldn't unlock a phone that, in fact, an Israel company came forward and unlocked for you? And a -- basically a Cambridge professor or student for 90 bucks has shown also to be able to do -- unlock and mirror or duplicate the memory.

Should - I mean, and this is purely a question of, you apparently do not have the resources to do that which others can do. Isn't that correct?

COMEY:

I'm sure that's true in a whole bunch of respects. But first I've got to correct you. I'm not confirming, you said an Israeli company? I'm not...

ISSA:

Well, OK. A -- a contractor for you reported to be for a million dollars unlocked the phone. So I would ask you to confirm. The phone got unlocked, right?

COMEY:

Yes, it did.

ISSA:

OK. So the technology could be created outside of ordering a company to essentially clandestine -- or, you know, reengineer their -- their software for you. Correct?

COMEY:

In this particular case, yes.

ISSA:

OK. And so you lack that capability. How can this committee know that you're in the process of developing that sort of technology, the equivalent of the Cambridge $90 technology?

COMEY:

How can the committee know?

ISSA:

Yeah. I mean in other words, where are the assurances that you're going to get robust?

And, if we have an encryption working group that was formed between multiple committees, to no small extent because of your action of going to a magistrate and getting an order because you lacked that capability, and -- and were trying a new technique of ordering a company to go invent for you, the question is how do we know that won't happen again?

That you will go to the court, ask for something, when, in fact, the technology exists or could exist to do it in some other way? A technology that you should have at your disposal, or at least some federal agency should, like the NSA.

COMEY:

Well, first of all, it could well happen again, which is why I think it's great that people are talking about what we might do about this problem. It's an interesting question as to whether we ought to invest in us having the ability to hack into people's devices, whether that's the best solution.

It doesn't strike me as the best solution. But we are -- and I've asked for more money in the -- in the '17 budget, trying to invest in building those capabilities so when we really need to be able to get into a device, we can. It's not scalable and I'm not sure it will be thrilling to companies like Apple we're investing money, trying to figure out how to hack into their stuff.

ISSA:

Well isn't it, and I'll be brief, isn't it - isn't it true that we have clandestine organizations who have the mandate to do just that? To look around the world and to be able to find information that people don't know you can find, keep it secret, get it out there?

And my question to you is, shouldn't we, instead of giving you the money, simply continue to leverage other agencies who already have that mandate, and then ask you to ask them to be your conduit for that, when you have an appropriate need?

COMEY:

That's a reasonable question, maybe part of the solution. Real challenges in using those kinds of techniques in the bulk of our work, because it becomes public and exposed; that has to be an important part of the conversation.

ISSA:

Thank you. I yield back.

GOODLATTE:

The Chair recognizes the gentleman from Arizona, Mr. Franks for five minutes.

FRANKS:

Thank you Mr. Chairman. And thank you for being here Director Comey. Director Comey, I - the last thing I want to do is to - to lecture you on anything related to the law because I think you've given your whole life to that effort and I guess in the face of so many things already having been said here in the past, that all I can do is to try to sort of re-associate this in a reference of why there is a rule of law.

You know, we - we had that little unpleasantness in this (ph) late 1770's with England over this rule of law, because we realize there's really only two main ways to govern, and that is by the rule of men or the rule of law, and sometimes it's important for all of us just to kind of reconnect what this whole enterprise of America is all about, and I - again, don't seek to lecture you in that regard.

And I know, and -- and you'll have to forgive me for being a Republican partisan here, because I am very biased in this case, but I know that when you interviewed Mrs. Clinton, you were up against someone that - that really should have an earned Doctorate of duplicity and deception hanging on her wall.

I don't know that you probably could have interviewed a more gifted prevaricator, so I know you were up against the best. But having said that, when I - when I read the law here, that I know so many have already referenced, I think I maybe - that's the best way for me to do that, 18 U.S.C. 1924 provides that any federal official who quote "becomes possessed of documents or materials containing classified information of the United States, and knowingly removes such documents or materials without authority, and with the intent to retain such documents or materials at an unauthorized location shall be fined under this title or imprisoned for not more than one year or both."

Now I didn't - didn't miss one word there. It does not require - that section does not require an intent to profit, it doesn't require harm to the United States or other wise to - to act in any manner disloyal to the United States, it only requires intent to retain, classified documents at an unauthorized location.

And - and I believe sir, in all sincerity to you - person to person-I believe that some of your comments reflected that that's what occurred. Over the last several months, I believe that's the case, and so I have to - it's my job to ask you again, why the simple clarity of that law was not applied in this case?

Because the implications here are so profound, for your children and mine, for this country, they are so profound.

And - and I - again, I don't envy your job, but I want to give you the reminder of the time to -- to help me understand why a law like this that any - any law school graduate, if we can't apply this one in this case, how in God's name can apply it in any case in the world, why does it - why is it even written? So, I'm going to stop there and ask your forbearance and just go for it.

COMEY:

Sure, no it's a reasonable question. That is the -- 18 U.S.C. 1924 is the misdemeanor mishandling statute that is the basis on which most people have been prosecuted for mishandling classified information -- have been prosecuted, it is not a strict liability statute.

I was one of the people, when I was in the private sector, who argued against strict liability criminal statutes. It requires, in the view of the Department of Justice and over long practice, proof of some criminal intent - not specific intent to harm the United States, but a general awareness that you're doing something that's unlawful, so you have to prove criminal intent.

So there's two problems in this case: one is developing the evidence to prove beyond a reasonable doubt that Secretary Clinton acted with that criminal intent, and second, even if you could do that, which you can't, looking at the history of other cases, what would be the right thing to do here, has anybody ever been prosecuted on anything near these facts?

And again, I keep telling the folks at home, when people tell you lots of people have been prosecuted for this, please demand the details of those cases, because I've been through them all.

So that combination of what the statute requires and the history of prosecutions told me, and again people can take a different view and it's reasonable to disagree, that no reasonable prosecutor would bring that case - that's - that in a nutshell is what it is.

FRANKS:

You said it was a reasonable question, it was a reasonable answer, but I - I can't find that in the statute. Thank you sir.

GOODLATTE:

The Chair recognizes the gentlemen from Louisiana, Mr. Richmond for five minutes.

RICHMOND:

Thank you - thank you Mr. Chairman. Director Comey, and I'm - I'm going down a completely path, our law enforcement in this country have a consistent enemy in a group called Sovereign Citizen and what I have seen in my district, we lost two officers in St. John Parish about four years ago and we just lost another three officers in Baton Rouge with another couple injured.

In the case in St. John Parish, we actually had the perpetrators on the radar in North Louisiana and at some point they moved to South Louisiana in my district, and we lost contact.

So, when St. John Parish deputies went to their trailer park, they had no idea what they were walking into, and they walked into an ambush with AR-15s and AK-47s, and the unimaginable happened.

RICHMOND:

So through (inaudible) and other things, are you all focused on making sure -- and I think there are about a hundred thousand of them, but are you all focused on making sure that our law enforcement has the best information when dealing with whether it's sovereign citizen or terrorist cells or other bad actors, that that information gets to the locals so they're not surprised and ambushed?

COMEY:

Well, we sure -- we sure are. And I don't know the circumstances of that case, but I -- I will find out the circumstances, in -- in two respects. We want, obviously, people to know when someone's wanted.

But, more than that, we have a known or suspected terrorist file that is -- should have information in that about people we are worried about so that if an officer's making a stop or going up to execute a search warrant, and they run that address of that person, they'll get a hit on the -- what we call the KST file. So that's our objective and, if there are ways to make it better, we want -- we want to.

RICHMOND:

Now let's switch lanes a little bit because this is one of -- I think an issue, when we start talking about criminal justice reform and we start talking about the FBI in my community and communities of -- of color and with elected officials, there seems to be two standards.

One for low-level elected officials, and then one for other people. So I guess the facts I will give you in -- in some of our cases, and you tell me if it sounds inconsistent with your knowledge of the law and your protocol.

But non-profit organizations where elected officials have either been on boards or had some affiliation with, when those funds are used in a manner that benefits them personally, they have been prosecuted. And I mean for amounts that range from anywhere from $2,000 upwards to $100,000.

Your interpretation of the law that, if a non-profit funds are used to benefit a person and not the organization, that that is a theft of funds. Because I believe that those are a lot of the charges that I have seen in my community. Would you agree with that?

COMEY:

Sure, could be, and I know from personal experience, having done these cases, that's often -- that's at the center of a case involving a corrupt official.

RICHMOND:

Now, let's take elected official out, and just take any foundation director or board director or executive director who would use the funds of a non-profit to pay personal debts or bills, or just takes money. You would agree that that would constitute a violation of the law? Criminal statute?

COMEY:

Potentially. On the federal side, potentially of wire fraud, mail fraud, or a tax charge. Potentially.

RICHMOND:

The -- the other thing that I would say is that, in our community we feel that it's selective prosecution. That if you're rich, you have another standard. That if you're an African-American, you have another standard.

And there are a number of cases that I will give you off line, but it appears that, and my concern, is the authority of your agents to decide that a person is bad, and then take them through holy hell to try to get to the ultimate conclusion that the agent made, and they don't let the facts get in their way.

RICHMOND:

And at the end of the day, you have business people who spend hundreds of thousand dollars to protect their reputation and to fight a charge that they ultimately win. But now they are broke, they're defeated, because when it comes out it says the United States of America versus you.

So I would just ask you to create a mindset within the department that they understand the consequences of leaks to the press, charges, and what happens if - when those charges are really not substantiated, you still break a person.

And I think that you all have a responsibility to be very careful with the awesome power that you all are given.

And with that, Mr. Chairmen, I think back - I yield back.

GOODLATTE:

Thanks, gentlemen. The director is welcome to respond if he...

COMEY:

I very much agree with what you said, congressman, at the end of that. The power to investigate is the power to ruin. Obviously charging people is -can also be ruinous.

So, it's when we have to be extraordinarily prudent in exercising fair, open minded and careful. So, I - I very much agree with that.

GOODLATTE:

The Chairman recognizes the gentlemen from Michigan, Mr. Trott for five minutes.

TROTT:

Thank you Mr. Chairman, and thank you Director for being here. And thank you for your service to our country.

And you - when you made your statement at the press conference on July 5, you said, "I have not coordinated or reviewed this statement in any way with the Department of Justice or any part of the government. They do not know what I'm about to say."

I have no reason to question your integrity, but is there any chance that someone working in your office or as part of this investigation knew what you were going to decide and recommend, and maybe told one of the Attorney General's staff what was about to - to happen on July 5?

COMEY:

Look, anything's possible. I - I would - I think I'd be willing to bet my life that didn't happen just because I know my folks.

TROTT:

So, here's why I ask. The facts give me pause. Investigation started in July of '15, many of us in Congress, including myself, suggested that the Attorney General should recuse herself because of her friendship with the Clinton's and because of her desire to continue on as Attorney General on a Clinton Administration.

Then she had the fortuitous meeting on the airplane with former President Clinton on June 30. Then on July 2 give or take, she came out and said, "You know, I've created an appearance of impropriety. And so I'm going to just follow whatever the FBI Director's recommendation is."

And then three days later, you had your press conference. And in your press conference you said, "In our system of justice, the prosecutors make the decisions about what charges are appropriate based on the evidence."

That's not what happened in this case. Ultimately you made the decision. Is that what happened?

COMEY:

I made public my recommendation. The decision to decline the was made at - at the Justice Department.

TROTT:

But - but before - before you had that press conference, you knew based on the Attorney General's public comments that she was going to follow whatever you recommended.

So, ultimately you made the decision in this case as to whether or not charges should be filed - filed against Secretary Clinton. Isn't - isn't that the reality of what happened?

COMEY:

I think that's a fair characterization. The only thing I'd add to that is I think she said - I don't remember exactly - that she would defer to the FBI and the career prosecutors at the Department of Justice.

But look, I knew that once I made public the FBI's view, that this wasn't a prosecutable case, that there was virtually zero chance that the Department of Justice was going to go in a different direction. But part of my decision was based on my prediction that there was the Department of Justice would prosecute on these facts in any event.

So, I think your characterization is fair, but I just wanted to add that - that color to it.

TROTT:

But see how some of us would look at the - the dates and the facts leading up to your press conference. And - and think OK, for a year we've been suggesting she's not the appropriate person to make the ultimate decision as to whether charges should be filed. She won't recuse herself.

And then three days before you come out with your recommendation, which she's already said she's going to follow, she basically decides to recuse herself. Those facts give me pause.

COMEY:

Yeah, I get why folks would ask about that. But I actually think it's - there are two dates that matter.

I think but what generated that was the - the controversy around her meeting with President Clinton, not - not the - the interview with Secretary Clinton.

TROTT:

That's - that's a whole 'nother discussion. So, let's - let's talk about Cheryl Mills.

So, you've said earlier today that it really wasn't up to you to weigh in on whether there's a conflict for Ms. Mills to act as Secretary Clinton's lawyer in the interview. But again, you're kinda taking your attorney hat on and off whenever it's convenient.

TROTT:

You - you - you decided that at the beginning of that interview, it was appropriate for you weigh in as a lawyer suggesting there was a conflict.

But then again, your recommendation is ultimately as a lawyer what's being done in this case. You see a little bit of inconsistency there or no?

COMEY:

No, I see the point about - look, I'd rather not have an attorney hat on at any time. I put it on because I thought that was what was necessary at the conclusion of this investigation but I stand by that. The agents of the FBI, it's not to them to try and kick out someone's lawyer.

TROTT:

What would've happened if you'd said Ms. Mills, because of the history here, you can't be in this interview?

COMEY:

I don't know. I don't know.

TROTT:

Could you have said that to her?

COMEY:

I guess you could. It would be well outside our normal role.

TROTT:

So, a number of times today you've said it really is no double standard and so now I'm just asking you as a citizen and not even in your capacity as director FBI.

Can you sort of see why a lot of Americans are bothered by a perceived double standard because if any of the gentlemen sitting behind you this morning, I assume (ph) are with the department, had done some of the things Ms. Clinton did and told some of the lies that she told, you said in your statement that this is not just under similar circumstances, there wouldn't be consequences.

In fact, there would be - they'd be subjected to administrative sanctions.

And now we have an election going on where she's seeking a pretty big promotion so maybe your point is she wouldn't be charged under similar facts but can you sort of see why so many people are bothered by the facts in this case given that really nothing happened to her and now she's running for president of the United States? I mean, just - can you see the - the optics on that are troubling?

COMEY:

Oh, I totally get that. That's one of the reasons I'm trying to answer as many questions as I can because I get that question but again, folks need to realize in the FBI if you did this you'd be in huge trouble. I'm certain of that. You'd be disciplined in some serious way, you might be fired. I'm also certain you would not be prosecuted criminally on these facts. Those are two different things.

TROTT:

And you've said that. I appreciate that tell me (ph) just as one quick question because I'm out of time, but Mr. Bishop started to talk about this and his district is affected as well in Michigan but my district in southeast Michigan has the third largest settlement of Syrian refugees of any city in the country behind San Diego and Chicago. That's Troy, Michigan.

And you said last Fall in front of a homeland security committee hearing that you really didn't have the data to properly vet the Syrian refugees that are trying to come in and you said that again this morning but, you know, last weekend I'm at a grocery store and a Starbucks and two different constituents walked up to me and said "can't you stop the president's resettlement of Syrian refugees into Troy Michigan? We're all afraid."

And they're based on, largely, your comment that we don't have the database to really vet these folks. Anything I can tell the folks back in Michigan that we're doing other than - all I say now is "we just have to wait for a new president because this president has increased the number of refugees by 60 and 30 percent year over year the last two years. We just have to wait for a new president."

I'd like to be able to say "the FBI is doing something different than they were doing last year when you made those comments."

COMEY:

Well, as I said earlier, they can know that we are - if there is a whiff about this person, somewhere in the U.S. government's vast holdings, we will find it. And the second thing they can know is if we get a whiff about somebody once they're in, we're going to cover that in a pretty tight way. What I can't promise people is that if - I can't query what's not in our holdings. That's the only reservation I offer to people.

TROTT:

Thank you, sir. I yield back.

GOODLATTE:

Director Comey, during questioning earlier there was a dispute that arose over the contents of one or more of the immunity letters that were issued particularly with regard to the issue of whether or not it contained immunity for destroying documents, e- mails.

The individual who was questioning you about that was chairman - former Chairman Issa of the Oversight and Government Reform Committee and I want him to be able to clarify because we have contacted the Department of Justice and asked them to read the immunity letters to us.

So, the gentleman's recognized briefly.

ISSA:

Thank you, Mr. Chairman. I'll try to be very brief. Under the immunity agreement with one or more individuals, we'll use Cheryl Mills as, clearly, one of the individuals. She negotiated a very, very good deal from what we can discover.

She did not just receive immunity related to the production of the drive, the computer, and the contents but in fact received immunity under 70 - 793, 18 USC 793 E and F. 1924 - USC 19 - 18 USC 1924 and, so called, David Petraeus portion 18 USC 2071.

And I'll focus on 2071. Her immunity is against any and all taking, destruction, or even obstruction, the way we read it, of documents classified or unclassified.

Now, the only question I have for you is - and I know you're going to put this to Justice and we may have to ask them separately - for the purposes of what you needed as an investigator because you were the person that wanted access to the computer, is that deal make any sense to in return for things which she could have objected to as an attorney and held back, but which had no know proffer of leading to some criminal indictment of somebody else.

She received complete immunity, as we read it, from obstruction or destruction of documents classified and unclassified and that's based on a re-review of the immunity agreement.

COMEY:

I think you're right. This is a question best addressed to Justice but I think you're misunderstanding it. As I understand it, this was a promise in writing from the Department of Justice if you give us the laptops, we will not use anything on the laptops directly against you in a prosecution for that list of offenses.

It's not immunity for those offenses if there's some other evidence. Now, that said, I'm not exactly sure why her lawyer asked for it because by that point in the investigation we didn't have a case on her to begin with.

ISSA:

Well, I understand that but based on the read it (ph) discovery and others, the they asked me to do it and you said so yourself it was probably Cheryl Mill, the they. You have a - an immune witness who has to tell you who they were.

If the they were told me to delete and that's Cheryl Mills then, in fact, you have evidence from an immune witness of a crime perpetrated by Cheryl Mills, the ordering of the destruction of any document classified or unclassified which clearly she seems to have done.

COMEY:

She wouldn't be protected from that. If we developed evidence that she had obstructed justice in some fashion, all she's protected from is we can't use as evidence something that's on the laptop she gave us.

ISSA:

So, with the...

COMEY:

...We can still prosecute her.

ISSA:

Right, so the information put into the record today which included these read it (ph) discoveries show that there is a they who asked to have the destruction of information under 18 USC 2071.

If she doesn't have immunity for that order, she could and, by definition, should be charged because ordering somebody else to destroy something as an attorney well after there were subpoenas in place that were very specific, that's clearly a willful act, isn't it?

JACKSON LEE:

Mr. Chairman, would you yield?

ISSA:

Of course.

JACKSON LEE:

Your line of questioning. First, let me show my cards. I believe that Cheryl Mills has an impeccable character as my line of questioning suggested that Director Comey and his staff have impeccable character. But my good friend, there's immunity given.

I don't think this applies to Ms. Mills and I looked at the sections that you're speaking of. If you take local, criminal, and state actions given to the worst of characters for variety of reasons, that was not the reason given to Ms. Mills.

I am assured that it is a lawyer that was trying to be the most effective council to Ms. Mills as possible.

ISSA:

Reclaiming my time, Gentle lady's point may be true. I'm only speaking to the director based on things were done that should not have been done. We now have evidence in front of this committee in the record of people destroying records of activities as late as a few days ago.

So, the fact that there still should be an open question, first of all, is could she be prosecuted and if in fact the they have told me to destroy this under the exact same statute that included David Petraeus' who was no longer on active duty, 18 USC 2071, there's at least a case to be made.

Now, the problem we have is the lawyer negotiated a set of terms which hopefully doesn't mean that she gets a free pass even if she willfully ordered the destruction of documents which it does appear she did.

And look, I'm - my job is not to - to be judge, jury, or hangman. My job is to look at what's been presented to us, ask the highest law enforcement officer in the land to, in fact, look into it because it does appear as though it is there.

JACKSON LEE:

A brief yield, my good friend.

ISSA:

Of course.

JACKSON LEE:

Certainly, we have a oversight responsibility of the director, I think he's been very forthright. But none of the actions of destruction can be attributed - I don't think we have anything in evidence to suggest that Ms. Mills contributed to the dictating or directing any destruction --

ISSA:

-- Well the gentle lady - the gentle lady may not have been here...

JACKSON LEE:

-- We can't speculate here.

ISSA:

The gentle lady may not have been here at the time but the director himself, when asked who would the they would have been in that order to destroy, at least said it probably was or likely could have been Cheryl Mills. We're not saying it is. What we're saying is you have an immune witness.

GOODLATTE:

The gentlemen will suspend.

ISSA:

Of course.

GOODLATTE:

The purpose of this was to set the record straight as to what the content of the document was. That has been accomplished and the debate will continue on -

JACKSON LEE:

Thank you, Mr. Chairman.

GOODLATTE:

Will continue on outside of this hearing room.

JACKSON LEE:

I only state (ph) we cannot speculate...

ISSA:

-- And I would only ask (ph) - and I would only ask that the director be able to review those documents at Justice (ph) and follow up with the committee, would be very helpful to all of us. I thank the chairman.

GOODLATTE:

The director has answered in the affirmative that he will do that.

COMEY:

Yes. We'll follow up.

GOODLATTE:

First of all, I want to thank Diretor Comey. We didn't make four hours and 40 minutes but we did almost make four hours and I know you've been generous with your time.

However, I will also say that I think a lot of the questions here indicate a great deal of concern about the manner in which this investigation was conducted, how the conclusions were drawn, and the close proximity to that and the meeting of the attorney general with former President Clinton on a tarmac at the same time she then said, well, I'm going to recuse myself and then shortly after that, you took over and announced your conclusions in this case which are hotly disputed as you can tell.

The committee and the oversight of government reform (ph) committee have referred to the United States attorney for the eastern district of - for the District of Columbia.

Referral based upon her testimony before the select committee on Benghazi suggesting that your statement at your press conference and your testimony before the oversight and government reform (ph) committee very clearly contradicted a number of statements she made under oath before that committee and I want to stress to you how important I think it is that we made that referral for the purpose of making sure that no one is above the law.

And in many cases regarding investigations, it is not just the underlying actions that are important but they are the efforts of people to cover those up through perjury, through obstruction of justice, through destruction of documents and so I would ask that this matter be taken very, very seriously as you pursue whatever actions the department chooses to take making sure that no one is above the law.

COMEY:

Thank you, sir.

GOODLATTE:

With that, that concludes today's hearing and I thank our distinguished witnesses for attending. Without objection, all members will have five legislative days to submit additional written questions for the witness or additional materials for the record and the hearing is adjourned.

CQ Transcriptions, Sept. 28, 2016List of Panel Members and Witnesses
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WITNESSES:

FBI DIRECTOR JAMES COMEY

Source: CQ Transcriptions

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Friday, October 7, 2016 3:48 PM
To:	James B. Comey
Subject:	Statement is out

Release Date:
October 7, 2016

For Immediate Release
DHS Press Office
Contact: 202-282-8010

The U.S. Intelligence Community (USIC) is confident that the Russian Government directed the recent compromises of e-mails from US persons and institutions, including from US political organizations. The recent disclosures of alleged hacked e-mails on sites like DCLeaks.com and WikiLeaks and by the Guccifer 2.0 online persona are consistent with the methods and motivations of Russian-directed efforts. These thefts and disclosures are intended to interfere with the US election process. Such activity is not new to Moscow—the Russians have used similar tactics and techniques across Europe and Eurasia, for example, to influence public opinion there. We believe, based on the scope and sensitivity of these efforts, that only Russia's senior-most officials could have authorized these activities.

Some states have also recently seen scanning and probing of their election-related systems, which in most cases originated from servers operated by a Russian company. However, we are not now in a position to attribute this activity to the Russian Government. The USIC and the Department of Homeland Security (DHS) assess that it would be extremely difficult for someone, including a nation-state actor, to alter actual ballot counts or election results by cyber attack or intrusion. This assessment is based on the decentralized nature of our election system in this country and the number of protections state and local election officials have in place. States ensure that voting machines are not connected to the Internet, and there are numerous checks and balances as well as extensive oversight at multiple levels built into our election process.

Nevertheless, DHS continues to urge state and local election officials to be vigilant and seek cybersecurity assistance from DHS. A number of states have already done so. DHS is providing several services to state and local election officials to assist in their cybersecurity. These services include cyber "hygiene" scans of Internet-facing systems, risk and vulnerability assessments, information sharing about cyber incidents, and best practices for securing voter registration

databases and addressing potential cyber threats. DHS has convened an Election Infrastructure Cybersecurity Working Group with experts across all levels of government to raise awareness of cybersecurity risks potentially affecting election infrastructure and the elections process. Secretary Johnson and DHS officials are working directly with the National Association of Secretaries of State to offer assistance, share information, and provide additional resources to state and local officials.

_____

James Rybicki
Chief of Staff
Federal Bureau of Investigation

[redacted] b7E

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, November 9, 2016 11:36 AM
To:	James B. Comey
Subject:	FW: FBI Presidential Transition Site Login Instructions
Attachments:	FBI 2016 Presidential Transition Website Login Instructions.pdf

I can walk you through this.

-----Original Message-----
From: FBITransition2016
Sent: Wednesday, November 09, 2016 11:05 AM
To: Comey, James B. (DO) (FBI) <[redacted]>; Rybicki, James E. (DO) (FBI) <[redacted]>
Cc: Burton, Dawn (DO) (FBI) <[redacted]>
Subject: FBI Presidential Transition Site Login Instructions

An account has been created so you can access the 2016 FBI Presidential Transition website.

The URL for the website is: [redacted]

Your user name is [redacted]

Your password is [redacted]

b6
b7C
b7E

Full instructions on the website login process are attached.

If you have any questions or require assistance with your login access please contact the FBI Transition Team at [redacted]

Thank you.

The FBI Presidential Transition Team

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, November 16, 2016 11:05 AM
To:	James B. Comey
Subject:	FW: McConnell, Schumer elected to top spots in Senate ahead of battles with Trump: CNN

From: Herring, Jason V. (CD) (FBI)
Sent: Wednesday, November 16, 2016 11:02 AM
To: Rybicki, James E. (DO) (FBI) [redacted] Mccabe, Andrew G. (DO) (FBI) b7E
[redacted] Bowdich, David L. (DO) (FBI [redacted]
Subject: FW: McConnell, Schumer elected to top spots in Senate ahead of battles with Trump: CNN

See highlights below…

Also, it is anticipated that Mark Warner (VA) will step up as the Vice Chair of SSCI.

Jason

McConnell, Schumer elected to top spots in Senate ahead of battles with Trump

By Ted Barrett and Tom LoBianco, CNN

Updated 10:49 AM ET, Wed November 16, 2016

http://www.cnn.com/2016/11/16/politics/senate-republican-democratic-leaders/index.html

Washington (CNN)Republicans re-elected Mitch McConnell as Senate Majority Leader Wednesday while Democrats tapped Chuck Schumer as their leader as both sides prepare for critical battles with the incoming Trump administration.
McConnell was formally nominated by Sen. Marco Rubio and freshman Sen. Todd Young of Indiana -- a nod to his extensive efforts in both states which helped him keep their majority.

McConnell, the Kentucky Republican, led the successful effort to hold the Senate Republicans and was rewarded with an easy victory in a private meeting with his caucus.

Schumer's ascension was coordinated well before the election, but some veteran Democrats moved into new roles that will prove critical as Trump plies lawmakers next year. He will serve as Trump's chief antagonist in the new Congress.

Democrats also formally added Vermont independent Bernie Sanders to their ranks — a clear nod to his success in the campaign and the strains within the party moving forward.
"We are ready to go toe to toe with Republicans," Schumer told reporters, noting that Democrats "can't flinch and can't ignore" results of election.

Senate Democrats picked up two seats last week, but it was just shy of enough to win the majority.

Sen. Dianne Feinstein, a long-serving California Democrat, will take over her party's top seat on the Judiciary Committee -- putting her in place to lead the fight against any Trump nominee for the Supreme Court. Veteran Judiciary member Patrick Leahy, of Vermont, will head to the Senate Appropriations Committee.

[redacted]
FBI Office of Congressional Affairs
[redacted]

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, November 23, 2016 10:47 AM
To:	James B. Comey
Subject:	FW: 161121 Letter to FBI Director Comey from Vice Chairman Feinstein and Senator Warner
Attachments:	161121 Letter to FBI Director Comey from Vice Chairman Feinstein and Senator Warner.pdf

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From: Herring, Jason V. (CD) (FBI)
Sent: Wednesday, November 23, 2016 9:16 AM
To: Rybicki, James E. (DO) (FBI) [redacted]; Bowdich, David L. (DO) (FBI) [redacted]; Steinbach, Michael B. (DO) (FBI) [redacted]; Priestap, E. W. (CD) (FBI) [redacted]; Strzok, Peter P. (CD) (FBI) [redacted]; [redacted] (OGC) (FBI) [redacted]; Beers, Elizabeth R. (DO) (FBI) [redacted]; Baker, James A. (OGC) (FBI) [redacted]; [redacted] (OGC) (FBI) [redacted]
Subject: Fwd: 161121 Letter to FBI Director Comey from Vice Chairman Feinstein and Senator Warner

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Attached is a letter from Feinstein and Mark Warner. We will need to decide how to handle in advance of the D's round table with SSCI on 12/1.

Regards. Jason

...

-------- Original message --------
From: "Wolfe, J (Intelligence)" [redacted]
Date: 11/22/2016 3:34 PM (GMT-04:00)
To: "Herring, Jason V. (CD) (FBI)" [redacted]
Cc: [redacted] (Intelligence)" [redacted], "Wolfe, J (Intelligence)" [redacted]
Subject: 161121 Letter to FBI Director Comey from Vice Chairman Feinstein and Senator Warner

Mr. Herring – Attached is a letter to FBI Director Comey from Vice Chairman Feinstein and Senator Warner dated November 21, 2016, regarding the FBI investigations into the Trump campaign's connection to the Russian government.

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Please confirm receipt of this message and provide the letter to Director Comey.

Sincerely,

James A. Wolfe
Director of Security
U.S. Senate
Select Committee on Intelligence
Hart Senate Office Building, Room SH-211
Washington, DC 20510
[redacted] (o)
(f)

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RICHARD BURR, NORTH CAROLINA, CHAIRMAN
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MARK R. WARNER, VIRGINIA
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ANGUS S. KING, JR., MAINE
MAZIE K. HIRONO, HAWAII

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MICHAEL CASEY, MINORITY STAFF DIRECTOR
DESIREE THOMPSON SAYLE, CHIEF CLERK

United States Senate

SELECT COMMITTEE ON INTELLIGENCE
WASHINGTON, DC 20510-6475

November 21, 2016

The Honorable James Comey
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535-0001

Dear Director Comey,

As you know, the Office of the Director of National Intelligence and the Department of Homeland Security released the following statement on October 7th:

> "The U.S. Intelligence Community (USIC) is confident that the Russian Government directed the recent compromises of e-mails from US persons and institutions, including from US political organizations. The recent disclosures of alleged hacked e-mails on sites like DCLeaks.com and WikiLeaks and by the Guccifer 2.0 online persona are consistent with the methods and motivations of Russian-directed efforts. These thefts and disclosures are intended to interfere with the US election process."

Furthermore, earlier this week, Admiral Mike Rogers, Director of the NSA, said that,

> "There shouldn't be any doubt in anybody's minds, this was not something that was done casually, this was not something that was done by chance, this was not a target that was selected purely arbitrarily. This was a conscious effort by a nation-state to attempt to achieve a specific effect."

This is profoundly troubling for obvious reasons. However, the above is even more concerning in light of recent comments made by Russia's Deputy Foreign Minister Sergei Ryabkov about extensive contacts, during the campaign, between the Russian Government and the Trump campaign team:

> "There were contacts. We are doing this and have been doing this during the election campaign. Obviously, we know most of the people from [Trump's] entourage. Those people have always been in the limelight in the United States and have occupied high-ranking positions. I cannot say that all of them, but quite a few have been staying in touch with Russian representatives."

Press reporting from CNN indicates that, "The FBI has been conducting multiple investigations of alleged connections between Russia and Donald Trump, his presidential campaign or its backers."

In turn we are writing to formally ask you:

- What is, or has been, the extent of the FBI investigations into the Trump campaign's connection to, or communications with, the Russian government?

- What is the FBI's current assessment of the connections between the Trump campaign and the Russian government?

We request a written response, appropriately classified, before your roundtable meeting with the Intelligence Committee on December 1st. We look forward to discussing this, and other relevant issues, with you at that time.

Thank you for your attention to this matter.

Sincerely,

Senator Dianne Feinstein
Vice Chairman

Senator Mark Warner
Member

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, November 30, 2016 3:05 PM
To:	James B. Comey
Subject:	FW: Roundtable

From: Beers, Elizabeth R. (DO) (FBI)
Sent: Wednesday, November 30, 2016 1:59 PM
To: (DO) (FBI); Herring, Jason V. (CD) (FBI); (DO) (FBI)
Cc: Rybicki, James E. (DO) (FBI)
Subject: RE: Roundtable

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Thanks This same language is in the amended HPSCI Intel Auth bill which is scheduled for the suspension calendar this afternoon.

Beth Beers
FBI Office of Congressional Affairs

From: (DO) (FBI)
Sent: Wednesday, November 30, 2016 1:55 PM
To: Herring, Jason V. (CD) (FBI); (DO) (FBI); (DO) (FBI)
Cc: Rybicki, James E. (DO) (FBI)
Subject: Roundtable

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FYSA- This is the first I've seen of this.

b5

I've attached a news article below for SA, also.

This is from the Senate bill (Cotton proposal). Note FBI role:

TITLE V--MATTERS RELATING TO FOREIGN COUNTRIES

SEC. 501. COMMITTEE TO COUNTER ACTIVE MEASURES BY THE RUSSIAN FEDERATION TO EXERT COVERT INFLUENCE

OVER PEOPLES AND GOVERNMENTS.

(a) Definitions- In this section:

(1) ACTIVE MEASURES BY RUSSIA TO EXERT COVERT INFLUENCE- The term `active measures by Russia to exert covert influence' means activities intended to influence a person or government that are carried out in coordination with, or at the behest of, political leaders or the security services of the Russian Federation and the role of the Russian Federation has been hidden or not acknowledged publicly, including the following:

(A) Establishment or funding of a front group.

(B) Covert broadcasting.

(C) Media manipulation.

(D) Disinformation and forgeries.

(E) Funding agents of influence.

(F) Incitement and offensive counterintelligence.

(G) Assassinations.

(H) Terrorist acts.

(2) APPROPRIATE COMMITTEES OF CONGRESS- The term `appropriate committees of Congress' means--

(A) the congressional intelligence committees;

(B) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(C) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(b) Establishment- There is established within the executive branch an interagency committee to counter active measures by the Russian Federation to exert covert influence.

(c) Membership-

(1) IN GENERAL-

(A) APPOINTMENT- Each head of an agency or department of the United States Government set out under subparagraph (B) shall appoint one member of the committee established by subsection (b) from among officials of such agency or department who occupy a position that is required to be appointed by the President, with the advice and consent of the Senate.

(B) HEAD OF AN AGENCY OR DEPARTMENT- The head of an agency or department of the United States Government set out under this subparagraph are the following:

(i) The Director of National Intelligence.

(ii) The Secretary of State.

(iii) The Secretary of Defense.

(iv) The Secretary of the Treasury.

(v) The Attorney General.

(vi) The Secretary of Energy.

(vii) The Director of the Federal Bureau of Investigation.

(viii) The head of any other agency or department of the United States Government designated by the President for purposes of this section.

(d) Meetings- The committee shall meet on a regular basis.

(e) Duties- The duties of the committee established by subsection (b) shall be as follows:

(1) To counter active measures by Russia to exert covert influence, including by exposing falsehoods, agents of influence, corruption, human rights abuses, terrorism, and assassinations

carried out by the security services or political elites of the Russian Federation or their proxies.

(2) Such other duties as the President may designate for purposes of this section.

(f) Staff- The committee established by subsection (b) may employ such staff as the members of such committee consider appropriate.

(g) Budget Request- A request for funds required for the functioning of the committee established by subsection (b) may be included in each budget for a fiscal year submitted by the President pursuant to section 1105(a) of title 31, United States Code.

(h) Annual Report-

(1) REQUIREMENT- Not later than 180 days after the date of the enactment of this Act, and annually thereafter, and consistent with the protection of intelligence sources and methods, the committee established by subsection (b) shall submit to the appropriate committees of Congress a report describing steps being taken by the committee to counter active measures by Russia to exert covert influence.

(2) MATTERS INCLUDED- Each report under paragraph (1) shall include a summary of the following:

(A) Active measures by Russia to exert covert influence during the previous year, including significant incidents and notable trends.

(B) Key initiatives of the committee.

(C) Implementation of the committee's initiatives by the heads of the agencies and departments of the United States Government specified in subsection (c)(1)(B).

(D) Analysis of the success of such initiatives.

(E) Changes to such initiatives from the previous year.

(3) SEPARATE REPORTING REQUIREMENT- The requirement to submit an annual report under paragraph (1) is in addition to any other reporting requirements with respect to Russia.

US legislation proposes new committee to counteract Russian 'covert influence'

Congress set to review bills to authorize intelligence body to oppose Russian interference and propaganda, which could be at odds with Trump administration

The Guardian

Spencer Ackerman in New York and Julian Borger in Washington

https://www.theguardian.com/us-news/2016/nov/30/sweeping-us-laws-targeting-russian-interference-could-ensnare-trump?CMP=Share_AndroidApp_Gmail

A provision in intelligence legislation that is going through Congress would create a new high-level body aimed at thwarting covert Russian political interference around the world, potentially placing it at odds with the incoming Donald Trump administration.

The measure, tucked into the fiscal 2017 House and Senate bills authorizing US intelligence operations, would create a powerful new committee across the security services to oppose Russian destabilization measures and propaganda domestically and worldwide.

Its mission – defined broadly and without geographic limitation – is to “counter active measures by the Russian Federation to exert covert influence over peoples and governments”, according to the texts of both

the House and the Senate bills, both of which have won the approval of their intelligence committees.

It was first published in June – long before Trump's election, and his tilt toward Moscow, seemed likely. Such a broad brief could in theory lead to a probe into allegations of ties between Trump's circle and Moscow, and of Russian attempts to skew the outcome of the presidential vote by hacking Democratic party headquarters and leaking emails, and helping spread fake news.

"If indeed there are ties between the Russian government – and in particular intelligence agents – and people who have worked for Trump or continue to work for Trump, an investigation of this breadth could conceivably pick up information regarding Russia's attempts or success in influencing American citizens working for Donald Trump," said Evelyn Farkas, who from 2012 to 2015 was US deputy assistant secretary of defense for Russia, Ukraine and Eurasia.

However, after 20 January, the proposed committee would be staffed largely by Trump appointees. As framed in the legislation it would consist of representatives handpicked by the leadership of the FBI, State Department, Pentagon, office of the director of national intelligence, Justice Department, Treasury Department, the 16 intelligence agencies and any other agency the president designates.

Specifically, the high-level committee would be tasked with "exposing falsehoods, agents of influence, corruption, human rights abuses, terrorism and assassinations carried out by the security services or political elites of the Russian Federation or their proxies".

Yet its work would not be necessarily limited to exposing such activity. It can be broadened to include "such other duties as the president may designate", a vague and potentially expansive mandate.

Capitol Hill sources said the House version could receive a floor vote as soon as Wednesday, with the Senate version likely to follow in a matter of weeks, before the current legislative session expires. Intelligence authorization bills rarely fail to pass when brought up for votes.

Obama administration officials declined to comment on the bill, but the White House is known to have expressed opposition to the provision on the grounds it would require the president to establish a committee that would duplicate the work of other agencies. It is unclear if the White House would veto a bill that blesses a plethora of other intelligence activities over the measure.

The Trump transition team did not respond to requests for comment.

Congressional sources, who were not cleared to speak for the record, indicated that the measure originated with Richard Burr, the North Carolina Republican who chairs the Senate intelligence committee. Burr, who won re-election earlier this month after a tight contest, said during his campaign: "There's not a separation between me and Donald Trump." A spokeswoman, Rebecca Glover Watkins, said she did not know if Burr's office authored the provision and declined further comment.

Trump has signaled a new warmth toward Russia's President Vladimir Putin.

During the campaign Trump withstood repeated criticism for being a Kremlin "puppet", in rival Hillary Clinton's phrase, susceptible to former KGB agent Putin's flattery.

His surrogates excised a measure from the Republican party platform that called for the US to arm Ukraine against Russian and Russian-backed separatist forces. Trump's former campaign manager, Paul Manafort, had earlier helped elect a pro-Russian Ukrainian as president.

After Trump's election, the Kremlin said "a strong and enduring relationship with Russia and the people of Russia" was anticipated after a 14 November phone call between the two leaders. Putin's spokesman, Dmitry Peskov, said Putin and Trump hold "phenomenally similar" foreign policy perspectives.

John McCain, the Arizona Republican who chairs the Senate armed services committee, has warned Trump against believing Putin is open to a substantive US partnership.

"We should place as much faith in such statements as any other made by a former KGB agent who has plunged his country into tyranny, murdered his political opponents, invaded his neighbors, threatened America's allies and attempted to undermine America's elections," McCain said on 15 November.

The bill would also restrict Russian diplomats from traveling more than 50 miles from official embassies and consulates without the effective permission of the FBI director. Apart from a report in Buzzfeed, the provisions in the bill attracted little media attention in the spring when they won committee approval.

Capitol Hill sources said it was highly unlikely the GOP would strip the anti-Russian provision from the intelligence authorization bill when it came to the floor.

Farkas, now a non-resident senior fellow at the Atlantic Council, said an administration hostile to the provision might bury the committee in the bureaucracy where it could be neutralized.

"They can neutralize the legislation by taking a broad interpretation of what is required to meet the language in the statute," Farkas said.

The legislation, though, provides alerts for Congress should the Trump administration marginalize the committee. It requires an annual report to key congressional panels on anti-Russian efforts stemming from the committee – including McCain's – as well as a public report on "active measures by Russia to exert covert influence over the previous year, including significant incidents and notable trends".

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Friday, December 2, 2016 10:27 AM
To:	James B. Comey
Subject:	FW: WP: The next FBI headquarters, a $2 billion project, could be built by a Trump associate

From: Rybicki, James E. (DO) (FBI)
Sent: Friday, December 02, 2016 10:26 AM
To: Kortan, Michael P. (DO) (FBI) [redacted] b7E
Subject: WP: The next FBI headquarters, a $2 billion project, could be built by a Trump associate

Mike: This is a strange article.

The next FBI headquarters, a $2 billion project, could be built by a Trump associate

By Jonathan O'Connell

December 2 at 9:00 AM

Two billionaire New York City developers bidding to build a new headquarters for the FBI — maybe the largest government development since the CIA moved to Langley in Northern Virginia in 1961 — have deep ties with President-elect Donald Trump, whose victory injects new intrigue into the jockeying for the more than $2 billion project.

One, Steven Roth, served as an economic adviser to Trump's presidential campaign and co-owns a building with him in Manhattan. Another, Larry Silverstein, has been referred to by Trump as a "friend of mine."

Roth and Silverstein have both known Trump for more than 30 years. They have been rivals on some projects and cheerleaders on others.

Trump considered bidding on the FBI project himself before running for the presidency; the current FBI headquarters on Pennsylvania Avenue is near his new Washington hotel.

And then there's this wrinkle: The man who has lobbied hardest for a new campus, FBI Director James B. Comey, had his own role in the presidential campaign in publicly extending the investigation into Hillary Clinton's use of a private email server as secretary of state less than two weeks before Election Day.

FBI officials are nearing the finish line on a decade-long push for a secure campus in the Washington suburbs. The contract attracted some of the most prominent developers on the East Coast. And the winning development team not only would receive more than $1 billion in federal appropriations to foot the cost of a new campus but also would win control of the current FBI headquarters property, considered a once-in-a-generation development opportunity in

downtown Washington.

Trump is the first commercial real estate mogul turned U.S. president. Federal real estate experts say the president does not typically get personally involved in specific projects even of this magnitude, leaving such decisions to contracting officials. It would be unusual for Trump to play a role.

A Trump spokeswoman declined to comment.

Roth is founder and chairman of Vornado Realty Trust, which acquired a mutual stake with Trump in a 2 million-square-foot Manhattan building in 2007 and has partnered in multiple commercial properties with Trump's son-in-law Jared Kushner.

Trump named Roth as an economic advisers on his campaign. During his victory speech after winning the New York presidential primary in April, Trump gestured to Roth from the stage and said he had recently called Roth to congratulate him on one of his projects, 220 Central Park South.

"It's a tremendous success," Trump said. "I said, 'Steve, congratulations on the building.' He said, 'Donald, it's nothing compared to what's happening with you.'"

Silverstein, who founded his development company in 1957, has developed, owned or managed 40 million square feet of commercial real estate.

Trump proposed building two office towers with Silverstein at the former World Trade Center site four years after the attacks of Sept. 11, 2001.

At the time, Trump called Silverstein "a great guy, a good guy ... a friend of mine" in an interview on MSNBC, though they have also feuded on occasion.

For years, FBI leaders have argued that their current headquarters, the dated J. Edgar Hoover Building on Pennsylvania Avenue NW, falls short of the security and operational needs of a modern crime-fighting agency.

As a precaution, most of the entrances were sealed after the 1995 bombing of a federal building in Oklahoma City. The FBI building is in such rough shape that netting hangs on the building's east facade to prevent pieces of concrete from falling onto the sidewalk.

In response to Republican spending constraints, the Obama administration has proposed an unconventional trade: offer the Hoover site to a builder as a way of helping to pay for a new campus in Greenbelt or Landover in Maryland or in Springfield, Va. The location will be selected at the same time as the developer.

Congress, led by House Republicans, is slated to consider the property swap in coming weeks as part of a $1.7 billion appropriation request for the FBI headquarters from the Obama administration. That is in addition to $390 million that was previously appropriated.

The General Services Administration, which manages federal real estate, is scheduled to choose a development team and campus location in March. The bidding process calls for a panel of government officials with relevant expertise to make the selection.

It would be highly unusual for a president to intervene, said Robert A. Peck, a GSA official who oversaw the Public Buildings Service when Trump was selected for the hotel project.

"The FBI needs a new headquarters, " he said. "Presumably these guys are pro-law-enforcement and, whatever Comey did, these guys are interested in security, and that's what they will focus on."

The GSA has not disclosed the names of a list of approved bidders for the project, but officials and executives say four teams are finalists – those backed by the two New Yorkers and teams headed by Boston Properties of Massachusetts and the Peterson Cos. of Fairfax.

Each is permitted to offer proposals for multiple sites. Officials at those companies declined to comment.

Before running for office, Trump considered pursuing the project. After he won the deal to develop Washington's Old Post Office Pavilion into a luxury hotel in 2013, he told The Washington Post that he and his daughter Ivanka would be "watching the FBI as to what's going to happen" with the deal.

"When I talked with him, he wanted to talk about the FBI building. That was what was on his mind," said Dorothy Robyn, a former real estate official at the Pentagon and the GSA, recalling a conversation at the time. "He talked about how he might submit a proposal to be the developer. I didn't know if it was bluster or not, but he was definitely thinking about it."

Comey has made his case on Capitol Hill for the headquarters project and keeps a piece of broken concrete from the Hoover building's facade in his office as a reminder of the need to upgrade.

During the campaign, Comey first drew Trump's ire for not pursuing criminal charges over Clinton's use of a private email server. But Trump later praised him when he eschewed Justice Department guidelines in disclosing a new review of her email just over a week before Election Day.

FBI spokeswoman Samantha Shero declined to speculate on Comey's relationship with the president-elect.

In a statement about the project, she said: "GSA and FBI have made significant progress on the procurement for the FBI's new Headquarters Consolidation Project. The teams have been working diligently together to meet the expected March date to select an awardee. If Congress provides the resources requested in the President's fiscal year 2017 budget request, we will be in a position to deliver a secure, consolidated headquarters for the FBI."

Because the Hoover building is across the street from Trump's new D.C. hotel, he could benefit financially from its redevelopment. Trump owns about three-quarters of the hotel project personally, but he has said that he will step away from his business interests when he takes office.

"Anything that moves redevelopment quickly could only help the area around it," said Neil O. Albert, president of the Downtown D.C. Business Improvement District, an association of downtown developers.

Roth supported Trump in the campaign. His firm, Vornado, is bidding in tandem with the JBG Cos. of Chevy Chase (which is also merging with Vornado's Washington unit). W. Matthew Kelly, who is slated to become chief executive of the new company, said in October that the firms' FBI proposal was a 50-50 split between Vornado and JBG.

Trump's history with Silverstein, chairman of Silverstein Properties and one of New York's most prolific developers, appears to have had its ups and downs.Four years after the 9/11 attacks, Trump proposed building two office towers at the site, where Silverstein owned development rights. He called the Silverstein-backed design for the site "the worst pile of crap architecture I have ever seen in my life."

Silverstein supported Clinton for president, but the day after the election, speaking at a New York real estate conference, he complimented Trump's leadership qualities. For the FBI project, Silverstein is bidding in partnership with Lerner Enterprises, headed by Washington Nationals owner Theodore N. Lerner.

Trump "works hard. He is highly focused when he wants to be," Silverstein said at the conference, according to Commercial Property Executive, a trade publication. "Knowing his determination, his drive, his commitment once he makes it ... will propel him to be the best president he can possibly be."

Robyn, who left the GSA two years ago, said that for the most part the FBI project has been "insulated from politics" and is moving forward.

"The FBI building is a train very, very far down the track," she said. "I think there's a lot of momentum and it's going to happen."

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Monday, December 5, 2016 9:50 AM
To: James B. Comey
Subject: FW: UPDATE: Background for PETT Meeting on 12/6 @2:30-4:30PM
Importance: High

From: Grigg, Gurvais C. (DO) (FBI)
Sent: Monday, December 05, 2016 9:46 AM
To: McCabe, Andrew G. (DO) (FBI) <[redacted]>; Bowdich, David L. (DO) (FBI) <[redacted]>; Castor, Andrew J. (DO) (FBI) <[redacted]>
Cc [redacted] Rybicki, James E. (DO) (FBI) [redacted] Burton, Dawn (DO) (FBI) [redacted] Temin, Hayden S. (DO) (FBI) [redacted]
Subject: UPDATE: Background for PETT Meeting on 12/6 @2:30-4:30PM
Importance: High

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SENSITIVE INFORMATION

FOR YOUR SITUATIONAL AWARENESS

Subject: Mr. [redacted] will attend PETT Meeting

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Sirs,

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b7C

Following up with DOJ this morning, they apologized for the omission and confirmed that [redacted] will also be attending along with [redacted] and [redacted] which were previously noted. Arrangements are being made with FBI Security for visitor access for all three. ASAC [redacted] and I will personally welcome them at the Visitor Center, get them through security and escort them to and from the 7th Floor. Hard copies of all handouts will be delivered later today to the DD/ADD's Office.

[redacted]

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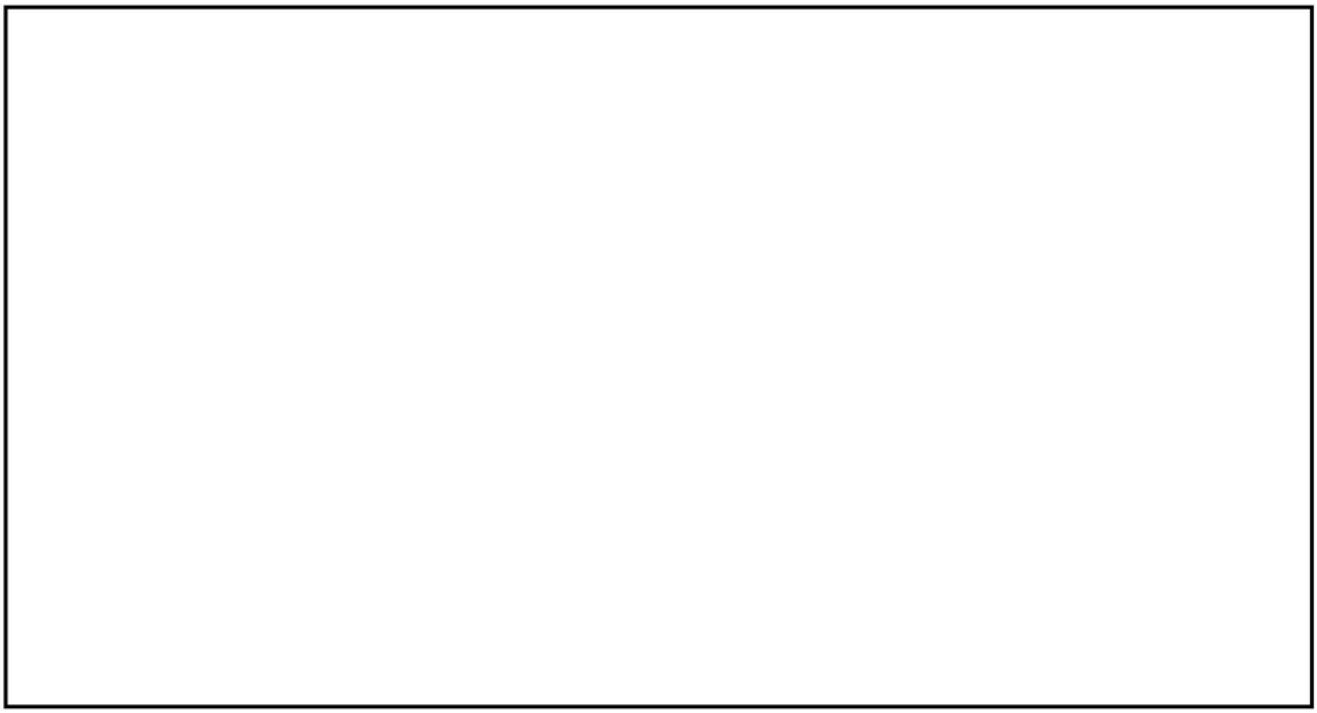

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G. (Gurvais) Clayton Grigg
Deputy Assistant Director

Presidential Transition Lead
FBI Director's Office
Federal Bureau of Investigation
Office:
Cell:

b7E

This communication is UNCLASSIFIED but may contain information that is Law Enforcement Sensitive and/or For Official Use Only. The contents of this communication are considered to be draft, deliberative, and pre-decisional in nature and are intended solely for the personal review of the captioned recipients.

From: Grigg, Gurvais C. (DO) (FBI)
Sent: Friday, December 02, 2016 4:43 PM
To: McCabe, Andrew G. (DO) (FBI) <; Bowdich, David L. (DO) (FBI) <
Castor, Andrew J. (DO) (FBI) >
Cc:
Rybicki, James E. (DO) (FBI)
Burton, Dawn (DO) (FBI)
; Temin, Hayden S. (DO) (FBI)

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b7E

[redacted] Grigg, Gurvais C. (DO) (FBI) b6 b7C b7E

Subject: Background for PETT Meeting on 12/6 @2:30-4:30PM
Importance: High

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SENSITIVE INFORMATION

FOR YOUR SITUATIONAL AWARENESS, USE, and PREPARATION

Sirs,

The DOJ has confirmed the initial meeting with President-Elect's Transition Team (PETT) members will occur on Tuesday, December 6 from 2:30pm – 4:30pm at FBIHQ.

Attending will be [redacted] and [redacted] (NOTE: At the bottom of this email is a quick reminder of their respective backgrounds). We will work with FBI Security Division to ensure they are greeted at the Visitor entrance and escorted to the Director's Office area for the meeting. b6 b7C

DOJ has advised the meeting is anticipated to be more of a give-and-take discussion and not a formal one-way presentation. The expectation is they will meet with the Director and the senior "front office" management team (i.e., DD, ADD, CFO or other budget person). Additional meetings are anticipated in the future with senior staff about specific programs and activities.

DOJ encouraged us to be prepared to discuss at minimum the following during the meeting:

1. A high level overview of the organizational structure, budget, and hiring outlook/key vacancies
2. A copy of the organizational chart
3. Cover the primary mission roles and responsibilities, and where most of management time is focused
4. Reminder that the organization is all career except for the Director
5. Provide a high level picture of the budget and any key budget stresses
6. Mention any major upcoming work the FBI is anticipating
7. Any significant issues or challenges the incoming Administration will encounter or need to be aware of when they assume office
8. Use this time to let the PETT know what major issues FBI leadership sees for the organization

To support and prepare, we have worked with DADD Castor, RPO and the Finance. The 11x17 "*FBI: At a Glance*" handout has been proposed for use during this meeting along with a new 11x17 front and back handout prepared by Finance/RPO which contains high level budget and staffing information and the top 8 challenges on the one side and a copy of the FBI organizational chart on the other. Hard copies have been delivered to DADD Castor. Soft copies of each are included below. b6 b7C

<< File: (U) FBI_AT A GLANCE.pdf >> << File: Presidential_Transition_nd_v3.pdf >>

Enclosed are some points of consideration for your awareness and familiarization. These were taken from the various subject areas found within the transition materials. They are organized by programs and themes.

<< File: U_20161202_FBI_Presidential_Transition_Points_for_Consideration.docx >>

Below are the BIOS for the two PETT member attendees:

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G. (Gurvais) Clayton Grigg
Deputy Assistant Director

Presidential Transition Lead
FBI Director's Office
Federal Bureau of Investigation
Office:
Cell:

b7E

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Tuesday, December 6, 2016 6:32 PM
To:	James B. Comey

Tech giants to huddle with Trump transition

By Tony Romm
| 12/06/16 06:20 PM EST

NEW YORK — President-elect Donald Trump's senior advisers have invited executives from tech giants including Apple, Facebook and Google to Trump Tower for a meeting next week to discuss the issues facing their industry, according to multiple sources familiar with the matter.

The Dec. 14 gathering – the most prominent outreach between Trump and Silicon Valley since the election – will bring the nascent administration face-to-face with an industry that Trump himself often skewered on the 2016 campaign trail.

Representing Trump will be Peter Thiel, the venture capitalist serving on Trump's transition team; Reince Priebus, the former head of the Republican National Committee and the incoming White House chief of staff; and Jared Kushner, Trump's son-in-law and adviser, according to a source with knowledge of the meeting, which was first reported Tuesday by POLITICO.

A spokesman for Thiel declined to comment, and a spokesman for Trump's transition effort did not respond to a request for comment.

A full list of tech participants has not been made public, but multiple sources indicated that top executives from Apple, Amazon, Facebook and Google have been invited. Oracle CEO Safra Catz – who met personally with the president-elect last month – will attend the meeting, another source said.

Spokespeople for Apple, Facebook and Oracle declined to comment. Spokespeople for Google, Amazon, Microsoft and Twitter did not immediately respond to requests.

A spokeswoman for Uber declined to say whether the ride-hailing app had received an invite. In a statement, she said that Uber is "not sending a representative to this particular meeting but of course, we will be engaging the Administration on issues that matter for our business."

For Trump, the outreach marks a dramatic shift from his approach to the tech industry during the 2016 campaign, when he frequently slammed companies like Apple and Amazon and their chief executives in strikingly harsh terms. Unlike his Democratic opponent, Hillary Clinton, Trump didn't cozy up to the Valley's elite, instead railing against major economic shifts -- like free trade, globalization and the movement of manufacturing jobs overseas -- that have fueled the tech sector's economic success.

Now that he's preparing to enter the White House, however, Trump is reaching out to the tech industry. Already, the president-elect has spoken with Apple CEO Tim Cook, he revealed in an interview with The New York Times last month.

As president, Trump will inherit a thicket of unresolved tech issues, like internet regulation, surveillance reform and the government's own use of technology -- and Thiel is handling much of that work in the transition. Spokespeople for some of Thiel's biggest investments, like SpaceX and Palantir, did not respond to questions as to whether they'd attend the meeting.

"At present, I think [Thiel] is the only person on the transition team with any real tech connections or tech credibility," said Garrett Johnson, the co-founder of SendHub who also runs the Lincoln Initiative, a Bay Area group that works with Republicans in the industry. "I would say he is the best gateway at present if anyone in the tech world wants to have a conversation with the transition or eventually the administration."

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Wednesday, December 7, 2016 9:57 AM
To: James B. Comey; McCabe, Andrew G. (DO) (FBI)

Trump: I don't believe Russia interfered with the election

By POLITICO Staff
| 12/07/16 09:01 AM EST

President-elect Donald Trump is freshly casting doubt on the idea that Russia was behind the election-related hacks into Democratic entities, and said the conclusion by U.S. agencies that the Kremlin paid a role was politically driven.

“I don't believe it. I don't believe they interfered,” Trump said in an interview with Time magazine, which named him person of the year.

Trump has steadfastly refused to say that Russian President Vladimir Putin or his agencies played any role in the hack of the Democratic National Committee and the private email account of John Podesta, Hillary Clinton's campaign chairman.

When asked by Time if the conclusion reached by U.S. officials was motivated by politics, Trump responded, “I think so.”

While it's unclear how much of an impact the intrusions had on the election outcome, the revelations proved embarrassing for the Democratic Party and cost DNC Chairwoman Debbie Wasserman Schultz her job at the top of the committee.

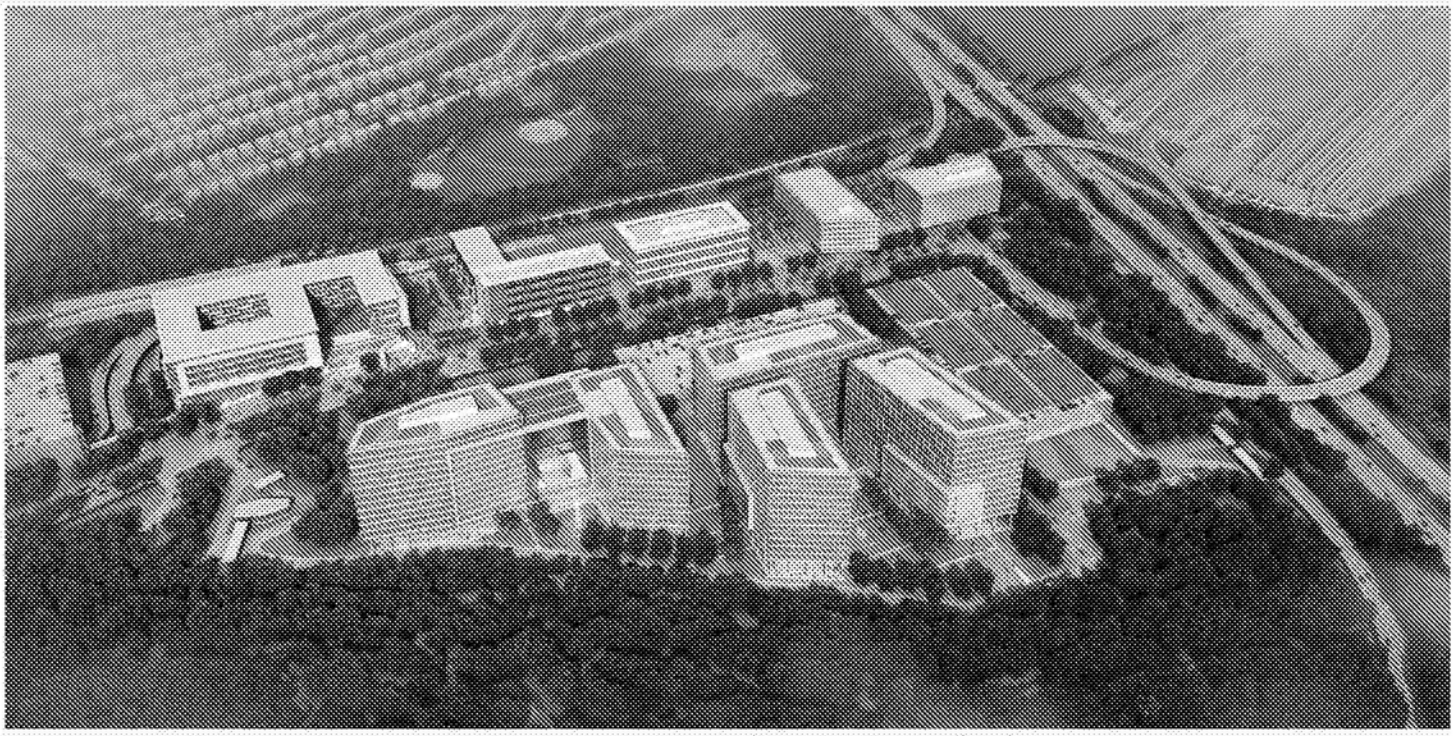
U.S. agencies in October formally accused Russia of hacking into American computers and meddling with the election process, but Putin pushed back against the notion and said discovering the actual culprit was “unimportant.”

Democrats are continuing to press for more information about the hacks. Party leaders are urging the Obama administration to provide a briefing on the matter, while Reps. Elijah Cummings (D-Md.) and Eric Swalwell (D-Calif.) plan to introduce legislation on Wednesday "to take action on evidence of foreign interference in the 2016 U.S. elections."

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Wednesday, December 7, 2016 6:26 PM
To: James B. Comey

House panel approves FBI headquarters with focus on costs, Metro access



A proposed design for a new FBI headquarters in Greenbelt, one of three locations under consideration for the project. (Courtesy Penard Development/Gensler)

The FBI's effort to build a new 2.1 million-square-foot headquarters advanced Wednesday when members of the House approved the project, paving the way for Congress to fully fund it next year.

For more than a decade, the bureau has been pushing for a new campus in the Washington suburbs to replace the dilapidated J. Edgar Hoover Building in downtown D.C. Three sites are being considered, in Greenbelt, Springfield and Landover — with a decision expected in March.

A measure approved Wednesday by the House Transportation and Infrastructure Commmittee, chaired by Rep. Bill Shuster (R-Pa.), authorized $834 million for the project, part of $1.7 billion in appropriations requested by the Obama administration.

If approved by the full Congress, those dollars would add to $390 million that was previously appropriated.

The committee also reshaped the project with an eye on reducing costs and ensuring the project be accessible to public transit.

The committee capped appropriations for the project at $2.11 billion, not counting the costs of outfitting the new building or decommissioning the current one. The $2.11 billion also doesn't include the value of the Hoover Building, which the agency overseeing the project, the General Services Administration, has proposed trading to the company selected to build the project in an effort to offset the cost.

The GSA has not disclosed a list of approved bidders for the project, but officials and executives say four teams are finalists, including two associates of President-elect Donald Trump.

[The next FBI headquarters, a $2 billion project, could be built by a Trump associate]

The committee added two other stipulations to the funding measure. One requires that the administration consider the traffic impact of bringing the FBI's 11,000 headquarters employees from around the region to one location.

Transportation to the new headquarters became a top concern for locals after the GSA dramatically increased parking requirements and failed to prioritize Metro access, over the objections of federal planning officials at the National Capital Planning Commission. The measure specifically requires the GSA to consider NCPC's "recommendations on parking and proximity to Metro rail."

Another stipulation could dent the chances of the project moving to Springfield, where the site being considered is currently occupied by a secure CIA facility. Moving that would cost an estimated $210 million, and other site preparation to bring the FBI there would total $18 million, according to GSA estimates.

Under the resolution, the GSA would have to "consider the total costs to the government for relocations, site preparation and site acquisition" in making its selection.

Both changes were celebrated by Maryland officials, who chafed in particular at the possibility of Virginia gaining what they considered an unfair cost advantage for the Springfield site.

House Minority Whip Steny H. Hoyer (D-Md.) said in a statement that the cost provision "requires GSA to consider the significant cost of relocation and site preparation of the Springfield site, which ought to be a serious concern for taxpayers."

"I advocated strongly for these provisions, and their inclusion ensures that the resolution is favorable for Maryland," he said.

No representative at the hearing raised Trump's potential conflict-of-interest in the project, given his closness with two of the bidders. But there remain concerns about whether the GSA ought to trade away the Hoover Building rather than sell it separately.

"I think pairing the two is stupid," said Rep. Peter A. DeFazio (D-Ore.) "It's certainly going to limit the number of people who are interested in constructing and bidding on the FBI headquarters. We will not get the full value for the downtown property."

Follow Jonathan O'Connell on Twitter: @oconnelljonathn



Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Thursday, December 8, 2016 6:32 PM
To:	James B. Comey
Subject:	WP

Why law enforcement can't get ahead of 'Pizzagate' and other online conspiracy theories

By Matt Zapotosky

December 8 at 5:43 PM

The North Carolina man who took an assault rifle to a popular D.C. pizza joint to investigate a fictitious online rumor demonstrates a problem that has long vexed the FBI.

The Internet — a breeding ground for radical ideologies and bizarre conspiracy theories — can quickly move troubled souls to violence. And in an age when fake news is magnified by those with political and financial interests, the problem is getting harder to stop.

The bureau has in recent years made a priority of preventing Islamic State-inspired attacks, developing informants who can tip agents to plots before they happen and connecting the often Internet-radicalized plotters with people actually working for the FBI.

But the bizarre conspiracy theory that a child sex ring was operating underneath D.C.'s Comet Ping Pong restaurant — which spurred 28-year-old Edgar Maddison Welch to drive from North Carolina to launch his own violent investigation — would probably have registered as "barely a blip" on the bureau's radar, said Ron Hosko, a former FBI assistant director.

"There is so much to do that is tangible and real and fitting squarely within the bureau's jurisdiction and priorities," Hosko said. "There's not a lot of bandwidth for sort of these one-offs."

That is not to say online radicalization, in all its forms, is not a concern for federal law enforcement. Research has shown people who believe in conspiracy theories are more prone to violence. On Wednesday, for example, federal authorities in Florida announced they had indicted a Florida woman who they alleged threatened the parent of a child killed in the massacre at Sandy Hook Elementary School in Newtown, Conn.

The woman, 57-year-old Lucy Richards, was motivated to make her threats because she believed, incorrectly, "that the school shooting was a hoax and never happened," according to the U.S. Attorney's Office for the Southern District of Florida.

At an event earlier this year to mark the 10th anniversary of the Justice Department's National Security Division, FBI Director James B. Comey said agents were focused on a "much more disparate threat" that was "hard to see, unpredictable, motivated, and driven by people who are just disturbed and unpredictable even to those who would motivate them."

“Our daily job is finding needles in a haystack,” he said. “As I like to say, it's harder than that even. It's finding pieces of hay that may become a needle.”

The FBI declined to make an official available for an interview for this article.

The false theory that spurred Welch to action — that a child sex ring tied to Democratic presidential nominee Hillary Clinton and campaign chairman John Podesta was operating beneath Comet Ping Pong — spread through Twitter, 4chan and Reddit, and was magnified on Infowars by talk-show host Alex Jones. People came to refer to it by the hashtag “Pizzagate.”

The FBI and D.C. police assessed the claims and determined them to be false, according to a D.C. police spokesman and a federal law enforcement official. But the rumor nonetheless prompted threats and harassment of tthe shop and neighboring businesses on Connecticut Avenue, and some business owners said they were frustrated by law enforcement's response. A D.C. police spokesman said he was unaware of any threats Welch made himself.

There are several well-known examples of conspiracy theorists carrying out acts of violence. Robert Dear, who allegedly killed three people and wounded nine others in an attack on a Planned Parenthood facility in Colorado, told a neighbor that he believed the government was “trying to kill everybody.” A Twitter account linked to one of the Boston Marathon bombers seemed to espouse the view that the terrorist attack of Sept. 11, 2001, was an “inside job.” In a more recent case, the FBI arrested a Milwaukee man, Samy Mohamed Hamzeh, who the agency alleged was plotting a mass shooting at a Masonic temple and believed Masons were “playing with the world like a game.”

Joseph Uscinski, an associate professor at the University of Miami and a co-author of “American Conspiracy Theories,” said research has shown “people who have a very conspiratorial mind-set tend to be more accepting of violence than people who don't have a conspiratorial mind-set, but it's not by much.”

Fake news and conspiracy theories have other pernicious effects. The Russian government, for example, reportedly tried to spread false materials online to affect the election. At the National Security Division event earlier this year, Comey said he was concerned that Twitter in particular allowed people to reinforce their own views, irrespective of facts, and that this eroded trust in government institutions.

“It used to be that the person who's now on Twitter would be down at the end of the bar late at night shouting at the television, and the only people he could shout with would be the other people who were down at the end of the bar,” Comey said. “Now he can shout with 600 other people who are at their own metaphorical bars, and it's a constant reinforcement of their view of the world.”

The First Amendment prevents law enforcement agencies from policing free speech. Cass Sunstein, a Harvard professor and former White House official, proposed controversially in 2008 that the government engage in “cognitive infiltration of extremist groups,” by enlisting government agents to enter chat rooms and raise doubts about conspiracy theorists' ideas. In one variant, he wrote, “government officials would participate anonymously or even with false identities.”

The proposal was criticized by those on the right and the left, and even Sunstein and his co-author acknowledged that it came with the risk that the government might inadvertently legitimize bad information. Sunstein declined to be interviewed for this article.

Justice Department guidelines say that agents can surf the Internet in search of possible terror plots, though a former federal national security official said agents have little time to randomly browse the Web to

generate leads. Generally, the former official said, the FBI foils plots because would-be plotters reveal their intentions to the bureau's informant network, or from concrete tips they run down.

“You can't monitor 330 million Twitter [users] and their traffic, nor would you want to do that,” the former official said, speaking on the condition of anonymity to discuss FBI methods. “That's the beauty of living in a free society. You're allowed to be crazy.”

Law enforcement has occasionally drawn criticism for taking an overly aggressive approach — particularly with surveillance of the Muslim community. The New York Police Department, for example, was sued over its surveillance of Muslims in a case in which settlement discussions are ongoing. The FBI was accused of going too far in using an informant to infiltrate a mosque in California.

Some Islamic State-inspired terrorists have slipped through the cracks — such as Omar Mateen, the 29-year-old who killed 49 people in an Orlando nightclub. The FBI had scrutinized Mateen for 10 months beginning in 2013, even using surveillance and recording his calls after he talked of dying as a martyr, though they ultimately closed the matter without charges.

The threshold to take action on even a threat, Hosko said, is fairly high. The matter is generally left to local authorities unless the threat comes from across state lines, and incendiary rhetoric usually cannot be investigated. Given the volume of such cases, Hosko said, agents generally assess even in real threat cases whether the person was willing and able to follow through.

“The question for the FBI is, ‘Is there a case we can prosecute?' ” Hosko said. “Is this serious enough? Do we devote the resources?”

Uscinski, the University of Miami professor, said conspiracy theories are generally directed at those in power, and he expected more in the coming years would come from the left, rather than the right. But Trump, he said, has in some ways flipped the normal logic, raising conspiracy theories about the powerless — such as Mexico sending its rapists over the border — that could lead to attacks on those with little ability to stop them.

“To see those sorts of conspiracy theories sort of worries me,” Uscinski said, “because if Trump doesn't act, you could see someone sort of act on his behalf, against people who are unprotected.”

Adam Entous and Mark Berman contributed to this report.

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Monday, December 12, 2016 1:35 PM
To:	James B. Comey
Subject:	FW:

http://www.cnn.com/2016/12/12/politics/harry-reid-james-comey-election/index.html

Reid: FBI director's letter cost Democrats the election, Senate By Eric Bradner, CNN

Updated 12:40 PM ET, Mon December 12, 2016

(CNN) — Senate Minority Leader Harry Reid said Monday FBI Director James Comey was "heavily involved as a partisan" in the weeks leading up to the election and that Comey's actions handed the presidency to Donald Trump.

The retiring Nevada Democrat said Democrats "would have won the majority in the Senate and would have won the presidency but for Comey."

"It's obvious he was a partisan in all this," Reid told CNN's Manu Raju in an interview. "There's information out there. He had it, I'm confident. And he ignored it."

He said Comey "significantly" helped make Trump the President-elect, faulting his failure to condemn Russian hacking of Democratic operatives and his handling of the investigation into Democratic presidential nominee Hillary Clinton's email server.

McConnell, senators unite behind investigation into Russian hacking

Reid said he urged Comey to address the hacking, which intelligence agencies have concluded was the result of Russian efforts to tilt the election toward Trump.

"I am saying the FBI did nothing -- did nothing. All the information that we've heard in the last couple weeks, it was available to the FBI. He just ignored it. He did not make it public. We asked him to more than once and he didn't do it," Reid said.

He also pointed to Comey's letter to lawmakers less than two weeks from the election announcing that -- as part of the FBI's investigation into sexting allegations against Anthony Weiner, the husband of Clinton aide Huma Abedin -- it had discovered emails potentially relevant to its investigation into Clinton's handling of classified information on her private email server.

"In fact, to show how awful this situation is, this man ignored precedent that had been going on for decade after decade after decade. The FBI does not get involved in politics -- except Comey did," Reid said.

"Had he not written that letter a week or so before the election, she would have won; we would have picked

up at least two more Senate seats," he said.

Gap on Russia hacking conclusions between intelligence, FBI

Reid's comments came less than two hours after Senate Majority Leader Mitch McConnell, R-Kentucky, said he supports a Senate investigation into Russian hacking.

"I think we ought to approach all of these issues on the assumption the Russians do not wish us well," McConnell said.

Trump has brushed off the CIA's conclusion that Russia hacked the Democratic National Committee and Clinton campaign chairman John Podesta in a bid to help the Republican nominee.

The President-elect on Sunday morning blasted the Intelligence Community anew, calling its assessment that Russia interfered in the election "ridiculous."

"I think it's just another excuse. I don't believe it," Trump said in an interview on "Fox News Sunday."

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Friday, December 16, 2016 2:38 PM
To:	James B. Comey
Subject:	WP

As feared, at least the headline implies that we have moved our position in some way.

FBI backs CIA view that Russia intervened to help Trump win election

By Adam Entous and Ellen Nakashima

December 16 at 2:20 PM

FBI Director James B. Comey and Director of National Intelligence James Clapper have backed a CIA assessment that Russia intervened in the 2016 election in part to help Donald Trump win the presidency, according to U.S. officials.

Comey's support for the CIA's conclusion suggests that the leaders of the three agencies are in agreement on Russian intentions, contrary to suggestions by some lawmakers that the FBI disagreed with the CIA.

“Earlier this week, I met separately with (Director) FBI James Comey and DNI Jim Clapper, and there is strong consensus among us on the scope, nature, and intent of Russian interference in our presidential election,” CIA Director John O. Brennan said in a message to the agency's workforce, according to U.S. officials who have seen the message.

“The three of us also agree that our organizations, along with others, need to focus on completing the thorough review of this issue that has been directed by President Obama and which is being led by the DNI,” Brennan's message read.

Trump has consistently dismissed the intelligence community's findings about Russian hacking.

The CIA and FBI declined to comment.

The CIA shared its latest assessment with key senators in a closed-door briefing on Capitol Hill about two weeks ago in which agency officials cited a growing body of intelligence from multiple sources. Specifically, CIA briefers told the senators it was now “quite clear” that electing Trump was one of Russia's goals, according to the officials, who spoke on the condition of anonymity to discuss intelligence matters.

CIA and FBI officials don't think Russia had a “single purpose” by intervening during the presidential campaign. In addition to helping Trump, intelligence officials have told lawmakers that Moscow's other goal included undermining confidence in the U.S. electoral system.

A separate House intelligence briefing by a senior FBI counter-intelligence official last week left some

Republican and Democratic lawmakers with the impression that the bureau wasn't on the same page as the CIA, according to officials present.

“The truth is they were never all that different in the first place,” an official said of the FBI and CIA positions.

In his message to the CIA's workforce, Brennan said the administration has provided detailed briefings to lawmakers and their aides since the summer.

“In recent days, I have had several conversations with members of Congress, providing an update on the status of the review as well as the considerations that need to be taken into account as we proceed,” Brennan wrote. “Many - but unfortunately not all - members understand and appreciate the importance and the gravity of the issue, and they are very supportive of the process that is underway.”

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Monday, December 19, 2016 9:40 AM
To: James B. Comey

Priebus: Trump wants to hear hacking evidence direct from FBI
Published: Dec 18, 2016 5:12 p.m. ET
President-elect has been slow to accept reports of Russian interference

By Damian Paletta

Incoming White House chief of staff Reince Priebus said Sunday that President-elect Donald Trump wanted to hear directly from the Federal Bureau of Investigation before forming an opinion on Russia's alleged interference in the November election.

"He would accept the conclusion if these intelligence professionals would get together, put out a report, show the American people that they are actually on the same page," Priebus said on Fox News Sunday. He suggested the FBI has been slow to accept the Central Intelligence Agency's recent view that Russian officials wanted to help Trump win the presidency by carrying out a hack-and-leak campaign before the election.

According to a new WSJ/NBC News poll, 68% of Americans believe that Donald Trump will change the way business is conducted in Washington, but are divided over what kind. A majority in the poll also said they were significantly bothered by reports of Russian hacking aimed at influencing the election.

U.S. intelligence officials in October reached an assessment that the Russian government launched a cyber operation to steal emails and other documents from Democratic Party officials and then selectively leak thousands of records to interfere with the presidential election.

Trump and his top aides have dismissed Russian involvement in the email leaks, and Trump has reacted angrily to suggestions that the Russians wanted to help him win. Priebus, though, said Trump wanted to hear from the FBI before he settled his opinion on what transpired. "We haven't heard from [FBI Director James] Comey," Priebus said Sunday. "These guys should be straight with the American people and come out and say it. I don't think they've been clear about it."

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Wednesday, December 21, 2016 3:23 PM
To: James B. Comey

FBI director under pressure to explain Clinton bombshell

By Katie Bo Williams - 12/21/16 06:00 AM EST 6,518comments

6,271shares

Six weeks since Hillary Clinton's surprise loss in the presidential election, FBI Director James Comey is under pressure to justify the bombshell announcement that rocked the final days of the campaign.

Democrats, still smarting from the Nov. 8 loss, have lashed out at Comey as the architect of the Democratic nominee's defeat.

"James Comey cost her the election," former president Bill Clinton

Now, speculation has begun to swirl that Comey will publicly address the charges of partisanship.

Several former FBI officials told The Hill that they have heard Comey is now weighing a possible press appearance after Trump is inaugurated on Jan. 20 to tell his side of the story.

The FBI declined to comment for this report.

Eleven days before the election, Comey shocked the political world with a letter informing Congress that investigators had discovered new emails that could be relevant to its probe, then considered completed, of Hillary Clinton's use of a private email server while she was secretary of State.

Comey for months defended the integrity of the probe — first against Republicans when he declined to recommend charges against Clinton in the first place, and more recently against Democrats and internal critics who said his eleventh-hour disclosure unfairly damaged Clinton.

The former prosecutor has made few media appearances over the course of his career — he did sit for a "60 Minutes" interview in 2014 — but he has been forced into the harsh glare of camera lights throughout the past year.

He was thrust into the spotlight after Attorney General Loretta Lynch sparked outrage by meeting with Bill Clinton before the conclusion of the investigation this summer — a meeting they described as social — forcing her to announce that she would abide by whatever recommendation Comey made in the case.

Comey was then open publicly with the FBI's reasoning in declining to recommend charges against Hillary Clinton, holding a detailed press conference announcing its conclusion and later appearing before Congress in an open setting multiple times.

But he has been notably silent since his Oct. 28 letter to Congress.

Democrats, appalled by the fallout from his letter to Congress, have argued that Comey's disclosure in the final days leading up to the election was a massive break from bureau policy that blunted Clinton's path to the White House. They

say that although the FBI announced two days before the election that the new emails would not change its conclusion in Clinton's case, the damage was done.

Critics hammered Comey's vague letter for igniting a firestorm of speculation that the new emails contained a "smoking gun" — without providing any substantive information for voters to judge.

"Today's disclosure might be worst abuse yet. DOJ goes out of its way to avoid publicly discussing investigations close to election," former Department of Justice spokesman Matthew Miller said in a tweetstorm at the time. "This might be totally benign & not even involve Clinton. But no way for press or voters to know that. Easy for opponent to make hay over."

Trump did in fact run with Comey's announcement on the campaign trail, repeatedly telling supporters that the emails must contain something truly damning.

"I have a feeling those emails are going to be — whoa, there are going to be some beauties in there. Can you imagine? She's been deleting all the time, deleting," he said at a Florida rally shortly after the announcement.

Clinton herself has since told donors that she believes Comey's disclosure raised "doubts that were groundless, baseless, proven to be, stopped our momentum."

It's unclear how much of an effect the last-minute news had at the ballot box, but Trump's narrow win in a number of battleground states and Clinton's lead in the popular vote tally are giving fuel to those who say her loss could have been avoided.

One of Trump's pollsters, veteran political strategist Tony Fabrizio, said just five counties made the difference: four in Florida and one in Michigan.

And post-election analysis from data guru Nate Silver and others has suggested that some voters shifted to Trump in the final weeks of the election, though he notes that the analysis is not cause-and-effect.

Comey himself was aware of the risks associated with the late October missive. In an internal memo to FBI employees, he acknowledged that "there is significant risk of being misunderstood."

"We don't ordinarily tell Congress about ongoing investigations, but here I feel an obligation to do so given that I testified repeatedly in recent months that our investigation was completed," Comey wrote. "I also think it would be misleading to the American people were we not to supplement the record."

Comey has a reputation as an independent and principled lawman — which some critics say has led him to operate outside of important institutional norms.

Others say Comey had no choice but to inform Congress of the existence of the emails — when he chose to go public with the details of the investigation's findings over the summer, he pinned himself in a corner when the bureau realized it might have more work to do.

But throughout, Comey has been strident in his defense of the probe.

"You can call us wrong, but don't call us weasels. We are not weasels," Comey said during a House Judiciary Committee hearing during which Republicans suggested he had caved to political pressure from above.

"We are honest people and … whether or not you agree with the result, this was done the way you want it to be done."

Pressure to speak out is mounting as more details emerge about the circumstances surrounding the discovery of the new emails.

The search warrant used to go through the emails, unsealed Tuesday, confirmed that Comey delivered his letter to Congress two days before the warrant was granted — meaning that investigators didn't yet know what was in them.

Investigators found emails they thought might be pertinent to Clinton's investigation when they sorted and scanned the header information of messages stored on a laptop seized as part of an investigation into former Rep. Anthony Weiner (D-N.Y.).

The former New York congressman was under investigation for allegedly sending sexually explicit messages to a minor. Weiner is married to longtime Clinton aide Huma Abedin, though the two are separated.

Some of the accounts used on the seized computer correlated with those used by Clinton and her aides during her tenure at Foggy Bottom — accounts that investigators previously concluded had been used inappropriately, the newly released documents show.

The FBI told a federal judge it believed that was sufficient to show there was probable cause that the computer contained classified information pertinent to the Clinton probe.

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Wednesday, December 21, 2016 3:25 PM
To: James B. Comey
Subject: RE:

You will call him at 6:30 ([redacted] . There is a chance he may be late from the PC that is occurring at 5pm. Respectfully. b7E

From: Rybicki, James E. (DO) (FBI)
Sent: Wednesday, December 21, 2016 3:23 PM
To: [redacted] b7E
Subject:

FBI director under pressure to explain Clinton bombshell

By Katie Bo Williams - 12/21/16 06:00 AM EST 6,518comments

6,271shares

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Critics hammered Comey's vague letter for igniting a firestorm of speculation that the new emails contained a "smoking gun" — without providing any substantive information for voters to judge.

"Today's disclosure might be worst abuse yet. DOJ goes out of its way to avoid publicly discussing investigations close to election," former Department of Justice spokesman Matthew Miller said in a tweetstorm at the time. "This might be totally benign & not even involve Clinton. But no way for press or voters to know that. Easy for opponent to make hay over."

Trump did in fact run with Comey's announcement on the campaign trail, repeatedly telling supporters that the emails must contain something truly damning.

"I have a feeling those emails are going to be — whoa, there are going to be some beauties in there. Can you imagine? She's been deleting all the time, deleting," he said at a Florida rally shortly after the announcement.

Clinton herself has since told donors that she believes Comey's disclosure raised "doubts that were groundless, baseless, proven to be, stopped our momentum."

It's unclear how much of an effect the last-minute news had at the ballot box, but Trump's narrow win in a number of battleground states and Clinton's lead in the popular vote tally are giving fuel to those who say her loss could have been avoided.

One of Trump's pollsters, veteran political strategist Tony Fabrizio, said just five counties made the difference: four in Florida and one in Michigan.

And post-election analysis from data guru Nate Silver and others has suggested that some voters shifted to Trump in the final weeks of the election, though he notes that the analysis is not cause-and-effect.

Comey himself was aware of the risks associated with the late October missive. In an internal memo to FBI employees, he acknowledged that "there is significant risk of being misunderstood."

"We don't ordinarily tell Congress about ongoing investigations, but here I feel an obligation to do so given that I testified repeatedly in recent months that our investigation was completed," Comey wrote. "I also think it would be misleading to the American people were we not to supplement the record."

Comey has a reputation as an independent and principled lawman — which some critics say has led him to operate outside of important institutional norms.

Others say Comey had no choice but to inform Congress of the existence of the emails — when he chose to go public with the details of the investigation's findings over the summer, he pinned himself in a corner when the bureau realized it might have more work to do.

But throughout, Comey has been strident in his defense of the probe.

"You can call us wrong, but don't call us weasels. We are not weasels," Comey said during a House Judiciary Committee hearing during which Republicans suggested he had caved to political pressure from above.

"We are honest people and … whether or not you agree with the result, this was done the way you want it to be done."

Pressure to speak out is mounting as more details emerge about the circumstances surrounding the discovery of the new emails.

The search warrant used to go through the emails, unsealed Tuesday, confirmed that Comey delivered his letter to Congress two days before the warrant was granted — meaning that investigators didn't yet know what was in them.

Investigators found emails they thought might be pertinent to Clinton's investigation when they sorted and scanned the header information of messages stored on a laptop seized as part of an investigation into former Rep. Anthony Weiner (D-N.Y.).

The former New York congressman was under investigation for allegedly sending sexually explicit messages to a minor. Weiner is married to longtime Clinton aide Huma Abedin, though the two are separated.

Some of the accounts used on the seized computer correlated with those used by Clinton and her aides during her tenure at Foggy Bottom — accounts that investigators previously concluded had been used inappropriately, the newly released documents show.

The FBI told a federal judge it believed that was sufficient to show there was probable cause that the computer contained classified information pertinent to the Clinton probe.

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, December 21, 2016 5:42 PM
To:	James B. Comey
Subject:	WP

James Comey's year of unintended — and ruinous — consequences

By Dana Milbank Opinion writer
December 21 at 5:06 PM

What a year it has been for James Comey!

At the start of 2016, the FBI director enjoyed a reputation as a public servant of high integrity, earning bipartisan acclaim for his stewardship of the nation's preeminent law enforcement agency.

A year later, the FBI, after a series of blows to its credibility, seems increasingly partisan. Comey has shown himself to be an inconsistent leader. And an ugly conclusion is becoming difficult to escape: He singlehandedly caused Donald Trump to win the presidency.

Doubt on that last point should have been dispelled this week, after court documents were released Tuesday that showed the justification for Comey's decision — announced to the nation just 11 days before the election — that he was reopening his investigation into Hillary Clinton's emails. We now know Comey's bombshell was based on nothing: The FBI had no evidence of wrongdoing in the newly discovered emails, found on Huma Abedin's laptop, and no reason to suspect there was anything on the laptop that the FBI hadn't already dismissed as insufficient to mount a prosecution.

Yet that was the flimsy basis for Comey's letter to Congress reopening the Clinton probe. The new emails were irrelevant or redundant. But by the time Comey said, just two days before the election, that the FBI found nothing new, the damage to Clinton was done.

When an election is this close — Clinton, in the final tally, won the popular vote by 2.8 million votes — any number of factors could have shifted the outcome: Russia's hacking, Jill Stein's Green Party candidacy, Clinton's weaknesses as a candidate, her ill-advised message of continuity in times that demanded populist change.

But Comey's intervention is one thing that almost certainly changed the result. Nationwide, voters who decided in the last week — the time when Comey's announcement dominated the news — overwhelmingly went for Trump. Late-deciders went for Trump by 17 points in Florida and Pennsylvania, by 11 points in Michigan and 29 points in Wisconsin.

I doubt Comey meant to give the presidency to Trump. All along, I maintained that he was a man of integrity. But he demonstrated poor judgment. So protective was he of his above-the-fray reputation that his attempts to guard it caused a series of bad decisions. Ironically, his attempts at preserving his reputation were what hurt him.

In June, before Comey's July statement on the Clinton email issue, 48 percent of Americans expressed confidence in the FBI and 16 percent lacked confidence, according to an NBC-Wall Street Journal poll. Now, six months later, 37 percent have confidence in the FBI, while 27 percent don't — and Republicans and Democrats are almost identical in their views.

Comey's trouble began with his announcement, on the eve of the national political conventions, that no reasonable prosecutor would bring charges against Clinton over the emails. His no-prosecution recommendation infuriated congressional Republicans. This criticism must have stung, since Comey, a former George W. Bush administration official, then took a series of actions that seemed designed to repair his reputation with Republicans.

First, he refused to join an administration statement on Oct. 7 naming Russia as the perpetrator of hacks of American political organizations. He reasoned that the FBI shouldn't be seen as injecting itself into politics so close to an election.

Comey made a mockery of such considerations when he delivered his October Surprise later that month, defying warnings from the Justice Department and ignoring long-standing guidelines by announcing that he was reopening the Clinton probe.

It probably wasn't done to torpedo Clinton, though that was the result. The most convincing explanation: Comey feared that already irate congressional Republicans, if they were to learn that he didn't disclose the new discovery of Clinton emails, would have trashed his integrity. And Republicans were certain to find out. The Trump campaign's Rudy Giuliani, the recipient of leaks apparently originating with anti-Clinton agents in the FBI's New York office, had already signaled that big news was about to break.

Since the election, Comey has continued to protect his reputation — at considerable cost. Earlier this month, news broke that the CIA had concluded Russia intervened in the election to help Trump. But FBI officials resisted joining the conclusion.

Perhaps Comey was again trying to keep his agency and himself above the fray, but the FBI's mush helped Trump dismiss the CIA's findings. The matter turned into a partisan fight rather than the national-security concern it should be. After several days, and the intervention of the director of national intelligence, Comey finally acknowledged the obvious: that the FBI, too, believes the Russians tried to help Trump.

Did Comey mean to become Trump's elector, and now his protector? Probably not. But in the end, motives count for less than outcomes. And Comey's have been ruinous.

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, December 21, 2016 6:05 PM
To:	James B. Comey
Subject:	FW: Going Dark

From: Piehota, Christopher M. (NS) (FBI)
Sent: Wednesday, December 21, 2016 4:59 PM
To: Baker, James A. (OGC) (FBI) [redacted]; Rybicki, James E. (DO) (FBI) [redacted]; Burton, Dawn (DO) (FBI) [redacted] Mccall, A. T. (OTD) (FBI) [redacted] Temin, Hayden S. (DO) (FBI) [redacted]
Subject: Going Dark

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b7E

All - Please review below.

Based upon the tone of such articles as provided below and the reported public positions held by law makers (provided further below break lines in the email narrative), it appears that it may be time to take a look at where we currently stand with our Going Dark vision, objectives, methodologies, and metrics as we move into the next year.

Our previous objectives and methodologies have brought us to current levels of achievement and accomplishment; however, with the change in administration and the most current positions on encryption (which is a part of the overall issue of technical relevancy that frames the Going Dark initiative) we are now in a place to determine if our current business model is still on point and how we will move forward if it is or is not.

The partnership across the FBI's Going Dark initiative has been impressive to date. I hope that we continue to pool our collective skills, knowledge, resources, and abilities to assess and adress the growing gap in our abilities to slow or mitigate Going Dark-related impacts to our capacity to conduct operations and investigations against crime problems or national security threats.

The holidays will provide us with a natural break to gather our thoughts on the upcoming year. So, I wanted to thank everyone for what we have accomplished to this point and ask for your renewed determination and commitment to address Going Dark issues and the challenges that are or can be associated with our general technical relevancy in criminal investigative activities and national security matters.

As [redacted] I would like to thank her for her time, effort, and dedication in bringing the Going Dark initiative to its current state of achievement. Upon [redacted]

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departure, [redacted] (Counsel to the Director) has agreed to support STB to keep Going Dark matters on line and on point until we establish a more permanent organizational solution. Thanks to [redacted] for filling the large shoes left by [redacted]. We will have more information forthcoming on [redacted] Going Dark roles and responsibilities. b6 b7C

On a side note, I know there are people who directly and indirectly supported Going Dark activities who were not direct recipients of this message. Please pass my personal regards to such folks as their inadvertent exclusion is my fault alone for not having enough time on station to have worked directly with them.

I look forward to a group discussion when we all return from the holiday break. As always, I look forward to feedback and suggestions.

I wish everyone a safe, enjoyable, happy holiday season. Thank you.

Congressional report: We shouldn't bother with encryption backdoors

Share

Written by

Patrick O'Neill Dec 20, 2016 | CyberScoop

A new report from House lawmakers rejected the notion of Congress inserting backdoors into encryption, asserting that weakening encryption runs contrary to national interest. While lawmakers acknowledged that popular encryption impacts law enforcement and intelligence work, the group emphasized encryption's importance for national defense, individual privacy, freedom of speech, human rights and protection against government intrusion abroad and at home.

Responding to law enforcement assertions that popular encryption was leading to a problem of data "going dark," the congressional group countered that "the challenge appears to be more akin to 'going spotty.'"

"Congress should not weaken this vital technology because doing so works against the national interest. However, it should not ignore and must address the legitimate concerns of the law enforcement and intelligence communities," the report reads.

The bipartisan report comes exactly one month before President-elect Donald Trump takes office. Trump touted his support for backdoors on the campaign, including calling for a boycott of Apple if they didn't help the FBI unlock an iPhone tied to the San Bernardino shooter. **The report is a direct result of the fight between Apple and the FBI, as well as the wider fight over encryption that was fought on Capitol Hill earlier this year.**

Proponents of strong encryption were quick to applaud the report.

"Today's report from the bipartisan Congressional working group on encryption supports what OTI has been saying for the past two years: forcing U.S. companies to refrain from offering strongly encrypted products or to introduce surveillance "backdoors" into those products would not make us safer but would instead threaten everyone's cybersecurity as well as America's economic security,"

said Kevin Bankston, Director of New America's Open Technology Institute. "We hope that this report sends a strong signal to Sens. Burr and Feinstein and anyone else on Capitol Hill considering legislation that would undermine encryption: the House committees that have jurisdiction over this issue are not interested in moving forward with any wrongheaded backdoor bill."

The group encouraged Congress to explore new options like "opportunities for collaboration between the law enforcement community and the technology sector and information sharing between different elements of the law enforcement community."

Quiet cooperation is indeed the preferred method of collaboration between Silicon Valley and Washington D.C. **The report highlights the willingness of private sector firms to assist law enforcement and intelligence efforts with access to information but it fails to address specifics.** In fact, that's one of the advantages of "quiet" cooperation. At the heart of the 2016 conflict between the FBI and Apple was FBI director James Comey's decision to go public, forcing Apple to emphatically defend their position.

The congressional group also points to metadata analysis as a necessary next step. **Legal hacking to circumvent encryption was also posed as a potential solution to be explored although almost all both law enforcement and private sector representatives had qualms: Cops said hacking only applied to a small subset of cases where officers know of an exploit and, even then, it's resource-intensive. Others assert that "a legal hacking regime creates the wrong incentives for government agencies that should be working with private companies to patch vulnerabilities and improve cybersecurity."**

The group still urged Congress to explore the option.

The report also suggests Congress look at compelled disclosure and how law enforcement can force suspects to open devices without breaking the law.

https://www.cyberscoop.com/encryption-congressional-report-house-energy-and-commerce-committee

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An excerpt from the working group results follows. I apologize for any formatting shortfalls.

-FOR IMMEDIATE RELEASE: December 20, 2016

CONTACT: [redacted] (Goodlatte) [redacted] (Upton), [redacted] (Conyers) [redacted] (Pallone) [redacted] b6 b7C

Encryption Working Group Releases Year-End Report

The report contains key observations and opportunities for progress

Washington, D.C. –Members of the bipartisan encryption working group – established in March 2016 by House Judiciary Committee Chairman Bob Goodlatte (R-VA), Ranking Member John Conyers, Jr. (D-MI), House Energy and Commerce Committee Chairman Fred Upton (R-MI), and Ranking Member Frank Pallone, Jr. (D-NJ) – today released a year-end report laying out key observations and next steps.

For nearly a year, the Encryption Working Group has held numerous meetings with a variety of federal, state, and local government entities, former government officials, private industry and trade associations, civil society organizations, consultants and legal experts, academia, and cryptographers. These meetings have produced

critical information, culminating in a year-end report that lays out four key observations and identifies several areas for future discussion next Congress.

The report concludes:

"Encryption is inexorably tied to our national interests. It is a safeguard for our personal secrets and economic prosperity. It helps to prevent crime and protect national security. The widespread use of encryption technologies also complicates the missions of the law enforcement and intelligence communities. As described in this report, those complications cannot be ignored. This is the reality of modern society. We must strive to find common ground in our collective responsibility: to prevent crime, protect national security, and provide the best possible conditions for peace and prosperity.

"That is why this can no longer be an isolated or binary debate. There is no 'us versus them,' or 'pro-encryption versus law enforcement.' This conversation implicates everyone and everything that depends on connected technologies—including our law enforcement and intelligence communities. This is a complex challenge that will take time, patience, and cooperation to resolve. The potential consequences of inaction—or overreaction—are too important to allow historical or ideological perspectives to stand in the way of progress."

Below are key observations of the report.

1. Any measure that weakens encryption works against the national interest.
2. Encryption technology is a global technology that is widely and increasingly available around the world.
3. The variety of stakeholders, technologies, and other factors create different and divergent challenges with respect to encryption and the "going dark" phenomenon, and therefore there is no one-size-fits-all solution to the encryption challenge.
4. Congress should foster cooperation between the law enforcement community and technology companies.

Based on these observations, the report has identified several areas for future discussion by the committees next Congress, such as exploring opportunities to help law enforcement agencies navigate the process of accessing information from private companies; examining options to improve law enforcement's ability to leverage metadata; reviewing the circumstances, resources and legal framework necessary to help law enforcement agencies exploit existing flaws in digital products; considering the implications of alternative legal strategies such as compelling individual consumers to decrypt their devices, and the role of encryption in fostering greater data security and privacy.

The full report can be viewed here.

The members of the working group issuing the report are House Judiciary Committee Chairman Bob Goodlatte (R-VA), House Energy and Commerce Chairman Fred Upton (R-Mich.), Ranking Member John Conyers, Jr. (D-Mich.), Ranking Member Frank Pallone, Jr. (D-N.J.), and Representatives Jim Sensenbrenner (R-WI), Darrell Issa (R-CA), Zoe Lofgren (D-CA), Suzan DelBene (D-WA), Bill Johnson (R-OH), and Yvette D. Clarke (D-NY).

###

McCabe, Andrew G. (DO) (FBI)

From:	McCabe, Andrew G. (DO) (FBI)
Sent:	Wednesday, December 28, 2016 3:46 PM
To:	James B. Comey
Subject:	RE: A weird development

Very odd.

I have a few updates for you. DO you have time for a quick chat?

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

From: James B. Comey
Sent: Wednesday, December 28, 2016 1:13 PM
To: Rybicki, James E. (DO) (FBI) [redacted] McCabe, Andrew G. (DO) (FBI) [redacted]; b7E
Baker, James A. (OGC) (FBI) [redacted]
Subject: Fwd: A weird development

-

-------- Original message --------
From: Reinhold Niebuhr [redacted]
Date: 12/28/16 1:11 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Fwd: A weird development

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---------- Forwarded message ---------
From: [redacted]
Date: Wed, Dec 28, 2016 at 11:48 AM
Subject: A weird development
To: Reinhold Niebuhr [redacted]

Hey there--
I'm writing because a very strange document has crossed my desk that may--or may not--have implications for investigations you guys are conducting. Under normal circumstances, I would simply assume that the document

is either a fraud or that you guys already know all about it. (Both may well be true, as it is.) The wrinkle here is that the document--which purports to be a series of reports/dispatches by a private British intel company on Trump and Russia and the hacking and contains a number of highly-detailed accounts stuff that would be explosive if alleged publicly--is being furiously investigated by, at a minimum, the Wall Street Journal (the document was given to me by [redacted]. What's more, it seems to already be in the hands of the SSCI. I wouldn't be surprised if it's also in the hands of other congressional committees.

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I want to stress that I have NO idea if it is authentic, much less accurate. But I thought I would alert you to it in case, for some reason, it hasn't made its way to your people long ago. I'm happy to put you in touch with [redacted] if you're interested in hearing his account of what it is, or I can just forward a copy to you.

Hope you're doing well. It was great seeing you a couple of weeks ago.

Happy New Year.

[redacted]

[redacted]

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b7C

If you want to send me encrypted communications, here is my PGP Public Key

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Thursday, December 29, 2016 1:32 PM
To:	James B. Comey
Cc:	McCabe, Andrew G. (DO) (FBI)
Subject:	Possible Meeting with HS/CT Advisor

I just spoke to [redacted] recently named as the Assistant to the President for HS and CT would like to meet with you. His folks are going to reach out to me and I'll coordinate (this is all coordinated with DOJ and FBI transition folks) [redacted] said that [redacted]

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, January 4, 2017 5:59 PM
To:	James B. Comey; McCabe, Andrew G. (DO) (FBI)
Cc:	Kortan, Michael P. (DO) (FBI)
Subject:	WSJ: Donald Trump Plans Revamp of Top U.S. Spy Agency

Donald Trump Plans Revamp of Top U.S. Spy Agency

President-elect works with advisers on restructuring Office of the Director of National Intelligence

By
Damian Paletta and
Julian E. Barnes

Updated Jan. 4, 2017 5:54 p.m. ET

552 COMMENTS

WASHINGTON—President-elect Donald Trump, a harsh critic of U.S. intelligence agencies, is working with top advisers on a plan that would restructure and pare back the nation's top spy agency, people familiar with the planning said, prompted by a belief that the Office of the Director of National Intelligence has become bloated and politicized.

The planning comes as Mr. Trump has leveled a series of social media attacks in recent months and the past few days against U.S. intelligence agencies, dismissing and mocking their assessment that the Russian government hacked emails of Democratic groups and individuals and then leaked them last year to WikiLeaks and others in an effort to help Mr. Trump win the White House.

One of the people familiar with Mr. Trump's planning said advisers also are working on a plan to restructure the Central Intelligence Agency, cutting back on staffing at its Virginia headquarters and pushing more people out into field posts around the world. The CIA declined to comment on the plan.

“The view from the Trump team is the intelligence world [is] becoming completely politicized,” said the individual, who is close to the Trump transition operation. “They all need to be slimmed down. The focus will be on restructuring the agencies and how they interact.”

In one of his latest Twitter posts on Wednesday, Mr. Trump referenced an interview that WikiLeaks editor in chief Julian Assange gave to Fox News in which he denied Russia had been his source for the thousands of emails stolen from Democrats and Hillary Clinton advisers, including campaign manager John Podesta, that Mr. Assange published.

Mr. Trump tweeted: “Julian Assange said ‘a 14 year old could have hacked Podesta'—why was DNC so careless? Also said Russians did not give him the info!”

Mr. Trump has drawn criticism from Democratic and Republican lawmakers and from intelligence and law-enforcement officials for praising Russian President Vladimir Putin, for attacking American intelligence agencies, and for embracing Mr. Assange, long viewed with disdain by government officials and lawmakers.

"We have two choices: some guy living in an embassy on the run from the law…who has a history of undermining American democracy and releasing classified information to put our troops at risk, or the 17 intelligence agencies sworn to defend us," said Sen. Lindsey Graham (R., S.C.). "I'm going with them."

But for Mr. Trump and some of his supporters, the accusations of Russian hacking and the criticism of WikiLeaks are seen as an effort to delegitimize the president-elect's victory.

Since his November election, Mr. Trump has published close to 250 Twitter posts. Of those, 11 have focused on Russia or the election-related cyberattacks. In each of those tweets, Mr. Trump either has flattered Russian President Vladimir Putin—last month calling him "very smart"— or disparaged the investigation into the hacks.

This stands in contrast to his posts on other issues and countries, such as North Korea or China, where his views on national security risks line up more squarely with U.S. spy agencies.

The Office of the Director of National Intelligence was established in 2004 in large part to boost coordination between intelligence agencies following the Sept. 11, 2001 terror attacks.

Many Republicans have proposed cutting the ODNI before, but this has proven hard to do in part because its mission centers are focused on core national security issues, such as counterterrorism, nuclear proliferation, and counterintelligence.

"The management and integration that DNI focuses on allows agencies like the CIA to better hone in on its own important work," said Rep. Adam Schiff (D., Calif.), the ranking Democrat on the House Intelligence Committee, who believes dismantling the ODNI could lead to national security problems.

Mr. Trump's advisers say he has long been skeptical of the CIA's accuracy, and the president-elect often mentions faulty intelligence in 2002 and 2003 concerning Iraq's weapons programs. But he has focused his skepticism of the agencies squarely on their Russia assessments, which has jarred analysts who are accustomed to more cohesion with the White House.

Top officials at U.S. intelligence agencies, as well as Republican and Democratic leaders in Congress, have said Russia orchestrated the computer attacks that hacked and leaked Democratic Party emails last year. President Barack Obama ordered the intelligence agencies to produce a report on the hacking operation, and he is expected to presented with the findings on Thursday.

Russia has long denied any involvement in the hacking operation, though Mr. Putin has said releasing the stolen emails served a public service.

The heads of the CIA, Federal Bureau of Investigation, and Director of National Intelligence James Clapper are scheduled to brief Mr. Trump on the findings on Friday. Mr. Trump tweeted late Tuesday that this meeting had been delayed and suggested that the agencies still needed time to "build a case" against Russia.

White House officials said Mr. Trump will be briefed on the hacking report as soon as it is ready. White

House officials have been increasingly frustrated by Mr. Trump's confrontations with intelligence officials.

“It's appalling,” the official said. “No president has ever taken on the CIA and come out looking good.”

Among those helping lead Mr. Trump's plan to restructure the intelligence agencies is his national security adviser, Lt. Gen. Michael Flynn, who had served as director of the Defense Intelligence Agency until he was pushed out by DNI James Clapper and others in 2013. Also involved in the planning is Rep. Mike Pompeo (R., Kan.), who Mr. Trump selected to be his CIA director.

Lt. Gen. Flynn didn't respond to a request for comment and Mr. Pompeo declined to comment.

Mr. Trump shares the view of Lt. Gen. Flynn and Mr. Pompeo that the intelligence community's position that Russians tried to help his campaign is an attempt to undermine his victory or say he didn't win, the official close to the transition said.

Mr. Flynn will lead the White House's National Security Council, giving him broad influence in military and intelligence decisions throughout the government. He is also a believer in rotating senior intelligence agencies into the field and reducing headquarters staff.

Current and former intelligence and law-enforcement officials have reacted with a mix of bafflement and outrage to Mr. Trump's continuing series of jabs at U.S. spies.

“They are furious about it,” said one former senior intelligence official, adding that a retinue of senior officials who thought they would be staying on in a Hillary Clinton administration now are re-evaluating their plans following Mr. Trump's election.

Current and former officials said it was particularly striking to see Mr. Trump quote Mr. Assange in tweets.

“It's pretty horrifying to me that he's siding with Assange over the intelligence agencies,'' said one former law-enforcement official.

Paul Pillar, a 28-year veteran of the CIA who retired in 2005, said he was disturbed by Mr. Trump's tweets and feared much of the intelligence community's assessments could be filtered through Lt. Gen. Flynn, chosen by Mr. Trump as his national security adviser.

“I'm rather pessimistic,” he said. “This is indeed disturbing that the president should come in with this negative view of the agencies coupled with his habits on how he absorbs information and so on that don't provide a lot of hope for change.”

—Carol E. Lee, Shane Harris, Devlin Barrett, Felicia Schwartz an, Siobhan Hughes contributed to this article.

Write to Damian Paletta at damian.paletta@wsj.com and Julian E. Barnes at julian.barnes@wsj.com

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Thursday, January 5, 2017 11:19 AM
To: James B. Comey
Subject: ABCNews

Addressing Email Controversy and Other Challenges, FBI Director Still Stands By Decisions

By Mike Levine

In his first publicly-revealed comments since Donald Trump was elected president of the United States, FBI Director James Comey said he stood by his controversial decisions in the midst of what he called a "contentious election cycle."

"I would be lying if I said the external criticism doesn't bother me at all, but the truth is, it doesn't bother me much because of the way we made the decision," Comey said in a New Year's message to FBI personnel this week. "At every turn last year, we were faced with choosing among bad options and making decisions we knew would bring a torrent of criticism."

Comey's lengthy message was intended to telegraph the agency's mission and "vision" for the coming year, noting the FBI's vast cyber-related work, its extensive criminal efforts fighting corruption and violence, and its unending counterterrorism operations, particularly related to what he called "the collapsing 'Islamic State.'" The message also described advances in hiring and technology, and the hardships facing FBI personnel.

2016 was, to put it mildly, a challenging year," Comey wrote, alluding to the deadly shooting of a militia member who helped take over a federal wildlife refuge in Oregon; the deadly terrorist attack inside a nightclub in Orlando, which was carried out by someone previously on the FBI's radar; and the heavily-scrutinized investigation into Hillary Clinton's private email server.

As it always is, our work was subject to a fair amount of second-guessing ... [but] I am very proud of the way we approached the work," Comey said in his message, echoing sentiments in previous notes to his workforce.

While Comey did not specifically cite his decision to publicly detail the FBI's conclusions in the Clinton email probe, or his decision to disclose new steps in the investigation just days before the election, he likely had those moves in mind when writing the message this week.

"People often ask me what we should do to respond to those who have questions or concerns about the FBI in the wake of a contentious election cycle. 'Do great work' is my answer," Comey told FBI personnel. "Actions speak so much louder than words ... Just stay at it and be your honest, competent, and independent selves."

"When you know you have made decisions thoughtfully and consistent with your values, it is freeing, in a way," Comey added.

Many Trump critics have accused Comey of throwing the election to Republicans. And just days after the election, Hillary Clinton said Comey's letter to Congress disclosing new steps and newly-discovered messages in the email investigation blunted her presidential campaign's growing momentum.

Even before the letter became public, Attorney General Loretta Lynch and other senior Justice Department officials implored Comey not to send the letter, telling FBI counterparts that doing so would violate long-standing tradition and could potentially influence the outcome of the election, sources familiar with the matter told ABC News at the time.

Comey later said he felt compelled to notify Congress because he had previously assured lawmakers and the public that the FBI investigation was "completed." Nevertheless, a review of the newly-discovered emails found most of them to be duplicates, and no charges were filed.

While "the media focused" on such matters, FBI agents worked "in so many other places and in so many other ways to protect America," Comey wrote in his message this week.

"[It's] hard to capture all the good we have done, both for innocent people and to make ourselves better as an organization," he added.

He also noted the tough environment facing law enforcement officers across the country.

"As we look back at our work, we should always remember our people are in harm's way," he said, noting that 19 FBI agents were "shot or severely injured in line of duty in 2016."

"We also lost far too many of our state and local partners in the line of duty," and "each incident serves as a reminder that our agent colleagues do very dangerous work," according to Comey.

In his message, Comey did not mention FBI work on election-related hacks that the FBI and others in the U.S. intelligence community have attributed to the Russian government.

Trump has questioned that conclusion, and Comey is expected to participate in a briefing tomorrow in New York laying out classified details of the U.S. government's findings pointing to Russia.

Comey ended his New Year's message with this: "Whatever challenges 2017 brings, we will be ready, protecting the American people and upholding the Constitution of this extraordinary country."

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Friday, January 6, 2017 9:22 AM
To:	James B. Comey
Subject:	FW: WSJ

From: Rybicki, James E. (DO) (FBI)
Sent: Friday, January 06, 2017 9:21 AM
To: Kortan, Michael P. (DO) (FBI) [redacted] b7E
Subject: WSJ

Mike: This is terrible reporting as you suspected. I think the most important thing to correct right now is the following:

- [redacted] b5

James Comey to Brief Donald Trump on Russian Hacking Friday

Meeting will be first between FBI director and president-elect, who has been skeptical of intelligence community's claims

By
Devlin Barrett
Jan. 6, 2017 5:00 a.m. ET

Missing from the current public debate over Russian hacking, the presidential election and U.S. intelligence has been the man who was often at the center of it all: James Comey, director of the Federal Bureau of Investigation.

On Friday, Mr. Comey will join Director of National Intelligence James Clapper, as well as the heads of the Central Intelligence Agency and National Security Agency, in giving President-elect Donald Trump a classified briefing about what U.S. agencies have concluded about alleged Russian hacking efforts aimed at influencing the presidential election. Mr. Trump has already publicly indicated he is skeptical of such claims, even poking fun at the intelligence agencies for making them.

Friday's meeting will take place at Trump Tower, not in a secure compartmented information facility, or SCIF, which is typically used to discuss classified information. The meeting will be in a private space with some surveillance-defeating technology, according to people familiar with the matter.

Mr. Comey was excoriated by Democrats for his decision to tell Congress 11 days before the election that

the FBI was examining newly discovered emails related to a previously closed probe of Democratic presidential nominee Hillary Clinton's email server. Two days before polls closed, the FBI said a review of the new evidence gave it no reason to reverse its earlier recommendation that Mrs. Clinton not face charges related to her email practices while secretary of state.

Mrs. Clinton and others have blamed those announcements, in large part, for her defeat, saying it resurfaced voters' doubts about her at a critical moment. Republicans, in turn, have blamed Mr. Comey for the decision not to prosecute Mrs. Clinton.

U.S. intelligence officials briefed members of Congress on the alleged Russian hacking findings on Thursday. Several officials testified publicly before the Senate Armed Services Committee before the briefing. Mr. Comey didn't, though he did join the subsequent, classified briefing behind closed doors, according to officials.

Mr. Comey has said he doesn't plan to speak publicly before the new president takes office and that he is reluctant to do so before meeting with Mr. Trump, according to people familiar with the discussions. Mr. Comey, who took office as FBI director in September 2013, serves a 10-year term, though he can be dismissed by the president at any time. Since Mr. Trump's election, he has repeatedly signaled to FBI employees that he has every intention of serving the entire term, according to people familiar with the discussions.

For much of 2016, Mr. Comey was a larger-than-life public presence, testifying in Congress, speaking at universities and holding occasional sit-downs with groups of reporters. The most intense spotlight came in July, when he announced that the email probe would be closed without any recommendation of charges.

While there was evidence of extreme carelessness in the email setup, Mr. Comey said, no reasonable prosecutor would file criminal charges over it. Following that unusually detailed announcement, Mr. Comey spent hours testifying before Congress explaining his reasoning.

Since the unexpected victory of Mr. Trump two months ago, however, the director hasn't made any public appearances. Just before the election, he spoke at a memorial service inside the Justice Department for one of its most highly regarded employees, David Margolis.

People close to Mr. Comey noted that he began scaling back his public schedule weeks before the election, and while he may not have given any speeches in the last two months, they say that is because none had been scheduled. He hasn't canceled any appearances, they add.

Since Nov. 8, the director has visited FBI field offices and spoken to small groups of employees, as well as gatherings of current and former agents. In those talks, he has defended his decisions to sometimes skeptical FBI veterans, including at least one event over the holidays, according to people familiar with those meetings.

Within the FBI workforce and among former agents, there are still significant pockets of skepticism and concern about the decisions he made, according to people familiar with the discussions. Some fault his July announcement as saying too much and creating a political dynamic in which he felt compelled to continue speaking publicly about the case.

Other former FBI personnel remain angry about the decision not to pursue charges in the email case. And still other agents grew irate after they concluded that a separate probe into the Clinton Foundation was sharply curtailed by the Justice Department and FBI leadership.

The director, according to people familiar with the discussions, has decided not to speak publicly about such matters until after Mr. Trump is sworn in as president, and will probably do so first before Congress.

“He was in the eye of a political hurricane, with forces on both sides not wasting time to examine the validity or credibility of what he was saying—they just knew it didn’t match their political agenda,’’ said Ron Hosko, a former senior FBI official. “Because those winds were whipping him so strongly, perhaps more strongly than he would have guessed, I think it’s more judicious for him to hold down, get out of the glare of the klieg lights put on him, and go about the business of the FBI with a lower profile, if he can do it.”

Mr. Hosko said that if an external event, such as a fresh terror attack on U.S. soil, had forced his hand, Mr. Comey likely would have spoken publicly.

In an internal New Year’s message to FBI staff sent earlier this week, Mr. Comey wrote, “I would be lying if I said the external criticism doesn’t bother me at all. But the truth is, it doesn’t bother me much because of the way we made the decision.” He added, “At every turn last year, we were faced with choosing among bad options and making decisions we knew would bring a torrent of criticism.” The message was first reported by ABC News.

—Shane Harris contributed to this article.

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Friday, January 6, 2017 11:41 AM
To:	James B. Comey
Subject:	NYT

Trump Says Focus on Russian Hacking Is a 'Political Witch Hunt'

By MICHAEL D. SHEARJAN. 6, 2017

WASHINGTON — President-elect Donald J. Trump said in an interview Friday morning that the storm surrounding Russian hacking during the presidential campaign is a political witch hunt being carried out by his adversaries, who he said were embarrassed by their loss to him in the election last year.

Mr. Trump spoke to The New York Times by telephone three hours before he was set to be briefed by the nation's top intelligence and law enforcement officials about the Russian hacking of American political institutions. In the conversation, he repeatedly criticized the intense focus on Russia.

"China, relatively recently, hacked 20 million government names," he said, referring to the breach of computers at the Office of Personnel Management in late 2014 and early 2015. "How come nobody even talks about that? This is a political witch hunt."

He noted that there have been prior successful hackings of the White House and Congress, suggesting it was unfair that those attacks on American institutions have not received the attention that the Russian cyberintrusions have. But none of the information from those intrusions was made public as it was in the case of the hacking of the Democratic National Committee and John Podesta, Hillary Clinton's campaign chairman.

"With all that being said, I don't want countries to be hacking our country," Mr. Trump said. "They've hacked the White House. They've hacked Congress. We're like the hacking capital of the world."

Mr. Trump, who has consistently expressed doubts about the evidence of Russian hacking during the election, did so again on Friday. Asked why he thought there was so much attention being given to the Russian cyberattacks, the president-elect said the motivation was political.

"They got beaten very badly in the election. I won more counties in the election than Ronald Reagan," Mr. Trump said during an eight-minute telephone conversation. "They are very embarrassed about it. To some extent, it's a witch hunt. They just focus on this."

The president-elect also noted reports this week that the D.N.C. had refused to give the F.B.I. access to its computer servers after they were hacked.

"The D.N.C. wouldn't let them see the servers," Mr. Trump said. "How can you be sure about hacking when you can't even get to the servers?" The D.N.C. has previously said that the law enforcement agency had not asked to examine the computers.

A senior law enforcement official said the F.B.I. had repeatedly emphasized to the D.N.C. the necessity of obtaining direct access to servers and data. The F.B.I. was rebuffed and had to rely upon a third party — a computer security firm brought in by the D.N.C. — for information.

He also said that the hacking of emails from the D.N.C. and top campaign officials for Mrs. Clinton had revealed that Mrs. Clinton received advance notice of debate questions and "many, many other things that were horrible." "How come nobody complains about that?" Mr. Trump said, referring to a tip that a CNN commentator and Clinton supporter, Donna Brazile, gave to Mr. Podesta ahead of a Democratic Party presidential debate in Flint, Mich.

Mr. Trump said he was looking forward to his meeting Friday afternoon about the hacking by James R. Clapper Jr., the director of national intelligence; James B. Comey, the F.B.I. director, and other intelligence officials. He said that Mr. Clapper "wrote me a beautiful letter a few weeks ago wishing me the best."

But he said that "a lot of mistakes were made" by the intelligence community in the past, noting in particular the attacks on the World Trade Center and saying that "weapons of mass destruction was one of the great mistakes of all time."

The president-elect said that he was eager to work with the intelligence community as president, and he praised the people he selected to lead the intelligence agencies, in particular Representative Mike Pompeo, Republican of Kansas, who is his pick to lead the C.I.A.

He said that Mr. Pompeo was "first in his class" at West Point.

"We have great people going into those slots," Mr. Trump said in the interview. "I expect to have a very, very good relationship with them."

James B. Comey

From: James B. Comey
Sent: Monday, January 16, 2017 9:37 PM
To: McCabe, Andrew G. (DO) (FBI)
Subject: Fwd: The exact quote from Brennan

-------- Original message --------
From: "James B. Comey" [redacted] b7E
Date: 1/16/17 9:35 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: RE: The exact quote from Brennan

It's misleading in at least two respects. First, all agencies thought it should be included. Second, one of the reasons all thought it should be included is that it's source was credible and much of it was corroborative of rest of report. Another reason was the need to alert leadership but that was not only reason.

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 1/16/17 6:29 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Fwd: The exact quote from Brennan

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" [redacted] b7E
Date: 1/16/17 6:26 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: Fwd: The exact quote from Brennan

Jim. Any issue with this Brennan comment to WSJ? Thanks. M

--

-------- Original message --------
From: [redacted]
Date: 1/16/17 6:23 PM (GMT-05:00)
To: "Kortan, Michael P. (DO) (FBI)" <[redacted]>
Subject: The exact quote from Brennan

b6
b7C
b7E

"There was an interest on the part of the bureau to make sure that the president-elect was aware of and informed of" the dossier, Mr. Brennan said. "It was not part of the [hacking] report. And it was very explicitly stated that the conclusions of this report in no way took that information [from the dossier] into account. The feeling was wanting to make sure that given the very salacious nature of it, the president-elect was at least aware of it so he could take it into account and do what needs to be done."

McCabe, Andrew G. (DO) (FBI)

From:	McCabe, Andrew G. (DO) (FBI)
Sent:	Monday, January 16, 2017 9:58 PM
To:	James B. Comey
Subject:	RE: The exact quote from Brennan

I made the same comments to Kortan in a tel call earlier this evening. He was still working with WSJ.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From: "James B. Comey" [redacted]
Date: 1/16/17 9:36 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted]
Subject: Fwd: The exact quote from Brennan

-------- Original message --------
From: "James B. Comey" [redacted] b7E
Date: 1/16/17 9:35 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: RE: The exact quote from Brennan

It's misleading in at least two respects. First, all agencies thought it should be included. Second, one of the reasons all thought it should be included is that it's source was credible and much of it was corroborative of rest of report. Another reason was the need to alert leadership but that was not only reason.

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E

Date: 1/16/17 6:29 PM (GMT-05:00)
To: "James B. Comey" <[redacted]> b7E
Subject: Fwd: The exact quote from Brennan

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" <[redacted]> b7E
Date: 1/16/17 6:26 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" <[redacted]>
Subject: Fwd: The exact quote from Brennan

Jim. Any issue with this Brennan comment to WSJ? Thanks. M

-------- Original message --------
From: [redacted] b6 b7C b7E
Date: 1/16/17 6:23 PM (GMT-05:00)
To: "Kortan, Michael P. (DO) (FBI)" [redacted]
Subject: The exact quote from Brennan

"There was an interest on the part of the bureau to make sure that the president-elect was aware of and informed of" the dossier, Mr. Brennan said. "It was not part of the [hacking] report. And it was very explicitly stated that the conclusions of this report in no way took that information [from the dossier] into account. The feeling was wanting to make sure that given the very salacious nature of it, the president-elect was at least aware of it so he could take it into account and do what needs to be done."

James B. Comey

From:	James B. Comey
Sent:	Sunday, January 29, 2017 12:44 PM
To:	McCabe, Andrew G. (DO) (FBI)
Subject:	RE: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council

Thanks. My feelings aren't hurt by absence of our name but I don't think we were named in last administration either and ended up in a whole lot of meetings.

.

-------- Original message --------
From: "McCabe, Andrew G. (DO) (FBI)" <[redacted]> b7E
Date: 1/29/17 11:03 AM (GMT-05:00)
To: "James B. Comey" [redacted]
Cc: "Rybicki, James E. (DO) (FBI)" [redacted], "Bowdich, David L. (DO) (FBI)" [redacted]
Subject: Fwd: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council

Boss

Below is the WH memo laying out the NSC, PC, et al. [redacted] shop will pull together a cheat sheet for us to compare to the old organization. b6 b7C

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From: [redacted] (DO) (FBI)" <[redacted]> b6 b7C b7E
Date: 1/28/17 9:33 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" <[redacted]>, [redacted] (OGC) (FBI)" [redacted]
Subject: RE: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council

FYI - On Monday, the ONP will draft a cheat sheet that compares PPD-1 to this doc.

...

-------- Original message --------
From: [redacted](DO) (FBI)" <[redacted] b6 b7C b7E
Date: 01/28/2017 6:32 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" <[redacted], [redacted] (OGC) (FBI)" <[redacted]
Subject: Fwd: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council

Please see below for National Security Presidential Memorandum 2 which lays out the framework for the NSC, HSC, PC, DC, and Policy Coordination Committees (PCC). We are not listed as a regular member of any committee, which is consistent with PPD-1 in 2009. Also, members of the NSC staff will chair the PCCs, but the DC may add co-chairs.

...

-------- Original message --------
From: [redacted]' <[redacted] b6 b7C b7E
Date: 01/28/2017 6:02 PM (GMT-05:00)
To: [redacted](DO) (FBI)" <[redacted]
Subject: Fwd: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council

Begin forwarded message:

From: White House Press Office <whitehouse-noreply@useopwh.service.govdelivery.com<mailto:whitehouse-noreply@useopwh.service.govdelivery.com>>
Date: January 28, 2017 at 5:37:15 PM EST
To: [redacted] b6 b7C
Subject: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council
Reply-To: <whitehouse-noreply@useopwh.service.govdelivery.com<mailto:whitehouse-noreply@useopwh.service.govdelivery.com>>

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

January 28, 2017

NATIONAL SECURITY PRESIDENTIAL MEMORANDUM - 2

MEMORANDUM FOR THE VICE PRESIDENT
THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF AGRICULTURE
THE SECRETARY OF HEALTH AND HUMAN SERVICES
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF COMMERCE
THE SECRETARY OF ENERGY

THE SECRETARY OF HOMELAND SECURITY
THE ASSISTANT TO THE PRESIDENT AND CHIEF OF STAFF
THE ASSISTANT TO THE PRESIDENT AND CHIEF STRATEGIST
THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET
THE REPRESENTATIVE OF THE UNITED STATES TO THE UNITED NATIONS
THE UNITED STATES TRADE REPRESENTATIVE
THE CHAIR OF THE COUNCIL OF ECONOMIC ADVISERS
THE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM
THE DIRECTOR OF NATIONAL INTELLIGENCE
THE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY
THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF
THE ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS
THE ASSISTANT TO THE PRESIDENT FOR HOMELAND SECURITY AND COUNTERTERRORISM
THE ASSISTANT TO THE PRESIDENT FOR ECONOMIC POLICY
THE ASSISTANT TO THE PRESIDENT FOR TRADE AND MANUFACTURING POLICY
THE ASSISTANT TO THE PRESIDENT FOR INTRAGOVERNMENTAL AND TECHNOLOGY INITIATIVES
THE Deputy Assistant to the President and National Security Advisor to the Vice President
THE COUNSEL TO THE PRESIDENT
THE ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT
THE ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
THE CHAIRMAN OF THE NUCLEAR REGULATORY COMMISSION
THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION
THE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY
THE DIRECTOR OF NATIONAL DRUG CONTROL POLICY
THE CHAIRMAN OF THE PRESIDENT'S INTELLIGENCE ADVISORY BOARD
THE ADMINISTRATOR OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY
THE ARCHIVIST OF THE UNITED STATES

SUBJECT: Organization of the National Security Council and the Homeland Security Council

As President, my highest priority is to ensure the safety and security of the American people. In order to advise and assist me in executing this solemn responsibility, as well as to protect and advance the national interests of the United States at home and abroad, I hereby direct that my system for national security policy development and decision-making shall be organized as follows:

A. The National Security Council, the Homeland Security Council, and Supporting Staff

The National Security Act of 1947, as amended, established the National Security Council (NSC) to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security. There is also a Homeland Security Council (HSC) -- established through Executive Order 13228 of October 8, 2001, and subsequently codified in the Homeland Security Act of 2002 -- that has the purpose of advising the President on matters pertaining to homeland security. Each Council is also responsible for the effective coordination of the security-related activities and functions of the executive departments and agencies.

The security threats facing the United States in the 21st century transcend international boundaries. Accordingly, the United States Government's decision-making structures and processes to address these challenges must remain equally adaptive and

transformative. Both Councils are statutory bodies that the President will continue to chair. Invitations to participate in specific Council meetings shall be extended to those heads of executive departments and agencies, and other senior officials, who are needed to address the issue or issues under consideration. When the President is absent from a meeting of either Council, the Vice President may preside at the President's direction.

The Assistant to the President for National Security Affairs (National Security Advisor) and the Assistant to the President for Homeland Security and Counterterrorism (Homeland Security Advisor) shall be responsible, as appropriate and at the President's direction, for determining the agenda for the NSC or HSC, respectively, ensuring that the necessary papers are prepared, and recording Council actions and Presidential decisions in a timely manner. When international economic issues are on the agenda of the NSC, the National Security Advisor and the Assistant to the President for Economic Policy shall perform these tasks in concert.

The NSC and HSC shall have as their regular attendees (both statutory and non-statutory) the President, the Vice President, the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Energy, the Secretary of Homeland Security, the National Security Advisor, the Homeland Security Advisor, and the Representative of the United States to the United Nations. When international economic issues are on the agenda of the NSC, the NSC's regular attendees will include the Secretary of Commerce, the United States Trade Representative, and the Assistant to the President for Economic Policy. The Director of National Intelligence and the Chairman of the Joint Chiefs of Staff, as statutory advisers to the NSC, shall also attend NSC meetings. The Assistant to the President and Chief of Staff, the Assistant to the President and Chief Strategist, the Counsel to the President, the Deputy Counsel to the President for National Security Affairs, and the Director of the Office of Management and Budget are invited as attendees to any NSC meeting.

In addition to the NSC and HSC, there is also a single NSC staff within the Executive Office of the President that serves both the NSC and HSC. The staff is composed of regional, issue-focused, and functional directorates and headed by a single civilian Executive Secretary, pursuant to 50 U.S.C. 3021, who is also the Chief of Staff. All policy and staff activity decisions will be transmitted to the Executive Secretary for appropriate distribution and awareness. The purpose of the NSC staff is to advise me, the National Security Advisor, the Homeland Security Advisor, the NSC members, the HSC members, and others in the White House; to facilitate the implementation of Administration policy; and to help coordinate the national-security-related activities of the executive departments and agencies.

B. The Principals Committee

The Principals Committee (PC) shall continue to serve as the Cabinet-level senior interagency forum for considering policy issues that affect the national security interests of the United States. The PC shall be convened and chaired by the National Security Advisor or the Homeland Security Advisor, as appropriate, in consultation with the appropriate attendees of the PC. The Chair shall determine the agenda in consultation with the appropriate committee members, and the Executive Secretary shall ensure that necessary papers are prepared and that conclusions and decisions are communicated in a timely manner. Invitations to participate in or attend a specific PC shall be extended at the discretion of the National Security Advisor and the Homeland Security Advisor, and may include those Cabinet-level heads of executive departments and agencies, and other senior officials, who are needed to address the issue under consideration.

The PC shall have as its regular attendees the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, the Assistant to the President and Chief of Staff, the Assistant to the President and Chief Strategist, the National Security Advisor, and the Homeland Security Advisor. The Director of National Intelligence and the Chairman of the Joint Chiefs of Staff shall attend where issues pertaining to their responsibilities and expertise are to be discussed. The Counsel to the President, the Deputy Counsel to the President for National Security Affairs, and the Director of the Office of Management and Budget may attend all PC meetings.

The Assistant to the President and Deputy National Security Advisor (Deputy National Security Advisor), the Deputy Assistant to the President and National Security Advisor to the Vice President, and the Executive Secretary (who shall serve as the Executive Secretary of the PC) shall attend all of the meetings of the PC, and the Representative of the United States to the United Nations and the Assistant to the President for Intragovernmental and Technology Initiatives may attend as appropriate.

When international economic issues are on the agenda of the PC, the Committee's regular attendees will include the Secretary of Commerce, the United States Trade Representative, and the Assistant to the President for Economic Policy (who shall serve as Chair for agenda items that principally pertain to international economics).

C. The Deputies Committee

The Deputies Committee (DC) shall continue to serve as the senior sub-Cabinet interagency forum for consideration of, and where appropriate, decision-making on, policy issues that affect the national security interests of the United States. The DC shall be convened and chaired by the Deputy National Security Advisor or the Deputy Assistant to the President and Deputy Homeland

Security Advisor (Deputy Homeland Security Advisor), as appropriate. The Chair shall determine the agenda in consultation with the regular DC members, and the Executive Secretary shall ensure that necessary papers are prepared and that conclusions and decisions are communicated in a timely manner. Invitations to participate in or attend a specific DC meeting shall be extended by the Chair to those at the Deputy or Under Secretary level of executive departments and agencies, and to other senior officials, who are needed to address the issue under consideration.

The DC shall have as its regular members the Deputy Secretary of State, the Deputy Secretary of the Treasury, the Deputy Secretary of Defense, the Deputy Attorney General, the Deputy Secretary of Homeland Security, the Deputy Director of the Office of Management and Budget, the Deputy Director of National Intelligence, the Vice Chairman of the Joint Chiefs of Staff, the Deputy Assistant to the President and National Security Advisor to the Vice President, the Deputy National Security Advisor, the Deputy Homeland Security Advisor, and the Administrator of the United States Agency for International Development.

The Executive Secretary shall attend the DC meetings. The Deputy Counsel to the President for National Security Affairs may attend all DC meetings. The relevant Deputy Assistant to the President for the specific regional and functional issue under consideration shall also be invited to attend. Likewise, when and where appropriate, the Deputy Assistant to the President for Strategic Planning, the Deputy Assistant to the President for Strategic Communication, the Deputy Assistant to the President for International Economic Affairs, the Deputy Assistant to the President for Transnational Issues, and the Deputy Representative of the United States to the United Nations, shall also be invited to attend. Other senior officials shall be invited where appropriate.

The DC shall review and monitor the work of the interagency national security process, including the interagency groups established pursuant to section D below. The DC shall help to ensure that issues brought before the NSC, HSC, and PC have been properly analyzed and prepared for decision. The DC shall also focus significant attention on monitoring the implementation of policies and decisions and shall conduct periodic reviews of the Administration's major national security and foreign policy initiatives. The DC is responsible for establishing Policy Coordination Committees (PCCs) and for providing objectives and clear guidance.

D. Policy Coordination Committees

Management of the development and implementation of national security policies by multiple executive departments and agencies typically shall be accomplished by the PCCs, with participation primarily occurring at the Assistant Secretary level. As the main day-to-day fora for interagency coordination of national security policies, the PCCs shall provide policy analysis for consideration by the more senior committees of the national security system and ensure timely responses to the President's decisions.

Regional and issue-related PCCs shall be established at the direction of the DC. Members of the NSC staff (or National Economic Council staff, as appropriate) will chair the PCCs; the DC, at its discretion, may add co-chairs to any PCC. The PCCs shall review and coordinate the implementation of Presidential decisions in their respective policy areas. The Chair of each PCC, in consultation with the Executive Secretary, shall invite representatives of other executive departments and agencies to attend meetings of the PCC where appropriate. The Chair of each PCC, with the agreement of the Executive Secretary, may establish subordinate working groups to assist that PCC in the performance of its duties.

An early meeting of the DC will be devoted to establishing the PCCs, determining their memberships, and providing them with mandates and strict guidance. Until the DC has established otherwise, the existing system of Interagency Policy Committees shall continue.

E. General

The President and the Vice President may attend any and all meetings of any entity established by or under this memorandum.

This document is part of a series of National Security Presidential Memoranda that shall replace both Presidential Policy Directives and Presidential Study Directives as the instrument for communicating relevant Presidential decisions. This memorandum shall supersede all other existing Presidential guidance on the organization or support of the NSC and the HSC. With regard to its application to economic matters, this document shall be interpreted in concert with any Executive Order governing the National Economic Council and with Presidential Memoranda signed hereafter that implement either this memorandum or that Executive Order.

The Secretary of Defense is hereby authorized and directed to publish this memorandum in the Federal Register.

DONALD J. TRUMP

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Monday, January 30, 2017 7:28 AM
To:	James B. Comey
Subject:	FW: FBI Public Affairs News Briefing Monday, January 30, 2017

Is this what you wanted?

From: [redacted] [mailto [redacted] b7E
Sent: Monday, January 30, 2017 7:03 AM
To [redacted]
Subject: FBI Public Affairs News Briefing Monday, January 30, 2017

Mobile version and searchable archives available at [redacted]

TO: THE DIRECTOR AND SENIOR STAFF

DATE: MONDAY, JANUARY 30, 2017 7:00 AM EST

TODAY'S TABLE OF CONTENTS

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- Hackers Infect DC Surveillance System With Ransomware.
- WPost: Trump To Order Sweeping Review Of US Cybersecurity In Executive Order.
- FBI Releases Report From "Gamergate" Controversy.
- Keeper Security CEO Says Cybersecurity Seems To Be "Top Initiative" For Trump.
- Different Rhetoric For China, Russia Hacking Suggests Potential Shift In US Cybersecurity Strategy.
- NYTimes A1: Russia Prosecutes Cybersecurity Expert With Possible Link To Election Hacking.
- Russian Security Service: Hackers Attacked Major Banks In November 2016.
- Rudy Giuliani Details "Passion" For Cybersecurity.
- D-Wave To Use Quantum Computers To Fight Hackers.
- CA Assemblyman's Website Hacked.
- Bankston: "Adult" Encryption Conversation Must Move Beyond Backdoors.
- Koppel To Discuss Book About Cyberattacks On US Infrastructure.
- US, Russia Face Off Over Alleged Hacker Held In Prague.
- Professor: Web-Connected Medical Devices Have Benefits, Risks.
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- Chicago Police Department Opens Data Centers In Hopes To Solve Murder Spike.
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- Iraqi Provincial Authorities Targeting Sunnis Under Collective Punishment Policy.
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- Aleppo Hosts First Soccer Match In Nearly Five Years.
- Afghan Government Struggles To Resolve Taliban's Income Diversification Efforts.
- Rogin: Gabbard Acting As Assad's "Mouthpiece" In Washington.
- AP Analysis: Return Of Former Afghan Warlord Could Inject "Political Uncertainty."
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- Duterte Warns US Against Storing Weapons Arsenal In Philippines.
- Hamon Wins French Socialist Party's Presidential Primary.
- Despite Recent Judicial Decision, Populist Government In Italy Still Possible.
- Prominent Burmese Human Rights Lawyer Fatally Shot.
- Princes William, Harry Announce Plans To Commemorate Princess Diana's Death.
- Japanese Official Accuses South Korea Of Threatening Critical Partnership.
- Trump Launches Global Democracy Efforts Without "Seasoned Support."
- Trump, Putin Discuss Fight Against ISIS, Repairing US-Russian Relations.
- Trump, Merkel Discuss NATO In Phone Conversation.
- Trump, Abe Plan For Meeting, Discuss Economic And Security Issues.
- Trump Holds Phone Call With Australian Prime Minister.
- Jewish Leaders Denounce Netanyahu's Praise Of Proposed Mexican Border Wall.
- Trump, May Display "Special Relationship" Despite Criticisms.
- Hollande Urges Trump, European Leaders To Reject Populism.
- Jordanian King To Visit US On Monday.
- Europe's Future Expected To Hinge On Resolutions Of Key Uncertainties.
- NYTimes A1: Dispute Over Kings Of Malta Reflects Deep Divisions In The Vatican.
- WPost A1: Japan Addresses Growing Aging Population.
- WPost Denounces Russia's Decriminalization Of Domestic Battery.

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COUNTER-TERRORISM

NYTimes Analysis Examines FBI "Shadowy" Efforts To Identify Islamic Extremists.

The New York Times (1/28, Lichtblau, Subscription Publication, 13.9M) examined the prosecution of veteran Washington transit officer Nick Young for helping ISIL, as a review "offers a revealing look at the FBI's shadowy cat-and-mouse efforts to identify possible Islamic extremists." The Times cautioned that his case also "poses a challenge to the FBI's expanding use of undercover operations to identify Islamic State sympathizers inside the United States." Young, the article said, was charged with provided the ISIL with "material support" by giving $245 in Google Play gift cards to a Muslim friend named Mo, who was "in reality, an undercover informant," to support recruitment efforts. His lawyers, however, argue the FBI has "entrapped him, with undercover operatives popping in and out of his life for at least six years."

Authorities Investigate Threat To "Blow Up" Colorado Refugee Center.

Reuters (1/27, Coffman) reported that the FBI and local authorities are probing anonymous notes found in and around a Colorado refugee center threatening to "blow up" the facility. "The two identical, typewritten notes were left on Thursday in the parking lot and stairwell of the Mango House in the Denver suburb of Aurora, both with the message: 'WERE GONNA BLOW UP ALL OF YOU REFUGEES,'" Reuters said, citing police. "This is an ongoing investigation and is a top priority for us," said Aurora Police Department spokesman Chris Amsler. "The FBI is now assisting us in our

efforts to solve this bias-motivated crime." The Council for Islamic-American Relations has called upon authorities to treat the letters as "a terroristic threat and act accordingly." The Denver Post (1/27, Worthington, 778K) reported similarly.

Continuing Coverage: Wife Of Man Charged In San BernardIno Attack Pleads Guilty To Marriage Fraud.

Reuters (1/26, Gorman) reports in continuing coverage that Mariya Chernykh, the Russian born wife of the man accused of supplying the San Bernardino terrorists with guns, pleaded guilty Thursday to immigration fraud charges. Chernykh admitted to paying Enrique Marquez Jr. to marry her to enable her to stay in the United States. She pleaded "guilty to charges of conspiracy, perjury and making false statements, and now faces a maximum penalty of 20 years in prison and a $1 million fine when she is sentenced in November," Reuters says. The Los Angeles Times (1/26, Hamilton, 4.52M) reported that Chernykh had originally come to US on a temporary visa in 2009. NBC News (1/27, 2.67M) reported that in addition to charges related to the San Bernardino attackers, Marquez also faces charges in the sham marriage case.

My News LA (CA) (1/26) and the New York Daily News (1/27, Schroeder, 4.45M) also reported on this story.

Draft Order Shows Trump Will Keep Guantánamo Open, Resume Broader Detention Policies.

The New York Times (1/27, Goldman, Weiser, Subscription Publication, 13.9M) reported President Trump is expected to issue "an executive order keeping Guantánamo open and then fill it with 'bad dudes,'" which the Times said is a formal endorsement of the view held by Attorney General-designate Sen. Jeff Sessions that "the Obama administration sacrificed valuable intelligence by bringing terrorism cases in federal court." The Times said that by doing so, Trump will challenge "a founding principle of [former President] Obama's national security strategy" that an alternative legal system is not needed to keep America safe from terrorism. However, the Times highlighted the prosecution of Somali terrorist Ahmed Abdulkadir Warsame in federal court, which Justice Department and FBI officials believed was a success that proved Obama's strategy worked. In fact, a look at Mr. Warsame's case "suggests it could again become a flash point in a debate over which system – civilian or military – is best to handle terrorism cases."

The AP (1/27, Fox) said Trump is expressing an interest in not only keeping Guantánamo open, but also "resuming the broader detention and interrogation policies that made the detention center a focus of global protest over human rights." Though Trump's plans for Guantanamo "are unclear," the draft executive order says the Administration believes keeping the facility open will serve "as a critical tool in the fight against international radical Islamist groups." The AP said that during his presidency, Obama reduced Guantanamo's population from 242 to 41 – including 15 men designated "high-value detainees" – but failed to shut it down. Now, it "would not be hard to again load up Guantanamo, which at its height in 2003 held around 680 prisoners."

At Least Five Killed By Gunmen At Quebec City Mosque.

The Washington Post (1/29, Hawkins, 11.43M) reports that "multiple people were killed and others injured Sunday after gunmen opened fire on worshipers at a Quebec City mosque during evening prayers," police said. Witnesses said "as many as three gunmen" fired at the Quebec City Islamic Cultural Center, according to the Montreal Gazette, which reported that "about 100 people were inside." The AP (1/29) reports five people were killed, Quebec City Islamic Cultural Center President Mohamed Yangui confirmed, and USA Today (1/29, Toppo, 5.28M) reports Quebec City police spokesman Constable Pierre Poirier "said two suspects were arrested."

Reuters (1/29, Dougherty) reports Canadian Prime Minister Justin Trudeau said on Twitter: "Tonight, Canadians grieve for those killed in a cowardly attack on a mosque in Quebec City. My thoughts are with victims & their families." The New York Times (1/29, Austen, Subscription Publication, 13.9M) reports Philippe Couillard, the premier of Quebec, said on Twitter that the province "categorically rejects this barbaric violence."

Judge Refuses To Toss Lawsuit On Harsh CIA Interrogation.

The AP (1/27, Geranios) reports a federal judge on Friday "refused to dismiss a lawsuit against two psychologists who designed the CIA's harsh interrogation methods used on terror detainees, pushing them closer to a trial that is expected to include secret information." The ACLU had sued James Mitchell and John "Bruce" Jessen "on behalf of three former detainees, Gul Rahman, who died in custody, and Suleiman Abdullah Salim and Mohamed Ahmed Ben Soud, who claim they were tortured in CIA prisons in Afghanistan." Trial is currently set for June in the lawsuit.

Trump Signs Executive Order Expediting Conflict Against ISIS.

The Washington Post (1/28, Rucker, Ryan, 11.43M) reports President Trump issued a directive order to the Joint Chiefs on Saturday, in which he established a 30-day deadline to submit a strategy to defeat ISIS. The measure highlights Trump's commitment to combating global terrorism more aggressively than former President Obama, as Trump pledged during the campaign. On condition of anonymity, a defense official said the extent of the Administration's campaign "would depend upon the political risk that the president is willing to take when we do certain things that could exacerbate things with Russia or Turkey or the PMF," or the Iranian-backed militias in Iraq. The official added that new proposals will ensure battlefield commanders "have the wherewithal and the leeway to do what they have to do to successfully prosecute the campaign."

Reuters (1/28, Stewart) says Trump predicted that the executive order is "going to be very successful. That's big stuff." Defense Secretary Mattis has rallied for a more forceful approach to ISIS, but the implementation of that goals is not yet clear. Furthermore, military officials "have long acknowledged" that the US "could more quickly defeat" the group by committing its own troops instead of using local fighters, but the measure is not likely to garner much support, would likely result in more American lives lost, and would not likely secure a long-term solution. Reuters adds that the Administration has yet to decide "whether to directly provide weapons to Kurdish fighters in Syria as they push toward Raqqa, despite fierce objections from NATO ally Turkey." On Friday, Trump met with military officials at the Pentagon for about an hour, during which they discussed not only how to defeat ISIS, but also "other hot-button issues, including the threat from North Korea."

Navy SEAL Killed, Three Others Wounded In Yemen Raid.

Reuters (1/29, Ghobari, Stewart) reports that a "US commando" died and three others were wounded on Sunday while "carrying out a deadly dawn raid on the al Qaeda militant group in southern Yemen," the "first military operation authorized by President Donald Trump." The US military said 14 militants were killed in a raid targeting Yemen's al Qaeda branch. "Two more US servicemen were injured when an American military aircraft was sent to evacuate the wounded commandos," but came under fire and had to be "intentionally destroyed in place," the Pentagon said.

According to the New York Times (1/29, Schmitt, Subscription Publication, 13.9M), a brother-in-law of Anwar al-Awlaki was believed to have been killed in the raid, and "after initially denying that there were any civilian casualties," US officials "said they were assessing reports that women and children had died in the attack." The AP (1/29, Colvin, Al-Haj) reports that "nearly 30 others" were killed in the raid.

Bloomberg Politics (1/29, Carey, 201K) reports President Trump "was kept informed of the operation, White House press secretary Sean Spicer said" Sunday on ABC's This Week  . In a statement, the AP (1/29) reports the President issued a statement saying, "brave US forces were instrumental in killing" an estimated 14 militants and capturing "important intelligence that will assist the US in preventing terrorism against its citizens and people around the world."

ABC World News Tonight  (1/29, story 6, 1:05, Llamas, 14.63M) said it "has learned the raid was being planned while President Obama was still in office, but it was President Trump who gave it the green light." The CBS Weekend News  (1/29, story 3, 1:30, Quijano) likewise said the "high stakes and risky raid was planned during the Obama Administration and authorized by President Trump." Commandos from the Navy SEAL Team 6 targeted the "headquarters for Al

Qaeda's branch in Yemen, believed to contain vital intelligence inside that warranted a ground operation."

CRIMINAL INVESTIGATIONS

FBI Agent Testifies At Hearing For Malheur Refuge Takeover Defendant.

The Oregonian (1/27, Bernstein, 894K) reported that FBI Special Agent Troy Nicoll testified Friday at a hearing in the case of Malheur National Wildlife Refuge occupier Darryl Thorn, who was arrested by Nicoll and several other agents in a motel on Feb. 11. Thorn has sought to suppress statements he made to agents, arguing they had used excessive force to take him into custody. During Thorn's arrest, agents slapped a cup of coffee out of his hand and forced him to the ground. Nicoll testified that agents acted as they did in the interest of "officer safety." According to the Oregonian, "U.S. District Judge Anna J. Brown agreed with the government, finding no facts to support Thorn's position and denied his motion to suppress his statements." Thorn will face trial next month on felony charges of possession of a firearm in a federal facility and conspiracy to impede federal workers.

Prosecutors To Interview De Blasio Next Month In Fundraising Probe.

The Wall Street Journal (1/27, Orden, Subscription Publication, 6.37M) reported federal prosecutors will interview New York Mayor Bill de Blasio in early February as part of a corruption investigation related to the mayor's fundraising operations, according to those familiar with the case. The Journal says de Blasio is not expected to be interviewed under oath and that it still is not clear what aspect of the fundraising operation prosecutors will focus on. A spokesman for the mayor, Eric Phillips, said, "We've been fully cooperative all along, and we will continue to be." WNBC-TV New York (1/27, Russo, 338K) reported online that de Blasio "plans to answer the questions without the protection of immunity."

US Charges Nevada Man In Killing Of San Francisco Gang Leader.

The AP (1/27) reports from San Francisco that "a Las Vegas man has been charged with taking part in the 2006 murder of the leader of an organization with criminal ties in San Francisco's Chinatown." Wen Bing Lei was indicted by a federal grand jury "on a charge of murder in the death of Allen Leung during racketeering activity." The AP notes that Raymond "Shrimp Boy" Chow was convicted last year "and sentenced to life in prison in Leung's killing and on racketeering charges." Chow "has denied involvement in the killing."

Data Shows Human Trafficking Cases Rising.

The Bristol (VA) Herald Courier (1/28) reports data released from the UN Office on Drugs and Crime "reveals that the number of human trafficking victims and convictions has increased every year since 2010 in the United States." Tennessee Bureau of Investigation Special Agent in Charge Margie Quin "said law enforcement officers have received better training on the difficult and clandestine subject," and "authorities are more likely these days to recognize human trafficking during investigations, she added." The Herald Courier also focuses on organized trafficking "that is conducted or perpetrated by gangs and organized crime groups," such as MS-13.

Tennessee Armory Shooting Leaves Ten Wounded.

Reuters (1/28, Dobuzinskis) reported a Friday shooting at the National Guard Armory in western Tennessee has left 10 wounded, three of whom were still hospitalized on Saturday, according to a Tennessee Bureau of Investigation spokeswoman. Reuters said that an arrest has not yet been made, but noted the armory had been rented out for a party and that fighting erupted shortly before midnight. Eight of the wounded are underage, the piece said. Fox News' (1/29, 11.07M) website reported similarly.

Investigators Looking Into Texas Mosque Fire.

ABC World News Tonight (1/28, story 5, 0:10, Vega, 14.63M) reported that investigators are looking into a fire that destroyed a Texas mosque overnight. Coverage noted that no one was hurt and that a cause has not yet been released.

Ex-Police Officer Sentenced To Eight Years In Prison For Illegal Narcotics Distribution.

The Seattle Post-Intelligencer (1/27, Pulkkinen, 666K) reports ex-police officer Juan Gallinal – who was "swept up in a Drug Enforcement Administration operation targeting an online pharmacy ring he helped build into a leading illicit supplier of pain medication" – was sentenced Friday at US District Court in Seattle to eight years in prison for "illegally distributed thousands of doses of prescription narcotics." Annette Hayes, US attorney for Western Washington, is quoted saying, "This defendant is one of the 'founding fathers' of this internet pharmacy business that exploited the drug addiction of people across the country for his own gain. ... Using a sham owner, shell corporations and databases hidden on a server in Switzerland, Mr. Gallinal tried to hide his business and his role from the law."

Florida Teens Accused Of Planning "Columbine-Style" Shooting.

ABC World News Tonight (1/27, story 6, 1:25, Muir, 14.63M) reported two Florida teenagers arrested on Friday were "accused of plotting a Columbine-style attack at their middle school," which authorities say was supposed to take place Friday. Police reports reveal "chilling details, including their signal that would begin the attack and their plan to tell fellow students to wear white." Sumter County Sheriff's Office Captain Chris Hayworth said the suspects told other students to either wear white to school "if they didn't want to get shot," which "was serious enough to the point that the other children were scared."

Businessman Accused Of Attacking Muslim Airport Worker At JFK.

The AP (1/27, Long) reports Robin Rhodes, the president of Nitrofreeze Cryogenic Solutions, a metals company based in Massachusetts, attacked a Muslim employee at a Kennedy Airport lounge on Wednesday, "kicking her, shouting obscenities at her and saying that President Donald Trump 'will get rid of all of you,'" authorities said. The employee recalled Rhodes saying, "Trump is here now. He will get rid of all of you. You can ask Germany, Belgium and France about these kinds of people. You see what happens," prosecutors said. Rhodes appeared in court Thursday night "on charges of assault and menacing as hate crimes and is being held on $30,000 bail."

Reuters (1/27, Cherelus) identifies the victim as Rabeeya Khan, "who was wearing a hijab...while she was working at Delta Airlines' Sky Lounge on Wednesday evening, Queens District Attorney Richard Brown said in a statement on Thursday." Rhodes approached the door where Khan was working and said, "Are you sleeping? Are you praying? What are you doing?" Then he punched the door, threatened her, and kicked her in the right leg.

New Jersey Prosecutor: State Won't Pursue Misconduct Charge Against Christie.

The AP (1/27) reports New Jersey prosecutors "said Friday they will not pursue a criminal misconduct case against Republican Gov. Chris Christie in the George Washington Bridge lane-closing scandal," in part because the state "does not believe it can prove official misconduct beyond a reasonable doubt," according to release from Bergen County assistant prosecutor John Higgins. The AP characterizes the letter as dealing "a blow to the misconduct case stemming from a complaint filed by" former Teaneck firefighter and Democratic candidate for governor William Brennan. Meanwhile, Christie's office "said in a statement that the governor was 'gratified' the 'baseless fiasco' has ended."

Familial Searching Could Surface Suspects In New York Killing.

The New York Times (1/27, Rosenberg, Subscription Publication, 13.9M) reports on the unsolved killing "of a young woman in Queens during a jog last summer." While tips about potential suspects have gone nowhere, authorities say that the DNA recovered from the victim's body "could hold the key to solving the case if state officials authorize what is called familial searching, which allows

investigators to search criminal databases to identify likely relatives of the offender." The technique has been used "more than a dozen times in the United States over the last 10 years," but the method "raises some complicated ethical issues" and "is not immune from human error."

Prosecutors Drop Felony Charges Against Reporter Covering Pre-Inauguration Riot.

U.S. News & World Report (1/27, Nelson, 1.02M) reports prosecutors announced Friday afternoon "that they are dropping a felony rioting charge against" Vocativ Senior Producer Evan Engel, who was "one of the journalists arrested after covering a violent confrontation outside President Donald Trump's inauguration." Spokesman for the District of Columbia US Attorney's Office Bill Miller "was unable to comment on the status of felony charges facing the remaining six journalists, including Alex Rubinstein of RT and freelancer Aaron Cantu, who has written for Vice and Al-Jazeera America." USA Today (1/27, Craig, 5.28M) says the arrests of Engel and several other reporters "outraged journalism organizations, which quickly condemned the actions of the police."

Former Gymnast Alleges Sexual Abuse By Coach, Doctor.

The Los Angeles Times (1/27, Brazil, 4.52M) reported that a lawsuit filed by a former Team USA gymnastics member in California state court on Tuesday alleges that the woman was sexually abused as a minor by coach Don Peters and physician Larry Nassar. "Nassar is currently being held without bail after being arrested on child pornography charges in December," the Times said. Dozens of people have accused him of sexual assault. The lawsuit names the SCATS gym in Huntington Beach, where Peters and Nassar formerly worked.

Continuing Coverage: FBI "Most Wanted" Fugitive Surrenders At Texas Border.

Fox News (1/28, 11.07M) reported in continuing coverage that Robert Van Wisse, a man on the FBI's Ten Most Wanted Fugitive list, surrendered at the Texas border on Thursday. He is suspected of killing 22-year-old Laurie Stout on the University of Texas campus in 1983.

Former Classics Professor Sentenced On Child Porn Charges.

The New York Post (1/27, Miller, 3.82M) reported, "A former professor in Ohio who specialized in the sexuality of ancient Greece and Rome was sentenced to four years in prison after admitting his addiction to child pornography." Former University of Cincinnati professor Holt Parker was arrested last Match after investigators found he traded and downloaded child pornography using the email account daddy.cruel@yahoo.com. FBI agents raided his home and seized a computer and a damaged thumb drive Parker admitted he had tried to destroy. "Child pornography is dangerous contraband, and possessing it is a serious crime," Acting US Attorney Benjamin Glassman said last August. "Prosecuting cases like this reflects our commitment to using all the tools at our disposal to protect the most vulnerable."

DC Police Searching For Suspect Who Kidnapped Georgetown Student.

ABC World News Tonight  (1/28, story 8, 1:25, Vega, 14.63M) reported that a Georgetown University student was abducted at gunpoint by a man in a suit and that a manhunt is now underway to find him. Correspondent Gloria Riviera said "The police report claims the suspect asked the student for money, and then he grabbed him by the arm and pulled him into the car. Police say he tried to force the student to take out money from several ATMs before entering those stores."

FBI Launches Social Media Campaign In Search Of Missing Child.

The Ventura County (CA) Star (1/27, 163K) reported that the FBI has launched a social media campaign to help find a missing 4-year-old California girl. "On Wednesday, the FBI posted Kimberly's missing-child flier on Twitter, garnering hundreds of retweets and likes," the Star said. "At this point, we hope someone will come forward with information that we're not getting from family members and will lead us to her," said FBI spokeswoman Laura Eimiller.

Taxi Driver Helped Authorities Nab Alleged Bank Robber.

The Chicago Daily Herald (1/27, 375K) reported, "An alert taxi driver – and a bit of luck – helped the FBI nab a suspect accused of robbing" two Illinois banks. According to the FBI, Jeremy C. Wood hailed a taxi en route to a bank and asked the driver for a piece of paper and a pen before arriving. The same driver was dispatched to drive Wood to the second bank later that week , but recognized him as a suspected bank robber and arranged to have authorities alerted. Police officers arrested Wood as he left the scene.

FBI Offers Reward For California Serial Bank Robber.

The Napa Valley (CA) Register (1/27, 67K) reported that the FBI is offering a $20,000 reward for a man suspected of carrying out nine Northern California bank robberies. "The suspect is described as a young, white male in his 20s or 30s, standing at about 5 feet, 8 inches with a slender build and dark hair," the Register said. The man, who brandishes a weapon during his heists, began his spree in 2013 and last stuck late last year.

FBI Arrests Tennessee Bank Robber In Seattle.

The AP (1/27) reported that FBI agents in Seattle have arrested Tony Allen Barnes, "a man charged with robbing a credit union in Tennessee." Barnes was arrested on a federal charge of unlawful flight to avoid prosecution and will be sent back to Tennessee to face the robbery charge. The Memphis (TN) Commercial Appeal (1/27, 229K) reported similarly.

Men Facing Charges In Pair Of Louisiana Bank Robberies.

The AP (1/27) reported that 22-year-old Dwayne Anthony "Butter" Winans Jr. and 21-year-old Bryson Tuesno have been charged with robbing two Louisiana banks on Aug. 15. "Winans is also accused of another New Orleans bank robbery that occurred Aug. 4 in which the FBI says he disguised himself as a woman, and two Aug. 12 carjackings," the AP says.

Trump Inherits Clemency Bid For Blagojevich.

The Chicago Sun-Times (1/27, Seidel, 798K) reports Obama's decision to ignore a clemency request from former Illinois governor Rod Blagojevich has left Blagojevich's bid for a sentence reduction "in the hands of the more unpredictable President Donald Trump – with whom Blagojevich also has a connection." After appearing on Trump's TV show, "Celebrity Apprentice," Blagojevich was "fired" for poor performance. But Trump described Blagojevich as a "guy with great courage" and says he "was very nice on the show." After Blagojevich's conviction, Trump indicated his "punishment shouldn't be too harsh." The article notes that days before Christmas the Justice Department "confirmed that Blagojevich had asked for a presidential commutation."

Emmett Till Accuser Recants Statement From Lynching Case.

Reporting for CBS Evening News (1/27, story 7, 2:20, Pelley, 11.17M), Jim Axelrod covers a new book by author Tim Tyson that includes an interview with Carolyn Bryant – the woman whose "lie set...in motion" the lynching of 14-year-old Emmett Till in 1955 – during which she recants her story. Axelrod said that Till's murder trial, Bryant "testified Till made lewd advances, verbal and physical." In his book, Tyson said, "In court she testified to something that was tantamount to attempted rape. What she said was, 'that part's not true.'" The New York Times (1/27, Pérez-Peña, Subscription Publication, 13.9M) reported on Bryant's "broken silence," saying she has "acknowledged that the most incendiary parts of the story she and others told about Emmett – claims that seem tame today but were more than enough to get a black person killed in Jim Crow-era Mississippi – were false."

New York City Settles Lawsuit Over Shooting By Off-Duty Officer For $8.2 million.

The New York Times (1/27, Mele, Subscription Publication, 13.9M) reports the city of New York has agreed to pay more than $8 million to settle a lawsuit leveled by a man who was hit by gunfire six times from a drunken, off-duty police officer. The Times says the man, Joseph Felice, will receive

$6.9 million while his friend, Robert Borrelli, who was with him but was not hit, will receive $1.3 million. The city's Law Department said that it was "in the best interests of the city" to settle the case.

FINANCIAL CRIME & CORPORATE SCANDALS

Two Men Accused Of Running Ponzi Scheme, Swindling Ticket-Reselling Business Investors.

Reuters (1/27, Stempel, Raymond) reported on the unveiling of criminal charges for two men who allegedly operated "a hedge fund as a Ponzi scheme and of swindling investors in a ticket-reselling business for popular events, including the smash Broadway musical 'Hamilton.'" Sideris Capital Partners alternative investments head Steven Simmons and Joseph Meli, "who ran the ticket business...were arrested on Friday on securities fraud and wire fraud charges brought by Manhattan federal prosecutors." The Boston Globe (1/27, Healy, 1.08M) reported, "According to a complaint filed Friday in New York, Joseph Meli and Matthew Harriton raised about $81 million from at least 125 investors in 13 states. They allegedly told investors the money would be used to finance the buying and reselling of tickets to high-profile events." The defendants instead "diverted at least $51 million of the incoming investor funds to perpetuate a Ponzi scheme and to enrich themselves," according to SEC investigators.

The AP (1/27, Neumeister) reported that each of the men were released on $1 million bail after a federal magistrate rejected the government's request to have them held without bail. "When fraudsters think they're going to get away with scheming investors out of money, they tend to forget that at some point the money will run out. It's the way a Ponzi scheme ends," said FBI New York Assistant Director in Charge William F. Sweeney Jr. The defendants, he added, had joked about the alleged scheme, calling it a "shell game." The AP quotes Deputy US Attorney Joon H. Kim as saying, "Meli allegedly made up out of whole cloth purported deals to buy Broadway tickets that he could later sell at a profit. ... But as alleged, Meli was just robbing Peter to pay Paul."

The New York Times (1/27, Rosenberg, Subscription Publication, 13.9M) reported that Meli allegedly falsely told some investors that he had negotiated a deal "with the producer of "Hamilton" to buy large blocks of tickets to the show that would then be resold." No such agreement ever existed. "Separately," Bloomberg News (1/27, Berthelsen, 2.41M) reported, "the U.S. Securities and Exchange Commission charged Meli and a third man, Matthew Harriton, in the same scheme, telling investors they had a deal to buy and resell 35,000 tickets to the show."

USA Today (1/27, McCoy, 5.28M), the Christian Science Monitor (1/29, Glascock, 387K), the Los Angeles Times (1/27, Masunaga, 4.52M), and the Wall Street Journal (1/27, Steele, Subscription Publication, 6.37M) reported similarly. The New York Daily News (1/28, 4.45M) and Billboard Magazine (1/29, 589K) posted the AP's coverage to their websites.

Georgia Couple Plead Guilty To Fraud Scheme.

The Atlanta Journal-Constitution (1/29, 1.41M) reports that an Alpharetta, GA couple "has admitted helping to defraud office supply company Staples of more than $1.4 million in a complex scheme involving customer loyalty rewards and rebates." John Douglas "and a conspirator created more than 1,100 fake customer loyalty accounts using fictitious names, then used a computer program to claim rewards for purchases they did not make, according to the U.S. Attorney's Office in Massachusetts, where the case was prosecuted." Douglas and his wife, Analyn, "along with others, then used the rewards to obtain merchandise from Staples and sell it on eBay." John Douglas, 46, "pleaded guilty last week to conspiracy to commit wire fraud and mail fraud," and Analyn Douglass, 41, "was given a deferred prosecution agreement after admitting to her involvement in the conspiracy to ship stolen Staples goods through interstate commerce."

Wal-Mart, Feds Still Dispute Terms In Settlement Over Bribery Allegations.

The Wall Street Journal (1/27, Lublin, Viswanatha, Nassauer, Subscription Publication, 6.37M) reports that after having spent $820 million over five years, Wal-Mart failed to settle a foreign-bribery probe by the Justice Department and Securities and Exchange Commission, which includes allegations that Wal-Mart violated the FCPA by bribing foreign government officials, according to

people familiar with the investigation. The Journal says that Wal-Mart and the government failed to strike a deal in part because their settlement terms were very far apart. In addition to disagreement over the size of monetary penalties, the people familiar with the probe said some of the sticking points were Wal-Mart's concern over its ability to continue accepting food stamps in the US as well as the government's desire to assign an independent monitor, which Wal-Mart executives have said is unnecessary because it ramped up its compliance efforts.

Warren Asks Labor Department To Reinstate "Dismantled" Whistleblower Website.

Reuters (1/27, Lynch) reports Sen. Elizabeth Warren on Friday accused the US Labor Department "of dismantling a website designed to" help Wells Fargo workers "file whistleblower retaliation and other complaints against the bank." Warren asked the department to reinstate it, writing in a letter to Acting Labor Secretary Edward Hugler that she "noticed on Tuesday that the site (www.dol.gov/wellsfargo) was gone and contained the words 'Page Not Found.'" Labor Department spokesman Steve Barr "told Reuters the site was removed on January 9, but did not comment further on the reasons why it was taken down."

CYBER DIVISION

Twitter Discloses Two National Security Letters From FBI.

The Hill (1/27, Neidig, 1.25M) reported that Twitter on Friday disclosed two national security letters (NSLs) that had been issued by the FBI in the past two years. The letters, which sought information on Twitter users, had previously been protected by gag orders. "The FBI's letters ordered the social media company to provide the name, address, length of service and records of message transactions of the specific users. The letters added, however, that Twitter should not turn over the contents of any communications," The Hill says. The Verge (1/28, Liptak, 1.25M) reported that the letters also instructed that Twitter was not to "disable, suspend, lock, cancel or interrupt service" to either account, for fear that the targets would become aware that they were being investigated.

Reuters (1/27, Volz) reported that the newly released orders "bolster the belief among privacy advocates that the FBI has routinely used NSLs to seek internet records beyond the limitations set down in a 2008 Justice Department legal memo, which concluded such orders should be constrained to phone billing records." According to Electronic Frontier Foundation staff attorney Aaron Crocker, "This is an ongoing practice and it is significantly beyond the scope of what is intended." Crocker's organization is disputing the constitutionality of NSLs in federal court. The Christian Science Monitor (1/29, Williams, 387K) reports similarly.

Hackers Infect DC Surveillance System With Ransomware.

WTOP-FM Washington (1/28, Foley, 282K) reported in continuing coverage on its website that hackers infected up to 70 percent – or 123 of 187 – of the surveillance cameras in Washington, DC with ransomware ahead of the inauguration. According to the article, "officials said this was a localized hack that neither affected the city's network nor impacted ongoing investigations," though they refused to say whether they have any suspects in the attacks. WTOP added that officials with "the Secret Service and D.C. police said no one's safety was ever in jeopardy," and the city's CTO said no ransom has been paid.

WPost: Trump To Order Sweeping Review Of US Cybersecurity In Executive Order.

A Washington Post (1/26, Deyoung, Rucker, 11.43M) article last week that claimed to feature a draft executive order calling for a review of national cybersecurity continued to generate coverage throughout the weekend, largely centered on whether the reputed order will have greater implications for cybersecurity in the US.

The Hill (1/27, Uchill, 1.25M) reported a forthcoming executive order from President Trump is expected to call "for a large-scale review of national cybersecurity, The Washington Post reported Friday." Quoting a document the Post "said was a draft of the order," The Hill reported the White House believes "free and secure use of cyberspace is essential to advancing U.S. national interests.

... Cyberspace must be an environment that fosters efficiency, innovation communication, and economic prosperity without disruption, fraud, theft or invasion of privacy." According to the document provided by the Post, the Trump Administration "will task a team headed by the secretary of Defense – and including the heads of the Department of Homeland Security and the Office of the Director of National Intelligence – with generating reports on the security of defense systems and critical infrastructure" within 60 days. The team will also be tasked with assembling a report on the "'principle cyber adversaries' on the same timeline, with National Intelligence taking the lead."

C4ISR & Networks (1/27, Pomerleau) offered a brief breakdown of the order's "three-pronged approach toward addressing cyberspace," which includes reviews of the United States' cyber vulnerabilities, cyber adversaries, and cyber capabilities.

Federal Computer Week (1/27, Rockwell, 263K) reported the order is "aimed at strengthening civilian agency networks' cybersecurity capabilities," including asking DHS to "report on 'enhanced protections' for the most critical federal government, public and private infrastructure." The EO says "the executive departments and agencies tasked with protecting civilian government and infrastructure are not currently organized to act collectively/collaboratively, tasked or resourced, or provided with legal authority adequate to succeed in their missions," which FCW speculated "might be good news for DHS' stalled plan to reorganize and rename the National Protection and Programs Directorate the Cybersecurity and Infrastructure Protection Agency and bind cyber and physical security capabilities more closely to better reflect the links between security threats."

Vox (1/27, 1.15M) contributor Timothy B. Lee argued the leaked order "looks innocuous," consisting largely of "asking various agencies to gather information relevant to cybersecurity and report back within 60 to 100 days." Lee said the question should be "what the administration will do once those reports come back." He claimed the rumored order features "sensible first steps to prevent more disasters like the 2015 attack on the Office of Personnel Management." Lee concluded the Trump Administration's challenge will be to "figure out how to change the culture at government agencies to make security more of a priority – without imposing rigid policies that prevent agencies from getting their work done," which is an issue "that's not...explored in the draft executive order."

Foreign Policy (1/27, 359K) contributor Elias Groll wrote that the order "lacks any sweeping measures and avoids controversy by creating review panels to examine cybersecurity issues," unlike Trump's previous efforts to "[court] controversy, [make] enemies, and [excite] his base with executive orders aimed at strengthening the U.S. border and upending American trade policy." Groll argued Trump's advisers have generally taken a "more hawkish approach to the use of American power in cyberspace," but the order includes "no concrete mention of how the United States might deter its adversaries in cyberspace." It states only that the US "is 'committed' to 'employing the full spectrum of capabilities to defend U.S. interests in cyberspace; and identifying, disrupting and defeating malicious cyber actors.'"

FBI Releases Report From "Gamergate" Controversy.

Digital Trends (1/27, Wagner, 463K) reported that the FBI recently released its report on the so-called "Gamergate" controversy, in which "a mob of online bullies decided to harass a number of game developers and social critics" who criticized "the video game industry's handling of gender roles and sexism." The FBI investigated the controversy amid reports of death threats. "The investigation report details a number of emails sent to unnamed recipients which threaten bombings, shootings, and all sorts of violence," Digital Trends said. Though the FBI seemingly took the investigation seriously, individual agents may not have, the website observed. "The report contains emails and filings from individual FBI agents who refer to Twitter as 'Tweeter' and TOR as 'Thor.'" Additionally, the FBI seemingly let some of those connected the death threats off with "little more than a warning."

The Verge (1/27, Robertson, 1.25M) reported that the 173-page report released by the FBI "primarily seems to cover harassment of against critic Anita Sarkeesian and game developer Brianna Wu." The investigation, the Verge said, eventually "petered out" when "the FBI wasn't able to identify the people behind some of the threats, apparently declined to prosecute others, and

appears to have struggled with jurisdictional issues." Venture Beat (1/29, Takahashi, 126K) reported that Wu, who is running for Congress, voiced displeasure at the FBI's efforts to investigate the controversy. She wrote, "We sent the FBI an entire hard drive full of information. We had multiple meetings with them. What makes me want to pull my hair out with the report is only a fraction of a fraction of the information we gave them was ever looked into." Engadget (1/27, Seppala, 659K) and Slashdot (1/29, 46K) reported similarly.

Keeper Security CEO Says Cybersecurity Seems To Be "Top Initiative" For Trump.

Venture Beat (1/27, Johnson, 126K) interviewed Keeper Security CEO Darren Guccione about his assertion "that the United States needs to treat the nation's cybersecurity as if we were at war" and his expectation that "President Trump will have a positive impact on the nation's growing talent shortage in cybersecurity." Guccione said he feels the shortage of cybersecurity talent in the US is "a pervasive issue and action item" that must be addressed "because there's a cyber war going on right now, and the United States is the main target of that war, without a doubt." He also said that he believes cybersecurity is "a top initiative for" President Trump and called for the US government to be "reformed in a very large sense, not just with state of the art military aircraft but with cybersecurity protection and safeguards."

Different Rhetoric For China, Russia Hacking Suggests Potential Shift In US Cybersecurity Strategy.

Politico (1/28, Bennett, 2.46M) reported President Trump has been "showing sharply different reactions to countries that hack the United States," calling out China's efforts to pilfer US data while "giving Russia a pass." Although Trump "took three months" to accept the Intelligence Community's "conclusions that the Russian government was behind hacks of Democratic Party emails that helped undermine Hillary Clinton's campaign," Politico said he "has repeatedly blamed China for a pair of massive hacks that pilfered highly sensitive documents on more than 20 million current and former federal workers." Sen. Ben Cardin (MD), the ranking Democrat on the Senate Foreign Relations Committee, says the discrepancy is a sign the Administration's response to foreign government-sponsored cyberattacks could be influenced by his domestic political goals, while Cybersecurity Initiative at New America co-director Ian Wallace said Trump's commentary "certainly suggests that the strategy is going to be different" from the previous Administration.

NYTimes A1: Russia Prosecutes Cybersecurity Expert With Possible Link To Election Hacking.

The New York Times (1/27, Shane, Sanger, Kramer, Subscription Publication, 13.9M) reported Russian authorities "are prosecuting at least one cybersecurity expert for treason, a prominent Russian criminal defense lawyer confirmed on Friday, while a Russian newspaper reported that the case is linked to hacking during the United States presidential election." The Times said the developments will "surely touching a nerve in American politics," even though they have "left a still muddled picture of what, exactly, a series of arrests by the security services here signifies." The "virtually simultaneous appearance of at least four prominent news reports" on the arrests "suggests that the normally opaque Russian government intends to reveal more information about the matter, though it is unclear why."

McClatchy (1/27, Johnson, 74K) reported the "mystery surrounding the recent arrests in Moscow of several high-level Russian cybersecurity figures" has sparked speculation "from two former employees of the National Security Agency" that one of the suspects "may have been an informant who provided crucial information to the United States about Russian meddling in the U.S. election campaign." McClatchy added that those arrested reportedly included Sergei Mikhailov, deputy chief of the FSB's cyber intelligence department, FSB officer Maj. Dmitry Dokuchayev, and Ruslan Stoyanov, a cybersecurity manager of well-known cybersecurity firm Kaspersky Lab.

According to the Washington (DC) Times (1/27, Blake, 272K), the case against Stoyanov and Mikhailov "were filed in a secret military tribunal under Article 275 of the country's constitution, which defines treason as 'espionage, disclosure of state secrets, or any other assistance rendered to a foreign organization, or their representatives in hostile activities to the detriment of the external security of the Russian Federation committed by a citizen of the Russian Federation.'" The

accused face "a maximum punishment of 20 years imprisonment."

Hoover Institution research fellow and University of Houston energy fellow and Cullen Professor of Economics Paul Roderick Gregory argued in a Forbes (1/28, 15.17M) article Russian President Vladimir Putin's claim that the CIA hacked the Kremlin is an "uncharacteristically late" application of the Russian President's "rule Number 1," which is to "accuse your enemies – falsely – of doing to you what you are doing to them." Putin claims "it was U.S. intelligence that hacked his entire government," pointing to "proof in the form of high-level FSB cyber officers incarcerated in Moscow's legendary Lefortovo prison under Article 27." Gregory debates NYTimes (1/25, Kramer, Subscription Publication, 13.9M) author Andrew Kramer assertion that "the detention of an official who would have been in a position to engage in the election hacking in America could indicate a good-will gesture to the United States." Gregory concludes the "Lefortovo Four" will probably "stand trial in a public Moscow courtroom" – in which "they will confess – if that is necessary – to being American spies, just as Stalin's political enemies confessed to being Nazi spies and planned assassins of Stalin and his inner circle."

Russian Security Service: Hackers Attacked Major Banks In November 2016.

Reuters (1/27, Ostroukh) reported major commercial banks in Russia, including "Sberbank, Rosbank, Alfa Bank, Bank of Moscow, as well as the Moscow Exchange and other institutions," were targets of cyberattacks last November, according to Russia's Federal Security Service. Russian Security Service Deputy Head Dmitry Shalkov said Friday, "Analysis shows that the number of information attacks at Russian official information resources is on the rise. There were 70 million (such attacks) in 2016," including the "massive attack" that affected the banks between November 8 and November 14.

Rudy Giuliani Details "Passion" For Cybersecurity.

The Wall Street Journal (1/27, Wolfe, Subscription Publication, 6.37M) profiled former New York City Mayor Rudy Giuliani and explained his hopes for his new role as Trump's informal adviser on cybersecurity, which Giuliani said "is a passion of mine." He said the US hasn't "made this enough of a national priority, either for the federal government or for the private sector." Giuliani explained, "Of course, I'm more worried about national security, but the thing that's going to happen more often is the criminal activity, and that's going to affect more and more people." The Journal says Giuliani listed protecting the US electrical grid from cyberattacks as one of his highest priorities, but said also that he plans to address other government officials' top cybersecurity concerns by connecting them with private-sector security tech and experts who have experience with similar issues.

D-Wave To Use Quantum Computers To Fight Hackers.

Wired (1/27, Newman, 3.98M) reported quantum computing leader D-Wave last week unveiled its latest machine, the D-Wave 2000Q, and "its first customer: a cybersecurity firm called Temporal Defense Systems." The announcement represents "the first time quantum has been used to fight cyber crime" and, if successful, "could reshape how security analysts protect their networks from harm" in the future. Wired explained that quantum computing deviates from the normal computer language "by using quantum-mechanical properties, like entanglement and superposition, to store a 1 or 0 simultaneously in a unit called a 'qubit,'" which theoretically allows quantum machines to "compute exponentially faster than current systems." However, Wired pointed out "Quantum computing is far from a proven tool at this point, and it's just one of a handful of next-generation computing solution being applied to thorny cybersecurity issues."

CA Assemblyman's Website Hacked.

The Sacramento (CA) Bee (1/27, Miller, 574K) reported an unknown hackers group has attacked CA Assemblyman Evan Low's campaign website, with a motive apparently "linked to Low's leadership of the Legislature's Lesbian, Gay, Bisexual and Transgender Caucus." The group "Shadows Team Hackers" claimed credit for the attack on its Facebook page, along with listing "other websites and social media handles for the lawmaker" and featuring "an image of fire

burning the rainbow flag that symbolizes gay pride and diversity." The page was blocked as a security risk as of Friday afternoon.

Bankston: "Adult" Encryption Conversation Must Move Beyond Backdoors.

Slate (1/27, 1.83M) picked up an op-ed originally carried by New America Weekly (1/26) in which Policy Director for New America's Open Technology Institute Kevin Bankston blasted FBI Director James Comey's understanding of what an "'adult' conversation about encryption means." According to Bankston, Comey thinks "being 'adult' about encryption...means agreeing with his conclusion that the existence of unbreakable encryption – for example, the full-disk encryption that protects your iPhone against anyone who doesn't have your passcode... – poses an unacceptable threat to law and order." Bankston pointed out "the key committees in the House that have jurisdiction over the encryption issue have sent a clear signal to Comey and to his allies" that "the House is definitely not interested in legislating to require backdoors," which "essentially everyone but the FBI agrees are a bad idea." Bankston mentioned the House working group looking at the encryption issue indicated in a new report that "having the 'adult' conversation about encryption means talking about how law enforcement can adapt to a world where encryption is more common."

Koppel To Discuss Book About Cyberattacks On US Infrastructure.

My Central Jersey (1/29, Vanderhoof, 30K) reports "veteran journalist" Ted Koppel is scheduled to speak at NJPAC in Newark, New Jersey on March 23, when he will discuss the potential impact of a cyberattack on a US electrical grid – the subject of his latest book, "Lights Out: A Cyberattack, A Nation Unprepared, Surviving the Aftermath." The book reportedly is "the result of 18 months of in-depth research and interviews with scores of top people at every level of government" and includes "conversations with the last four heads of Department of Homeland Security, and Department of Defense." According to the article, "Koppel asked them" how the US is "prepared in the event of a cyberattack and long-term loss of our power grid." Their response was "we're not" and there are no "protocols are in place for the aftermath in the absence of our infrastructure." My Central Jersey interviews Koppel about his research and findings.

US, Russia Face Off Over Alleged Hacker Held In Prague.

The Guardian (UK) (1/27, Tait, Borger, 4.07M) reported alleged computer hacker and Russian citizen Yevgeniy Nikulin, 29, is "being held in the Czech Republic" and is now "at the centre of an international legal tussle between the United States and Russia amid lingering disquiet over Moscow's alleged interference in the recent US presidential election." Nikulin is facing "faces extradition requests from both countries," after he was detained by "Czech police on an Interpol arrest warrant issued by US authorities." A US federal court "followed up with an indictment charging him with offences relating to the hacking of computer networks belonging to LinkedIn, Dropbox and Formspring," for which he "faces a maximum 30 years in prison and up to $1m in fines." Meanwhile, Russian authorities issued an extradition order of their own, "demanding that he be returned to face allegations dating back to 2009 that he hacked another person's bank account and stole 111,000 roubles (£1,465)."

Professor: Web-Connected Medical Devices Have Benefits, Risks.

In an opinion piece for USA Today (1/28, 5.28M), Steve Weisman, a lawyer and professor at Bentley University, wrote about the benefits and risks of web-connected medical devices, including the risk of being compromised by hacking. Weisman noted a 2015 warning from the FBI that stated: "Once criminals have breached such devices, they have access to any personal or medical information stored on the devices and can possibly change the coding controlling the dispensing of medicines or health data collection." Weisman also provided readers with tips on how to protect their medical devices from cybersecurity risks.

Geography No Longer Defense For US Against Cyberthreats.

The AP (1/28, Abdollah) reports that the US has "long relied on its borders and superior military

might" to protect itself against "foreign aggressors," but that there are no such boundaries or rulebooks in cyberspace, which "has increased the threat and leveled the playing field today." The article says that it's not clear how President Trump "will respond to cyberspace threats, which transcend traditional borders and make it easier and cheaper than ever for foreigners to attack the US." However, the approach Trump does take, the AP states, "will set the tone and precedent for global policies during a critical time when the ground rules are still being written."

Delta's Domestic Flights Grounded By Computer Glitch.

Bloomberg News (1/30, Sasso, 2.41M) reports Delta Air Lines joined United Continental Holdings as the second major US domestic airline to ground flights this week because of computer glitches. The Federal Aviation Administration issued a statement on its website in which it explained that Delta's domestic flights were grounded because of "automation issues," but confirmed its international flights were exempt from the grounding. The issue emerged shortly after Delta and other airlines struggled to adhere to the new travel restrictions implemented by President Trump's executive order blocking travelers from seven predominately-Muslim countries. USA Today (1/29, Toppo, Solis, 5.28M) reports the disruptions impacted airports in a number of cities, including Atlanta, Houston, and New York City, were reported on social media networks.

LAW ENFORCEMENT SERVICES

Professor: FBI Data Shows "Sanctuary" Cities Generally Safer Than Other Cities.

In an analysis of FBI crime data published by the Center for American Progress, a liberal think tank, University of California at San Diego political science professor Tom Wong says that the "sanctuary cities" that President Trump has "repeatedly characterized as incubators of crime are generally safer than other cities," the Washington Post (1/27, Ingraham, 11.43M) reported. While Trump "often characterized these locales as dangerous hotbeds of criminal activity and promised to suspend all federal funding to them," Wong's study "finds that counties designated as 'sanctuary' areas by ICE typically experience significantly lower rates of all types of crime, including lower homicide rates, than comparable non-sanctuary counties."

Chicago Police Department Opens Data Centers In Hopes To Solve Murder Spike.

USA Today (1/27, Madhani, 5.28M) reports the Chicago Police Department – after opening its first two data-driven nerve centers on Friday – is "hoping a data-driven tech surge can help it stem its murder problem." The centers "will use hyper-local video and data in two of the city's most violent neighborhoods to help officers more quickly respond to shootings and help police predict where the next incident may occur."

Emanuel Seeking To Counter Trump Narrative On Violence In Chicago. The Chicago Tribune (1/27, Ruthhart, Gorner, Dardick, 2.54M) reports Chicago Mayor Rahm Emanuel held a "carefully orchestrated new conference" to discuss the city's "smart policing strategy" in response to President Trump's criticism that he needed to "smarten up and toughen up" on gun violence. The Tribune says Emanuel highlighted "new police cameras and gunshot tracking technology," as well as an order delivered to the Police Department officials "to flood the city's most violent neighborhoods with extra officers this weekend." The Tribune says the current number of homicides for January stand at 42 and that in January 2016 it was 54. Coming in lower than last year's rate would afford Emanuel the ability "to counter Trump's narrative of this year being off to an even worse start."

Chicago Police Department Releases Video Of Officer Involved Shooting. ABC World News Tonight (1/28, story 4, 1:45, Vega, 14.63M) reported on newly released police body cam video showing a chase and confrontation involved a shoot-out in Chicago. Correspondent Marci Gonzalez said that officers "rush[ed] towards a building, scaling fences, some taking cover" after a suspect, Richard Grimes, who "shot his pregnant girlfriend in the abdomen, killing their unborn baby." Grimes shot at officers, who killed him while returning fire. The incident, Gonzalez noted, the release of the video is part of the city's "new commitment to transparency after a Justice Department investigation found a pattern of excessive force following the city's most violent year

in two decades."

NYTimes Analysis: Trump's "Grim Vision" Of Violence Misses Complex Realities In Cities. A New York Times (1/28, Eligon, Subscription Publication, 13.9M) analysis says President Trump's "broad and cutting rhetoric" on the problem of violence in American cities, which the Times says he has referred to as "carnage," does not "capture the complicated reality of urban America." The Times says that when he "speaks about cities' problems, he focuses almost exclusively on these pockets of entrenched social ills," which includes segregation, wealth gaps, disproportionate numbers of poor black and Latino families, poor schools and violence. The article notes that by "generalizing conditions in cities," Trump is "sowing fears and solidifying stereotypes, which serves to divide the country."

Police Departments Easing Grooming Standards For New Recruits.

The AP (1/28, Long) reports police departments are starting to relax traditional grooming standards for recruits in an effort to counter the hiring crisis as well as to attract a "more diverse applicant pool." The article says there are now more officers who have tattoos, beards, or religious head coverings. Departments have noted how increasingly difficult it is to recruit new officers given low rates of pay and intense public scrutiny.

INTERNATIONAL RELATIONS

Continuing Coverage: FBI Offers Reward In Illinois Woman's Disappearance In Belize.

ABC News (1/27, 3.09M) reported in continuing coverage that the FBI has offered an up to $10,000 reward "in its investigation into the death of an ABC producer who was murdered last year while on vacation at an eco-resort in Belize." Anne Swaney, 39, worked for Chicago-based WLS-TV. She disappeared on Jan. 14, 2016 and her body was found in a river the next day. The FBI believes that someone in Belize may be able to help solve Swaney's murder, said FBI Special Agent Paul Clark. AdWeek (1/27, Eck, 398K) also continued coverage.

OTHER FBI NEWS

Jackson Named Dallas Special Agent In Charge.

KXAS-TV Dallas (1/27, 223K) reported online that FBI Director Comey has named Eric Jackson Special Agent in Charge of the bureau's Dallas Division. Jackson, a 20 year FBI veteran, will assume his new role in March. "He also is the first African-American to head the Dallas FBI office," KXAS said.

OTHER WASHINGTON NEWS

Administration Defends Executive Orders Amid Worldwide Outrage.

Coverage of President Trump's executive orders barring refugees and travelers from seven predominantly Muslim nations continues to be extensive and extremely negative toward the Administration. Reports cast the policy as hastily implemented, leading to chaos at airports, and highlight condemnation from around the world and from prominent members of both parties. Feature stories on detained children, divided families, and Iraqis who provided support to the US during the war being refused entry also reflect negatively on the White House. Other pieces examine why those seven countries in particular were selected and others omitted, and on Rudy Giuliani's statement that the President had sought a legal means to impose a "Muslim ban."

On ABC World News Tonight  (1/29, story 3, 2:25, Llamas, 14.63M), David Wright reported, "As the outrage reached the White House doorstep today, the Trump Administration is pushing back. A new statement tonight: 'This is not about religion, this is about terror and keeping our country safe.' ... Until today, the battle over the borders has been fiercely partisan, the Democrats voicing loud opposition." But "now, a growing number of Republicans taking issue, too, some of them agreeing with the Democrats that the new executive order could be counterproductive, making America less safe." Sen. John McCain: "I think the effect will probably,

in some areas, give ISIS some more propaganda." On the CBS Weekend News  (1/29, story 2, 2:10, Quijano), Errol Barnett reported that the President "said Saturday it is something that should have been in place for a long time."

The AP (1/29) reports that the President defended the order, saying "in a statement Sunday amid widespread protests that 'America is a proud nation of immigrants.' He says the country 'will continue to show compassion to those fleeing oppression,' but 'while protecting our own citizens and border.'" Reuters (1/29, Holland, Chiacu) reports that Trump, "trying to quell a backlash," said the US would resume issuing visas "to all countries once secure policies are put in place" over the next 90 days.

USA Today (1/29, Jackson, 5.28M) says Trump and aides "spent Sunday defending their ban on refugees...as a counter-terrorism measure, all in the face of lawsuits, congressional criticism, and mass protests." The Washington Post (1/29, Dennis, Markon, 11.43M) reports under the headline "Trump Defends Executive Order: 'This Is Not A Muslim Ban'" that Trump "compared his order to action taken by then-President Obama in 2011 to give new scrutiny to visas for Iraqi refugees, though by almost any measure Trump's order was far more sweeping."

Politico (1/29, Toosi, Kim, 2.46M) says Trump "doubled down" on his policy, though Chief of Staff Priebus "walked back one major element of the order, signaling a growing sense of confusion and fissures within the 10-day-old administration." Politico says the Administration's "mixed messages were abundant as global outrage grew over the order. ... Thousands gathered outside the White House to demand Trump rescind what they called the 'Muslim ban,'" and "prominent Republicans and foreign leaders chided Trump, warning the order could backfire by inspiring terrorists." Bloomberg Politics (1/29, Brody, 201K) and The Hill (1/29, Savransky, 1.25M) also cover Trump's statement.

On  CBS' Face The Nation (1/29, Dickerson, 4.61M), Priebus said, "What people need to understand is 325,000 foreign travelers came into the United States. About 109 of those people were detained for further questioning. They came from the identified seven countries that harbor and train terrorists. They were asked questions. The vast majority of the people were released." On  NBC's Meet The Press (1/29, Todd, 157K), Priebus said, "As far as green card holders moving forward, it doesn't affect them."

The New York Times (1/29, Shear, Subscription Publication, 13.9M) says Priebus "appeared to reverse a key part" of the order by saying green card holders from the affected countries would not be prevented from returning to the US, but "also said that border agents had 'discretionary authority,'" which "seemed to add to the uncertainty" over the continued enforcement of the order. The Washington Post (1/29, Phillip, Snell, 11.43M) also says Priebus "appeared to pull back one of the most controversial elements of the order." The Los Angeles Times (1/29, Parsons, 4.52M) headlines its report on Priebus' comments "White House Seems To Back Down On Part Of New Vetting Policy."

The AP (1/29, Colvin) writes that Trump senior adviser Kellyanne Conway called the problems caused by the visa ban "'a small price to pay' to keep the nation safe, but it's unclear whether the order...will accomplish that," since it "does not address homegrown extremists already in America," and omits Saudi Arabia, "where most of the Sept. 11 hijackers were from." Mic (1/29, Durkee, 554K) reports that Conway "sharply dismissed the decision of the federal judge who granted a stay." Conway said, "The stay of order doesn't really affect the executive order at all, because the executive order is meant to be prospective, it's preventing, not detaining."

On  Fox News Sunday (1/29, Wallace), Conway said, "If they're not dangerous, if they are not a threat, then they will be disposed of – their situations will be handled on a case-by-case basis. I was stopped many times after 9/11, weren't you? I didn't resemble, or share a name with any kind of conspiracy, but this is what we do to keep the nation safe. I mean, this whole idea that they're being separated and ripped from their families, it's temporary."

USA Today (1/29, 5.28M) says in an editorial, "In President Trump's dark view of America, thousands of shadowy foreigners from the Middle East are infiltrating our neighborhoods and waiting for an opportunity to kill us. ... This kind of indiscriminate fear-mongering is bad enough as campaign rhetoric. It's outright harmful to innocent people when ham-handedly translated into White House policy." The order is also "strangely arbitrary. The 9/11 terrorists were from Egypt,

Lebanon, Saudi Arabia and the United Arab Emirates, all of which were exempted from the order. And since 9/11, no one has been killed in the USA as a result of a terrorist attack by an emigrant from the seven targeted nations." The Wall Street Journal (1/29, Subscription Publication, 6.37M) is also critical, saying in an editorial that the policy was rushed and overly broad, and seemed designed to create chaos.

Kelly: Entry Of "Lawful Permanent Residents" Is In National Interest. Reuters (1/29, Raymond, Rosenberg, Stempel) reports that federal judges in at least five states have blocked enforcement of the order, and ABC World News Tonight  (1/29, story 2, 2:10, Llamas, 14.63M) added that the "attorneys general of more than a dozen states [are] condemning the order." The Washington Times (1/29, Dinan, 272K) reports that DHS said early Sunday that it is "following through on the executive order" despite the courts' actions. However, The Hill (1/29, Master, 1.25M) reports that DHS Secretary Kelly "declared 'the entry of lawful permanent residents to be in the national interest' in a Sunday evening statement."

Giuliani Says Trump Wanted A "Muslim Ban." The Washington Post (1/29, Wang, 11.43M) reports that Rudy Giuliani, appearing on Fox News on Saturday evening, "said President Trump wanted a 'Muslim ban' and requested he assemble a commission to show him 'the right way to do it legally.'" Giuliani said, "So when [Trump] first announced it, he said, 'Muslim ban.' He called me up. He said, 'Put a commission together. Show me the right way to do it legally.' ... We focused on, instead of religion, danger – the areas of the world that create danger for us. Which is a factual basis, not a religious basis. Perfectly legal, perfectly sensible." Mic (1/29, Durkee, 554K) reports on the comments under the headline "Rudy Giuliani Admitted Trump's 'Extreme Vetting' Is Actually Just A Muslim Ban."

On  CBS' Face The Nation (1/29, Dickerson, 4.61M), Rep. Keith Ellison (D-MN), a Muslim and candidate for Democratic National Committee chair, said, "We've never have had a religious-based ban before. This is a Muslim ban, they can't deny it. On the campaign trail he said he wanted a Muslim ban. He said on national television there would be other religious groups receiving priority. This is a Muslim ban. Rudy Giuliani, who helped him write it said they started with a Muslim ban, and then sort of languaged it up to avoid that label."

Confusion Abounds In Wake Of Executive Orders And Court Responses. On its website, CNN (1/29, Perez, Brown, Liptak, 29.79M) examines the "confusion" surrounding the executive order, writing that when it was announced, "Administration officials weren't immediately sure which countries' citizens" would be affected, and DHS "was left making a legal analysis on the order after Trump signed it." CNN says the confusion exposed "the pitfalls of an administration largely operated by officials with scant federal experience." The Wall Street Journal (1/29, Jordan, Hughes, Peterson, Subscription Publication, 6.37M) headlines a front-page report "Donald Trump's Immigration Ban Sows Chaos," writing that the policy was being followed differently at different airports, and that the court orders were being treated differently in different places as well.

The New York Times (1/29, Shear, Nixon, Subscription Publication, 13.9M) writes, "The global confusion that has since erupted is the story of a White House that rushed to enact, with little regard for basic governing, a core campaign promise that Mr. Trump made to his most fervent supporters." Customs and border control officials "got instructions at 3 a.m. Saturday and some arrived at their posts later that morning still not knowing how to carry out the president's orders." Even Defense Secretary Mattis "did not see a final version of the order until Friday morning, only hours before Mr. Trump arrived to sign it at the Pentagon." The Wall Street Journal (1/29, A1, Nicholas, Paletta, Barrett, Subscription Publication, 6.37M) says on its front page that the policy was in the works even before Election Day, but remained a close-held secret within Trump's inner circle.

The Washington Post (1/29, Selk, 11.43M) profiles Judge Ann Donnelly of the US District Court for the Eastern District of New York, who "after a year and a week on the federal bench...became known across the world as the first judge to block Trump's order." The Daily Caller (1/29, Pfeiffer, 898K) says Donnelly was appointed by President Obama in 2015.

NYTimes Analysis: Litigation Could Last For Years. Adam Liptak of the New York Times (1/29, Subscription Publication, 13.9M) writes that though the judicial branch responded "with what by legal standards was lightning speed," the court orders "were just the initial steps in litigation that may last for years." The courts "did not rule on the larger question of whether Mr.

Trump's executive order was lawful" and "gave only the most preliminary hints" about whether the courts will strike down the order. But the ACLU and other civil liberties groups "were savoring their victories in these early skirmishes."

Senate Democrats To Introduce Legislation To Reverse Executive Orders. The Washington Post (1/29, O'Keefe, 11.43M) reports that Senate Minority Leader Schumer said Democrats will introduce legislation to reverse the executive orders. Schumer "choked up as he described the chaos the orders had caused" and said, "We will fight this. Many of you may not know this – my middle name is Ellis. I was named after Uncle Ellis who was named after Ellis Island. This fight's in my bones. It's on my birth certificate." Sen. Christopher Murphy suggested that the President's action violate the 1965 Immigration and Nationality Act, and said Democrats "must now 'force a debate' this week on Trump's orders by slowing the consideration of all of his remaining Cabinet nominees, especially" Secretary of State-designate Tillerson.

The Hill (1/29, Shelbourne, 1.25M) reports that Sen. Dianne Feinstein, ranking Democrat on the Judiciary Committee, said via Twitter that she will introduce two bills today to rescind the order and limit Trump's authority on the matter. Politico (1/29, Kim, Romm, 2.46M) reports on the coming legislation.

Senate Minority Whip Durbin said on Fox News Sunday (1/29, Wallace), "First, it was an impulsive move by the President, without follow-through to the Department of Homeland Security. ... Number two, going after these refugees, these are the most carefully vetted visitors to anyone who comes to our airports, including this ban on Syrian refugees when we have had no examples, not one, of a Syrian refugees engaging in terrorism in the United States. And the third point...was the suggestion by the President that somehow we are going to favor Christians, and in some cases banning Muslims in the future. That is exactly the opposite message we will send to our allies and those who want to do us harm around the world."

Some "Top Republicans" Criticize Policy. The New York Times (1/29, Fandos, Subscription Publication, 13.9M) reports, "Some top Republicans stepped up their criticism of President Trump's newly enacted refugee policy," though "party leaders in Congress continued to show restraint." In addition to McCain, Sens. Susan Collins, Lindsey Graham, Orrin Hatch, Rob Portman, and Ben Sasse have been somewhat critical. Senate Majority Leader McConnell "did not criticize the order itself but said the country needed to 'be careful' with how it is carried out."

On ABC's This Week (1/29, Raddatz, 6.61M), McConnell said, "To the extent they're trying to improve the vetting process, I think that's in order. We need to bear in mind that we don't have religious tests in this country and we also need to remember that some of our best allies in the war against Islamic terrorism are Muslims." The Washington Post (1/29, Snell, Phillip, 11.43M) says McConnell "strongly opposed the concept of a Muslim ban when Trump touted the idea during the campaign."

Reuters (1/29, Cornwell) reports that McCain and Graham said the order "may do more to help recruit terrorists than improve US security." In a joint statement, they said, "This executive order sends a signal, intended or not, that America does not want Muslims coming into our country. That is why we fear this executive order may do more to help terrorist recruitment than improve our security." McCain said on CBS' Face The Nation (1/29, Dickerson, 4.61M), "It is a confused process, which the good news is it's only got to do with a pause. The bad news is, obviously this process and conclusions were not vetted." The Daily Caller (1/29, Collins, 898K) reports that Trump criticized McCain and Graham, tweeting that they "are sadly weak on immigration."

Reuters (1/29, Wroughton) reports that Senate Foreign Relations Chairman Bob Corker said in statement, "We all share a desire to protect the American people, but this executive order has been poorly implemented, especially with respect to green card holders." USA Today (1/29, Singer, 5.28M) reports that Rep. Charlie Dent (R-PA) said of the order, "This is ridiculous. I guess I understand what his intention is, but unfortunately the order appears to have been rushed through without full consideration." Even Rep. Raúl Labrador (R-ID), who "strongly supported the intent of Trump's order," criticized its implementation, saying, "The Administration...could have done a better job of implementing this executive order." McClatchy (1/29, Lightman, 574K) and Politico (1/29, Everett, Bresnahan, 2.46M) also report on the GOP response.

Protesters Turn Out In Large Numbers Across Nation And At Airports. Both ABC and CBS – NBC did not air – led their Sunday evening newscasts with demonstrations against the ban across the nation. ABC World News Tonight  (1/29, lead story, 3:30, Llamas, 14.63M) reported on the "major backlash" and "outrage," with "large demonstrations" in Boston, Los Angeles, New York, Philadelphia, Washington, and other cities. ABC's Eva Pilgrim: "Protests erupting from coast to coast over President Trump's immigration crackdown. ... At airports, so many emotional scenes; in Dallas, a five-year-old boy back with his mother after being detained for hours." The CBS Weekend News  (1/29, lead story, 5:35, Quijano) reported that the President's "travel and immigration crackdown on people from seven Muslim majority countries has caused chaos and confusion and sparked intense protests. The ACLU says 4,000 attorneys are working in shifts at the airports to get people released." CBS' Kenneth Craig: "At airports across the country, international travelers detained by authorities received a warm welcome as they stepped on to US soil. For some, there were tears, like this Iraqi woman who was reunited with her son, a US Army Ranger, after hours of uncertainty at JFK."

The AP (1/29, Hajela, Tarm) says the "immigration order sowed more chaos and outrage across the country Sunday, with travelers detained at airports, panicked families searching for relatives and protesters registering opposition to the sweeping measure." Demonstrators "gathered outside the White House," and "more than 100 protesters also gathered at the international terminal at Dulles International Airport outside Washington, cheering people arriving from Muslim countries. At the main Dallas-Fort Worth airport, some 200 people held signs and chanted, 'Let them go!'"

The Washington Post (1/29, Siddiqui, Laris, Chandler, 11.43M) quotes Shohreh Rahnama, whose young son was detained for several hours at Dulles. She said, "How can a five-year old be banned? Just because his parents are Iranian? We are American too." She joined the demonstration at the White House, and said to Trump, "You cannot do this. You are our servant. The people elected you. Other countries are thirsty for the rights we have in America. We can't become a dictatorship."

The New York Times (1/29, Martin, Subscription Publication, 13.9M) reports, "The swelling anger over Mr. Trump's week-old administration is fueling a surge of spontaneous activism that some Democrats say they have not seen since the Vietnam War." Senators including Cory Booker, Bob Casey, and Elizabeth Warren joined protests at airports, as did candidates to lead the Democratic National Committee. The Times says the "growing and seemingly organic energy offers Democrats a prime opportunity to ride a backlash to electoral success this year and next, the same way Republicans capitalized on Tea Party rage" against President Obama seven years ago.

The Los Angeles Times (1/29, Queally, Panzar, Hamilton, 4.52M) says "thousands of protesters converged on Los Angeles International Airport," while the Boston Globe (1/29, Wangsness, 1.08M) reports that some immigration lawyers are advising green card holders from the affected countries to fly back to the US through Boston "because a Massachusetts judge's order blocking the enforcement of President Trump's executive order offers them more protection than similar judicial orders elsewhere." The New York Times (1/29, Bromwich, Subscription Publication, 13.9M) reports that lawyers have also been presenting themselves at airports to offer emergency legal assistance; the Chicago Tribune (1/29, Clair, Wong, 2.54M) profiles some Chicago-area attorneys who have done so.

The Huffington Post (1/29, Gordts, Miller, Abbey-Lambertz, Wing, 237K) headlined its lead story "RELENTLESS RESISTANCE," later updated to "AMERICA ON THE BRINK."

Policy Comes Under Harsh International Criticism. Reuters (1/29, Chmaytelli, Noueihed) reports that the "global backlash...gathered strength on Sunday as several countries including long-standing American allies criticized the measures as discriminatory and divisive. Governments from London and Berlin to Jakarta and Tehran spoke out" against Trump's policy. German Chancellor Angela Merkel's spokesperson said she believes that "the global fight against terrorism was no excuse for the measures and 'does not justify putting people of a specific background or faith under general suspicion.'" British Foreign Minister Boris Johnson tweeted, "Divisive and wrong to stigmatize because of nationality."

The New York Times (1/29, Smale, Subscription Publication, 13.9M) reports that after British Prime Minister Theresa May's "response to a question about the issue on Saturday at a news

conference in Turkey prompted sharp criticism of her unwillingness to criticize Mr. Trump, her spokesman said that the British government did 'not agree with this kind of approach and it is not one we will be taking.'" USA Today (1/29, Hjelmgaard, 5.28M) reports that French President François Hollande said, "When [Trump] refuses the arrival of refugees, while Europe has done its duty, we have to respond." The Wall Street Journal (1/29, Troianovski, Douglas, Subscription Publication, 6.37M) reports that German Foreign Minister Sigmar Gabriel and Dutch counterpart Bert Koenders were also among the European critics.

The Washington Post (1/29, Raghavan, 11.43M) headlines a feature on the impact of people around the world "Nations Condemn Trump's Travel Ban, As The Fallout Infects People's Lives." ABC World News Tonight  (1/29, story 5, 1:40, Llamas, 14.63M) reported on the global "ripple effect from the executive order is only starting to make some impact." ABC's Jim Avila reported that the US Olympic Committee is "worried that its bid to host 2020 game could be jeopardized by President Trump's immigration policies." NBA player Thon Maker "is a Sudanese refugee, concerned that he won't be able to get back after games in Canada. And the Academy Award-nominated Iranian director for 'The Salesman' saying he won't come [to the Oscars] because there are too many questions about his ability to return, condemning what he calls 'unjust conditions' in President Trump's order."

The New York Times (1/29, Walsh, Subscription Publication, 13.9M) reports that while the response for Europe was loud, "in Cairo and Riyadh, in the heart of the Muslim world," Trump's policy "was met with a conspicuous silence." The Times says "the silence in the capitals of Muslim-majority countries unaffected by the order reflected a lack of solidarity and an enduring uncertainty" about Trump's foreign policy. The Washington Post (1/29, Miller, Ryan, 11.43M) writes, "Through inflammatory rhetoric and hastily drawn executive orders, the administration has alienated allies, including Iraq, provided propaganda fodder to terror networks that frequently portray US involvement in the Middle East as a religious crusade, and endangered critical cooperation from often hidden US partners." ISIS has already "claimed the travel ban as a victory."

On  ABC's This Week (1/29, Raddatz, 6.61M), White House press secretary Sean Spicer said, "We are working through all the diplomatic channels necessary to make sure our friends and allies around the globe understand that our position is to protect our borders and to make sure – again, this is about slowing the process down. Those 109 people are being processed through the system to make sure that the vetting is applied, that they didn't do anything nefarious when they were overseas."

In a Washington Post (1/29, 11.43M) op-ed, Hadi Ghaemi of the International Campaign for Human Rights in Iran calls the travel ban on Iranians "a gift to the Islamic republic and its hard-line rulers. It will not deter terrorism on US soil...and will ironically serve the purposes of Iran's hard-line rulers." Bloomberg Politics (1/29, Geimann, 201K) also covers the international response.

CREW: Ban Does Not Affect Countries Where Trump's "Company Has Done Business." Norman Eisen and Richard Painter of Citizens for Responsibility and Ethics in Washington write in the New York Times (1/29, Subscription Publication, 13.9M) that "overlooked in the furor is another troubling aspect of the situation: President Trump omitted from his ban a number of other predominantly Muslim nations where his company has done business," which "adds further illegitimacy to one of the most arbitrary executive actions in our recent history." Some Muslim countries like Saudi Arabia "are not on the list, even though some of their citizens pose just as great a risk – if not greater – of exporting terrorism to the United States." But these "are ones where Donald Trump has done business."

Christian Leaders Reject Giving Preference To Christian Immigrants. The New York Times (1/29, Goodstein, Subscription Publication, 13.9M) reports under the headline "Christian Leaders Denounce Trump's Plan To Favor Christian Immigrants" that though "over the last decade, Christians in the United States have grown increasingly alarmed about the persecution of other Christians overseas, especially in the Middle East," if Trump "had hoped for Christian leaders to break out in cheers" about his executive orders, that is "not what he has heard so far. A broad array of clergy members has strongly denounced Mr. Trump's order as discriminatory, misguided and inhumane," with religious leaders saying that "by giving preference to Christians over Muslims," Trump is pitting "one faith against another."

Koch Network Calls Policy "The Wrong Approach." The Washington Post (1/29, Gold,

Hohmann, 11.43M) reports, "Leaders of the influential Koch network on Sunday expressed opposition" to the policy, "saying the executive order is not in keeping with their aims to build a free and open society." Charles Koch Foundation President Brian Hooks said, "The travel ban is the wrong approach and will likely be counterproductive. Our country has benefited tremendously from a history of welcoming people from all cultures and backgrounds." While Charles Koch himself did not comment, he last year "called the suggestion that Trump might require Muslims to register 'reminiscent of Nazi Germany.'" USA Today (1/29, Schouten, 5.28M) adds that Charles Koch "did not refer to either Trump or his immigration order during public remarks Sunday afternoon to the more than 550 ultra-wealthy donors" attending "the network's annual winter summit."

Veterans "Dumbfounded And Furious" Over Exclusion Of Military Interpreters. McClatchy (1/29, Bergengruen, 74K) reports, "Military veterans were dumbfounded and furious when it became clear over the weekend" that the policy "keeps out interpreters who'd risked their lives helping US forces in Iraq." Former Marine Sgt. Andrew Biggio, who voted for Trump, said, "They better make a damn exception, because we are here because of them." Scott Cooper, also a Marine veteran, said, "We asked them to risk their lives for us and they're being threatened because they worked alongside us."

The Washington Post (1/29, Raghavan, 11.43M) profiles Fuad Sharef, who "once worked for a US government subcontractor in post-invasion Iraq as a translator and a program manager." He and his family got valid visas "after two years of vetting, through a special US resettlement program for Iraqi employees of the American government" before being taken off their plane this weekend while on their way to New York. His family is being sent back to Iraq, where they have sold their house and property. He said, "Donald Trump destroyed my life. How can he do this to people who risked their lives to help America?"

Sen. Tim Kaine said on  NBC's Meet The Press (1/29, Todd, 157K), "It does affect green card holders and they're being caught up in it. It affects people on special immigrant visas like interpreters who helped the US military in foreign countries and now their lives are at risk and we've given them a special status to come to this country. Who would help the United States if they knew we would abandon them when they're trying to come here?"

Silicon Valley, Previously Ambivalent About Trump, Heads "To The Barricades." The New York Times (1/29, Streitfeld, Isaac, Benner, Subscription Publication, 13.9M) writes that as of Friday morning, "Silicon Valley was largely ambivalent about President Trump," but "by Saturday night, much of that optimism had yielded to anger and determination." The executive orders "struck at the heart of Silicon Valley's cherished values," and "a significant part of the tech community went to the barricades." Google co-founder Sergey Brin, who came to the US from the Soviet Union as a child, joined protesters at San Francisco International Airport, saying, "I'm here because I'm a refugee." The heads of Airbnb, Facebook, and Netflix were also among the critics. Business Insider (1/29, Heath, 3.42M) samples some of the reaction.

Starbucks To Hire 10,000 Refugees Over Next Five Years. The AP (1/29, Boak) reports that Starbucks CEO Howard Schultz said in a letter to employees on Saturday that the company will hire 10,000 refugees over the next five years. Schultz said the hiring "would apply to stores worldwide and the effort would start in the United States where the focus would be on hiring immigrants 'who have served with US troops as interpreters and support personnel.'"

Michigan Muslims Cope With New Policy. On its front page, the Washington Post (1/29, A1, Friess, 11.43M) looks at the ban from Dearborn, Michigan, which has one of the largest Muslim populations in the US. Nearby Hamtramck "has the country's only majority-Muslim city council. Over the past two years, Michigan has taken in more refugees from war-torn Syria than any state except California." Many are now worried about the safety of family members who had hoped to join them in the US.

DeBlasio Defends New York's Sanctuary City Status. On CNN's State Of The Union  (1/29, Tapper, 420K), New York Mayor Bill DeBlasio explained his city's definition as a sanctuary city. He said, "There are 170 offenses that list serious and violent crimes that lead to automatic cooperation between the City of New York and the federal partners. So any serious and violent crime, we're going to work with them. Someone commits a minor offense, for example, right now if you don't have clear definitions like we have, someone went through a stop sign and they could be deported for that. ... We are not going to see with half a million undocumented

people here...the vast majority are law-abiding, we are not going to see families torn apart over a minor offense."

New Citizens Take Oath Amid National Uproar. The Washington Post (1/29, A1, McCrummen, 11.43M) has a front-page feature on a citizenship ceremony in Fairfax County, Virginia on Saturday, "where the official photo of former president Barack Obama had been taken down and that of President Trump had yet to go up." The President's executive orders were a prime topic of discussion.

ACLU Raised Nearly Five Times As Much Online On Saturday As It Usually Does In A Year. USA Today (1/29, Dastagir, 5.28M) reports, "The American Civil Liberties Union shattered fundraising records this weekend after taking the White House to court" over the executive orders. The ACLU "received roughly 290,000 online donations totaling $19.4 million since Saturday morning." It "typically raises about $4 million online in a year, according to Executive Director Anthony Romero."

In Last-Minute Change, 60 Minutes Re-Airs Piece On Syria. The Hill (1/29, Shelbourne, 1.25M) reports that CBS changed its lineup for 60 Minutes on Sunday to "re-air an October story about refugees form the war-torn country of Syria." The change was announced late Sunday afternoon.

Speculation Grows Over DOJ's Role In Executive Order Review.

Will Baude writes in a Washington Post (1/29, Baude, 11.43M) blog that "for the past 24 hours, my feeds have been awash with speculation that the order was never even reviewed by the Office of Legal Counsel or other DOJ lawyers," and "if true – and I have also heard some second-hand reports that it is not true – that is surprising and potentially troubling." Baude adds that "it will also be important to watch a different form of review that is likely to occur over the next 24-48 hours, as the acting Solicitor General has to decide whether to try to immediately appeal any of today's various judicial rulings cutting back on the order's application to green card holders and other lawfully admitted arrivals." Baude notes that if the Justice Department "has been cut out of the loop until now, the court orders might provide a welcome opportunity to refine the administration's position to something more defensible."

Jonathan H. Adler writes in another Washington Post (1/29, Adler, 11.43M) blog that "during the campaign, then-candidate Trump told The Post's Robert Costa: 'I'm going to surround myself only with the best and most serious people. . . . We want top of the line professionals,'" and "whether or not this was true at the time, it is hard to believe that this was the Trump Administration's modus operandi in developing this week's controversial Executive Order on refugees and others from specified countries." Adler adds that "while some good folks have been tapped for important legal positions in the Administration, it does not appear that they are being utilized – and that's a problem." Adler continues, "whatever one thinks of the underlying policy, the degree of administrative incompetence in its execution is jaw-dropping."

In a piece for Lawfare (1/29, Wittes), Benjamin Wittes writes that "the malevolence of President Trump's Executive Order on visas and refugees is mitigated chiefly – and perhaps only – by the astonishing incompetence of its drafting and construction." Wittes adds that "this order reads to me, frankly, as though it was not reviewed by competent counsel at all." Wittes argues that "in the short term, the incompetence is actually good news for people who believe in visa and refugee policies based on criteria other than – let's not be coy about this – bigotry and religious discrimination." President Trump "has created a target-rich environment for litigation that will make his policies, I suspect, less effective than they would have been had he subjected his order to vetting one percent as extreme as the vetting to which he proposes to subject refugees from Bashar al-Assad and the bombing raids of Vladimir Putin."

Trump Could Announce Supreme Court Nominee Monday.

The AP (1/29, Pace) cites "a White House official" who said President Trump could announce his nominee to fill the vacancy on the Supreme Court as soon as Monday. While Trump "originally said the announcement would come on Thursday," the official said that "timeframe could be sped up."

On Fox News Sunday  (1/29, Wallace), White House senior adviser Kellyanne Conway said of

the pending nomination, "I can guarantee that the promise that candidate Trump made will continue as President, that he is a pro-life President, and he has promised that he will appoint pro-life judges including to the Supreme Court."

On ABC's This Week (1/29, Raddatz, 6.61M), Senate Majority Leader McConnell said of the nomination, "Let me tell you what I do think we'll get. A really outstanding nominee who will be very hard to argue against because the President has been working on this for some time. I'm privy to some of the information about what's been happening and I think we're going to get a great nominee who will be very difficult to explain to the American people we're not even going to let them have an up-or-down vote in the Senate."

In an op-ed for the Washington Post (1/29, 11.43M), Ron Klain, who served as chief counsel for the Senate Judiciary Committee, an associate counsel to former President Bill Clinton, and an assistant to former President Barack Obama, writes that "to win the real battle for the future of the high court, the nomination and the messaging around it should be aimed" at Justice Anthony Kennedy. Klain argues that while the current nomination "will probably not change the court's balance of power," the balance could be changed if Trump is able to select another justice. Klain says Justices Ruth Bader Ginsburg and Stephen Breyer are unlikely to retire during the Trump presidency, so "the question of whether a court-shifting pick is willingly handed to Trump rests with Kennedy" and the current battle "could influence Kennedy's decision." Klain concludes that "as this nomination battle unfolds, all players should keep an eye on the even more significant fight that could lie ahead – and the man who will decide whether it comes or not."

Republican Lawmakers Happy With Trump's Shortlist Of Supreme Court Contenders. The AP (1/28, Sherman) reports that conservative lawmakers are generally happy with President Trump's shortlist of candidates for Supreme Court Justice. The AP says conservatives have had one wish, which is to avoid nominating another David Souter to the court, who the AP says was thought to be "a 'home run' for conservatives" but who turned out to be "a liberal vote for most of his 18 years on the court." Trump's list contains 21 contenders, the leading contenders from which are "Neil Gorsuch, Thomas Hardiman and William Pryor." Conservative activist and former law clerk to Justice Clarence Thomas, Carrie Severino, said, "They all would be excellent, excellent choices. They were all specifically chosen with the president's commitment in mind."

CSMonitor Analysis: Supreme Court's Diversity Make-Up Could Shift With Trump Nominee. The Christian Science Monitor (1/28, Rosen, 387K) says the current Supreme Court Justices "attended either Harvard or Yale Law School," were born or lived their lives either on the northeast or in California, "and none are evangelical Christians or Protestants, which comprise nearly half of the American public." The Monitor says Trump's top three contenders are "from 'flyover country,' one is known for his facile and colloquial writing style, and one is a graduate not of Harvard, Yale, or Columbia, but Tulane Law School in Louisiana." They are also white men, which it says stands in contrast to Justice Antonin Scalia's criticism of the Roberts court in his dissenting opinion on same-sex marriage, in which he noted "no social transformation without representation."

WPost Examines Hardiman's Working-Class Roots, Volunteer Ethic. A Washington Post (1/28, Horwitz, 11.43M) analysis reports one of President Trump's contenders for the Supreme Court, Federal appeals court judge Thomas Hardiman, "has not followed the typical path to the Supreme Court," and notes that "he was the first in his family to graduate college, did not attend an Ivy League law school and helped pay for his education by driving a taxi." He is reportedly a favorite of President Trump's sister, Judge Maryanne Trump Barry, who serves with him in the 3rd Circuit. The Post highlights how Hardiman "worked his way up from a working-class background" and "has a really strong volunteer ethic," having "done a lot of pro bono work."

WPost Analysis: Pryor "Perhaps Most Polarizing" Of Supreme Court Contenders. A Washington Post (1/28, Kindy, 11.43M) analysis reports that Judge William Pryor of the 11th Circuit Court of Appeals, if selected as President Trump's nominee, "would be the only member of the Supreme Court who did a stint as a politician." The Post says that he took "notable positions on civil rights and discrimination cases," which included defending the "practice of handcuffing prison inmates to hitching posts in the hot sun if they refused to work on chain gangs." The article says he would be "perhaps the most polarizing figure of the potential nominees, with some groups

thinking he leans too far right while other groups view him as leaning too far left."

Morell: Trump Shuns The Truth "With Alarming Frequency."

In an op-ed for the Washington Post (1/29, 11.43M), former acting CIA Director Michael Morell writes that while the CIA's Memorial Wall "drew so much negative commentary about President Trump's visit to the CIA this month," another wall in the agency's lobby "carries almost as much significance as the Memorial Wall." On it "is a verse from the Gospel of John that reads, 'And ye shall know the truth, and the truth shall make you free.'" Morell says it is "a deep irony that Trump chose the CIA lobby, with its quote from John's Gospel, as the location of his first official act as president" because he "seems to shun the truth and he alters it with alarming frequency."

Ex-CIA Officer: It Will Take More Than One Speech For Trump To Mend Relationship With Agency. In a Washington Post (1/27, 11.43M) op-ed, Steven Hall, who worked for the CIA for more than 30 years, also criticized the nature of President Trump's speech at the CIA, writing that the "problem is that two and a half minutes of praise wrapped in an ad hoc stump speech is not enough to repair the damage caused by months of lambasting the CIA while praising Putin. It will take much more than that, and it will be difficult for Trump."

Author On CIA History: Trump Feuding With IC At "Unchartered" Time For US National Security. In a Reuters (1/27) op-ed, Tim Weiner, author of "Legacy of Ashes: The History of the CIA," criticized President Trump's speech at the CIA and notes that CIA veteran Yael Eisenstat recently wrote that the speech was "a terrifying display of the dangerous way in which he will govern." Weiner says the CIA and FBI are both "embattled with the White House" at a time when American national security is in "uncharted waters, the unknown depths where medieval mapmakers warned: Here Lie Monsters."

INTERNATIONAL NEWS

US-Backed Iraqi Forces Prepare Advancement Into Western Mosul.

Charlie D'Agata of the CBS Weekend News  (1/29, story 4, 3:50, Quijano) reported Iraqi military forces, backed by US airstrikes, "only recaptured the eastern side" of Mosul from ISIS control since the operation launched more than a hundred days ago, but the recapture of Mosul University, specifically, served as "a strategic and symbolic victory." With Iraqi special forces troops, D'Agata toured the recently-recaptured neighborhoods, the university, and school buildings. D'Agata reported, "Morale is high as Iraqi forces," backed by the US military, "prepare for the final assault against ISIS in Mosul," but "what no one knows is what ISIS has left."

Iraqi Provincial Authorities Targeting Sunnis Under Collective Punishment Policy.

The New York Times (1/29, Zucchino, Subscription Publication, 13.9M) assesses the humanitarian impact of the conflict between Iraq's government and ISIS militants, specifically under a recently-enacted collective punishment policy in the northern Salahuddin Province. Under that policy, provincial authorities evicted 345 predominately-Sunni families suspected of having ties to ISIS and confined them to the Al Shahama camp, near Tikrit, in early January. According to officials, an additional 200 families were evicted and held at the Rubaidha camp. Deputy governor Amar Hekmat justified the collective punishment as a means "to defy the terrorists and send a stern message to the families," and that authorities are "under great pressure to rebuild our city and impose civil order" after nearly a year under ISIS occupation. Yet, some of the detainees told the Times that they were interrogated, abused, and specifically targeted as Sunnis under the policy.

Human Rights Group Accuses Kurdish Forces In Iraq Of Child Torture.

Citing a Human Rights Watch report released Sunday in which researchers interviewed 19 of the 183 children detained by Kurdish security forces in northern Iraq, USA Today (1/29, Kossov, 5.28M) reports that the security forces, known as Asayish, allegedly tortured the child detainees. According to the report, Asayish held 17 of the 19 boys "in stress positions, burned them with cigarettes, punched and kicked them, beat them with plastic pipes and cables, and shocked them with electricity." Furthermore, the researchers claimed, "none knew the content of the confessions

they confirmed with fingerprints – some were illiterate or blindfolded, and others said that they were not allowed to read them and could not have because they were written in Kurdish." The researchers also alleged that some of the boys were temporarily forced to work with ISIS.

Syrian Rebels Begin To Leave Barada Valley.

The AP (1/29) reports Syrian state TV said rebels have "begun to evacuate Barada Valley as part of an agreement to surrender." Media reports said "four buses carrying 160 rebels and family members departed the Barada Valley on Sunday for the rebel-held Idlib province," marking the "end of a nearly six-week-long standoff between rebels and pro-government forces that led to severe water cuts" to Damascus.

Aleppo Hosts First Soccer Match In Nearly Five Years.

The CBS Weekend News  (1/29, story 9, 0:35, Quijano) reported, "For the first time in nearly five years, two soccer teams from Aleppo, Syria played in front of their hometown fans this weekend." Much of Aleppo remains damaged from the nation's civil war, but the destruction around the stadium was cleared and the game was hosted "under tight security."

Afghan Government Struggles To Resolve Taliban's Income Diversification Efforts.

The New York Times (1/28, Mashal, Rahim, Subscription Publication, 13.9M) reports Taliban militants in Afghanistan have routinely collected utility bills from residents in Helmand and in Kunduz. Afghanistan's government provides the electricity, often from neighboring countries, but if it terminates power then it risks further angering the already-disenchanted populations. According to the UN, the utility payment seizures are the Taliban's latest efforts to diversify their income streams, which also include crop levies and narcotics.

Rogin: Gabbard Acting As Assad's "Mouthpiece" In Washington.

In his column for the Washington Post (1/29, 11.43M), Josh Rogin examines Rep. Tulsi Gabbard's lobbying on behalf of Syrian President Bashar al-Assad and says the "influence campaign's clearest triumph came only this month," when Gabbard returned from Damascus with "her parrot Assad's propaganda." Gabbard credited ACCESS Ohio, an extension "of the Michigan-based Arab Community Center for Economic and Social Services," for financing her trip, but Rogan writes, "The problem is, ACCESS Ohio hasn't existed for several years" and "there's no doubt the Assad regime facilitated" her visit. Rogin calls Gabbard "a tool of a mass murderer's propaganda," says her "cooperation with the Syrian regime damages her effort to promote herself as a legitimate foreign policy voice." Rogin concludes that "the entire affair proves that Assad's Washington influence campaign is alive and well and now has a sitting congresswoman for a mouthpiece, whether she realizes it or not."

AP Analysis: Return Of Former Afghan Warlord Could Inject "Political Uncertainty."

Amin Karim, the chief negotiator to Afghanistan's former warlord Gulbuddin Hekmatyar, recently told the AP (1/29, Gannon) that Hekmatyar intends to return to Kabul in "a matter of weeks, not months." Hekmatyar battled American forces after the 2001 invasion of Afghanistan and his return is expected to "shake up Afghan politics and complicate the much wider war against the Taliban." Hekmatyar is viewed as a potential rival to both President Ashraf Ghani and Chief Executive Abdullah Abdullah, who came to power "through a shaky, US-brokered power-sharing agreement." Thus, Hekmatyar's return could elicit "political uncertainty," potentially "divide the government at a critical time," and intensify violence between the Taliban and Hekmatyar's Hezb-e-Islami party, which the US, United Nations, Canada, and Great Britain classify as a terrorist organization.

Trump, Saudi King Pledge To Work Together On Counter-Terrorism, Iran.

Reuters (1/29) reports President Trump and Saudi King Salman spoke "for over an hour by telephone on Sunday, agreeing to step up counter-terrorism and military cooperation and enhance economic relations, a senior Saudi source said." Bloomberg Politics (1/29, Sink, 201K) reports the

two leaders also agreed to tackle Iran's "destabilizing regional activities" and work "jointly to address challenges to regional peace and security, including the conflicts in Syria and Yemen," the White House said.

The CBS Weekend News (1/29, story 2, 2:10, Quijano) briefly noted the President "had phone calls with the King of Saudi Arabia and the Crown Prince of the United Arab Emirates," two "majority-Muslim countries not impacted by the immigration and refugee crackdown."

After Putin Call, Republicans Warn Trump Over Lifting Sanctions.

The AP (1/29, Berry) reports that a day after Trump's "first call as president with Russia's Vladimir Putin, leading congressional Republicans made clear they oppose any attempt by the new administration" to lift sanctions on Moscow. "I'm absolutely opposed to lifting sanctions on the Russians," Senate Majority Leader McConnell said on ABC's This Week (1/29, Raddatz, 6.61M). He added, "If anything, we ought to be looking at increasing them." Sen. Rob Portman said on CNN's State of the Union (1/29, Tapper, 420K) that it would be a "huge mistake for American foreign policy" to remove the sanctions "until the reasons those sanctions were put in place are resolved."

On ABC's This Week (1/29, Raddatz, 6.61M) White House press secretary Sean Spicer said, "We have not made any decisions on sanctions. The President will continue to have conversations and our team will continue to liase with Russian officials. But no decisions were made, that really wasn't brought up in the call yesterday."

On CBS' Face the Nation (1/29, Dickerson, 4.61M), White House chief of staff Priebus said of Trump's call with Putin, "It was a positive call. It was a call where President Putin and President Trump talked to work together, number one to eradicate ISIS and terrorism. To work together to resolve problems around the world including Syria. There wasn't anything not positive about the call. It was an initial call, more of a congratulatory call."

Netanyahu: US Embassy "Needs To Be" In Jerusalem.

The New York Times (1/29, Fisher, Subscription Publication, 13.9M) reports Israeli Prime Minister Benjamin Netanyahu, who "had been closemouthed on the contentious question" of moving the US Embassy to Jerusalem, said Sunday that the embassy "needs to be here." However, he "pointedly did not demand that President Trump immediately follow through on his campaign promise to move the embassy." Speaking at his weekly cabinet meeting, Netanyahu said, "Jerusalem is the capital of Israel, and it is proper that not only should the American Embassy be here, but all embassies should come here. And I believe that over time, most of them will indeed come here, to Jerusalem." The CBS Weekend News (1/29, story 5, 0:25, Quijano) briefly reported his remarks, which the AP (1/29, Heller) says "appeared aimed at countering reports that Israel was concerned about the fallout of such a move."

Duterte Warns US Against Storing Weapons Arsenal In Philippines.

Reuters (1/29, Petty) reports Philippine President Rodrigo Duterte accused the US on Sunday of threatening regional stability by "unloading arms in the Philippines." He cautioned, "I'm serving notice to the armed forces of the United States. Do not do it, I will not allow it." Duterte warned that if the US follows through on the Pentagon's approval of new warehouse, barrack, and runway construction in Philippine military camps, he would review existing treaties "and maybe abrogate, since it is an executive order." The AP (1/29) notes that on Thursday, Philippine Defense Secretary Delfin Lorenzana discussed the Pentagon's plans to begin the construction as early as this year inside at least three Philippine military camps, including one in the Palawan province near the disputed South China Sea.

Hamon Wins French Socialist Party's Presidential Primary.

Reuters (1/29, Rose) reports France's ex-education minister, Benoit Hamon, defeated former prime minister Manuel Vails and won the Socialist presidential primary election on Sunday. The victory of

Hamon, a traditional leftist, over his more centrist, pro-business rival highlights "the deep fractures in the Socialist camp," which is believed to have "no chance of getting beyond the first round of the election in April."

The AP (1/29, Leicester, Corbet) says Hamon's signature campaign pledge to enact a "universal income" and his proposed $320 billion in taxes have been labeled Utopian and unrealistic, but many voters seemingly supported Hamon in an effort to simply eliminate Valls and reject the unpopular President François Hollande. The outcome of the two-round presidential election now "looks increasingly uncertain," with the leading conservative candidate, former prime minister Francois Fillon, entangled in a financial investigation, and far-right candidate Marine Le Pen viewed critically for her "anti-Europe, anti-immigration and anti-Islam themes."

According to analysts, Hamon's victory could signal "something far more seismic: the likely demise of the French left, and specifically, the Socialist Party," the Washington Post (1/29, McAuley, 11.43M) reports. Hamon's "unrealistically utopian vision of French society" is not expected "to sway voters from the now-global appeal of populism and its emphasis on national identity and national security." The New York Times (1/29, Rubin, Subscription Publication, 13.9M) similarly says Hamon's "wide margin" victory is "the clearest sign yet that voters on the left want a break with the policies of President François Hollande," but his "strong showing is unlikely to change widespread assessments that left-leaning candidates have little chance of making it into the second round of voting in the general election."

Despite Recent Judicial Decision, Populist Government In Italy Still Possible.

The Wall Street Journal (1/29, Nixon, Subscription Publication, 6.37M) reports that last week, an Italian constitutional court struck down a proposed change from a one-stage to a two-stage lower parliamentary house electoral process; the decision has been viewed as the Italian establishment's latest step to insulate itself against the emergence of a future populist government under the anti-euro 5 Star Movement. Despite this latest effort, the Journal says 5 Star could realistically garner the required 40 percent of votes and secure control anyway, because the movement has benefited from the public's growing disapproval of the Italian government and the EU.

Prominent Burmese Human Rights Lawyer Fatally Shot.

The New York Times (1/29, Moe, Subscription Publication, 13.9M) reports U Ko Ni, leader of the ruling National League of Democracy and legal adviser to Burmese leader Daw Aung San Suu Kyi, was fatally shot at close range on Sunday. Ko Ni was leaving the Yangon International Airport after returning from Indonesia with a 20-person team of government officials and civic leaders. Burmese police identified the assailant as U Kyi Lin of Mandalay. One of the people who had traveled with Ko Ni said the assailant seemingly "knew the exact time of his arrival and was waiting to shoot him." Josef Benedict of Amnesty International condemned the "appalling act that has all the hallmarks of an assassination" and called for a "thorough, independent and impartial investigation."

A spokesman for President Htin Kyaw, Zaw Htay, told Reuters (1/29, Lone, Myint, Lewis) that Ko Ni's assailant was detained and authorities "are questioning the gunman to find out why he killed him, and who is behind it or paid him to do it." Reuters notes Ko Ni was "a prominent member" of Burma's Muslim minority, an outspoken voice against "the powerful role the military retains in governing," and, according to Ko Ni's daughter Yin New Khine, the frequent target of threats. His homicide constitutes "a rare outbreak of what appeared to be political violence" and "comes amid heightened tensions in Buddhist-majority" Burma.

Princes William, Harry Announce Plans To Commemorate Princess Diana's Death.

The CBS Weekend News  (1/29, story 10, 0:20, Quijano) reported briefly Britain's Prince William and Prince Harry announced their plans to unveil a statue honoring their mother, Princess Diana, later this year. The statue will be placed in the public gardens of Kensington Palace, Diana's former home, to commemorate the 20th anniversary of her death.

Japanese Official Accuses South Korea Of Threatening Critical Partnership.

In an op-ed for the Wall Street Journal (1/30, Subscription Publication, 6.37M), Japan's

parliamentary vice minister for foreign affairs, Kiyoshi Odawara, writes that Japan and South Korea signed a 2015 agreement that "resolved finally and irreversibly" the dispute over the comfort-women issue, but denounces South Korea for not yet removing two comfort-women statues installed in front of Japanese government buildings. Odawara says South Korea's refusal to comply with the agreement threatens to undermine the two nations' relations at a time when that partnership is necessary to address the more critical threat posed by North Korea's nuclear program.

Trump Launches Global Democracy Efforts Without "Seasoned Support."

Politico (1/28, Crowley, 2.46M) reports President Trump is "pushing ahead with a global democracy" without a confirmed Secretary of State and with "relatively little guidance from seasoned diplomatic advisers." Trump scheduled a series of phone calls with foreign leaders "despite the continued gaps" in his diplomatic team, Politico says, noting that National Security Adviser Flynn "has no traditional diplomatic experience," and calling the State Department "a work in progress" where "confusion lingers" in some of its "key parts." Furthermore, Secretary of State-designate Rex Tillerson is not expected to be confirmed until at least Monday. Politico says Trump's approach mirrors his campaign style but "contrasts with the one adopted by President Obama." Trump's "lack of seasoned support" did not, however, prevent him "from pulling off a seemingly smooth meeting with" British Prime Minister Theresa May.

Administration Delays Issuance Of UN Funding, Multilateral Treaty Draft Orders.

The New York Times (1/28, Fisher, Subscription Publication, 13.9M) reports an executive order to reduce the US' funding of the United Nations and another aimed at reviewing and possibly canceling certain multilateral treaties have been delayed, according to current and former US officials briefed on the issue. The Administration submitted both draft orders to the National Security Council but offered the NSC's advisers less than an hour and a half to review them. Some officials "balked" at the draft orders' content and warned that they necessitated legal vetting. The draft orders will remain withheld until the State Department and other agencies can conduct a more complete review of the orders' content.

Trump, Putin Discuss Fight Against ISIS, Repairing US-Russian Relations.

Bloomberg Politics (1/28, Rudnitsky, 201K) reports that in President Trump's first formal phone call to Russian President Vladimir Putin, both Trump and Putin agreed to cooperate against ISIS and reverse bilateral tensions. Vice President Pence, senior counselor Stephen Bannon, National Security Adviser Flynn, White House Chief of Staff Priebus, and press secretary Sean Spicer also participated in the phone call. In a statement, the White House commented, "The positive call was a significant start to improving the relationship between the United States and Russia that is in need of repair." The Kremlin described the phone call as "positive and businesslike" and said "both sides demonstrated a desire for active joint efforts to stabilize and develop Russia-American relations on a constructive, equitable and mutually beneficial basis." In their statements, neither the White House nor the Kremlin mentioned the US' sanctions against Russia.

The Wall Street Journal (1/28, Razumovskaya, Subscription Publication, 6.37M) notes Russia and the past Administration disagreed over the Syrian conflict, with Russia backing Syrian President Bashar al-Assad and former President Obama backing Assad's removal. The Journal suggests the statements from the White House and the Kremlin indicated that Trump could more closely align with Russia in Syria against ISIS and other militant groups.

The Washington Post (1/28, Rucker, Filipov, 11.43M) reports Russian Security Council head Nikolai Patrushev praised the two leaders' first official discussion and commented, "We will await the results, but I believe everything will be positive." Prior to Saturday's phone call, the Kremlin cautioned against "excessive optimism" over Trump's presidency and what it will mean for Russia. On Friday, Putin's spokesman, Dmitry Peskov, told reporters, "One can hardly expect substantive contacts on the entire range of affairs from this call," and recommended, "Let us wait and see. Let us be patient." The Post adds that from Russia's perspective, "lifting the sanctions imposed by the Obama administration for interference in the presidential election and Russia's intervention in Ukraine would be a good start" to improved US-Russian relations, and, "On a grander scale, the Kremlin seems to hope the Trump administration will relax" and allow Putin's Russia to "have

greater influence in world affairs."

The Los Angeles Times (1/28, Parsons, Wilkinson, 4.52M) predicts that Trump's emerging relationship with Putin will likely be among "the most closely watched of his administration, both at home and around the world." European leaders and US lawmakers have been "alarmed" by Trump's "praise and unusually friendly overtures toward the Russian leader," and their concerns were "further cemented" by the ties to Russia that Secretary of State-designate Rex Tillerson "has acknowledged." Trump's supporters, however, have maintained that Trump's "outreach toward Russia was intended to curb Putin's aggressive behavior."

Trump, Merkel Discuss NATO In Phone Conversation.

The AP (1/28, Jordans) reports President Trump spoke with German Chancellor Angela Merkel by telephone on Saturday. According to Merkel's spokesman, Steffen Seibert, the two leaders "expressed their intention to further deepen the already excellent bilateral relations in the coming years," and agreed on the "fundamental importance that the NATO alliance has for trans-Atlantic relations." Seibert also claimed Trump accepted Merkel's invitation to the G-20 meeting in July, which Germany is hosting, and Trump said he looked forward to Merkel's visit to Washington "soon."

Reuters (1/28, Shalal) reports the two leaders also discussed the situation in North Africa and the Middle East, their nations' ties to Russia, the eastern Ukrainian conflict, and NATO. In a joint statement, Trump and Merkel wrote that they "recognized that NATO must be capable of confronting 21st century threats and that our common defense requires appropriate investment in military capabilities to ensure all allies are contributing their fair share to our collective security." The statement did not indicate whether the two leaders discussed Trump's recent executive order restricting immigration or efforts to cancel free-trade agreements, both of which German officials have criticized.

Trump, Abe Plan For Meeting, Discuss Economic And Security Issues.

The Wall Street Journal (1/28, Nakamichi, Subscription Publication, 6.37M) reports President Trump and Japanese Prime Minister Shinzo Abe discussed "the importance" of a mutual alliance in "areas such as the economy and national security" in a Saturday telephone call, according to Abe in remarks after the conversation. Abe said he and Trump also agreed to meet on Feb. 10 in Washington for another "frank, meaningful exchange of opinions."

In their upcoming meeting, Trump and Abe will focus on "affirming the importance of bilateral ties while setting the stage for potentially sensitive trade talks," Reuters (1/28, Takenaka, Rampton) reports. During the telephone conversation, Abe and Trump discussed the automotive industry, according to Japanese senior government spokesman Koichi Hagiuda, and the importance of US-Japanese economic ties. In a statement, the White House also noted, "President Trump and Prime Minister Abe said they would consult and cooperate on the threat posed by North Korea."

The White House also commented, "President Trump affirmed the ironclad U.S. commitment to ensuring the security of Japan," and both Trump and Abe "also committed to deepen the bilateral trade and investment relationship," Reuters (1/28, Rampton, Wroughton) reports in a second article. The White House also confirmed that the two leaders discussed Defense Secretary Mattis' upcoming visit to Japan.

Trump Holds Phone Call With Australian Prime Minister.

An Australian government official, on condition of anonymity, told Bloomberg News (1/29, Johnson, 2.41M) that in a 25-minute phone conversation with Australian Prime Minister Malcolm Turnbull on Saturday, President Trump pledged to uphold the US' commitment under former President Obama to potentially resettle about 1,600 asylum seekers. The asylum seekers are currently detained in camps on Manus Island and Nauru. The agreement "appeared in jeopardy" on Friday, when Trump issued an executive order to temporarily prohibit refugees from entering the US. In a statement, the White House did not mention the refugee agreement but said Trump and Turnbull "emphasized the enduring strength and closeness of the US-Australia relationship that is critical for peace, stability, and prosperity in the Asia-Pacific region and globally."

Jewish Leaders Denounce Netanyahu's Praise Of Proposed Mexican Border Wall.

Reuters (1/28, Graham) reports Israeli Prime Minister Benjamin Netanyahu praised President Trump's proposed Mexican border wall on Saturday and, on his official Twitter account, explained, "President Trump is right. I built a wall along Israel's southern border. It stopped all illegal immigration. Great success. Great idea." Mexico's Jewish community "swiftly rejected" Netanyahu's remark, including the nation's Foreign Ministry, which expressed "profound astonishment, rejection and disappointment." The ministry added that its Foreign Minister Luis Videgaray reiterated Mexico's deep affection for Israel on Friday, which is recognized as a Holocaust memorial day.

The Wall Street Journal (1/28, Jones, Subscription Publication, 6.37M) says that Mexico's Jewish community also issued statement that read, "As Mexicans and Jews we support the actions taken by President Enrique Peña Nieto in negotiations with the U.S.," and former US ambassador to Israel, Daniel Shapiro, remarked, "Hard to explain this intervention on a hotly debated issue." Israel's ambassador to Mexico, Jonathan Peled, attempted to clarify Netanyahu's comment and stated that he was "referring to our experience in security that we want to share, it does not express a position on the U.S.-Mexican relationship."

Israeli Settlement Residents Express Optimism About Administration. The Washington Post (1/29, Morris, Eglash, 11.43M) reports some of President Trump's close associates have ties to a "right-wing Zionist community" of a Beit El settlement in the occupied West Bank. The US' ambassador to Israel, David Friedman, is president of American Friends of Bet El Institutions, which raises about $2 million annually to protect the community. White House senior adviser Jared Kushner has contributed "tens of thousands" to the organization, and "Trump himself made a $10,000 donation in 2003, his foundation's tax filings show." Settlement residents expressed optimism about the settlement's future and about Friedman's appointment, but one resident, Hillel Manne, commented that "if you want change you'll need big change at the State Department." Hanan Ashrawi of the Palestinian Liberation Organization, however, called upcoming settlement expansion plans "disastrous."

Rice Criticizes Trump's Statement On International Holocaust Remembrance Day. The Hill (1/28, Vladimirov, 1.25M) reports former National Security Adviser Susan Rice published a Twitter message on Saturday in which she chastised President Trump for issuing a statement on International Holocaust Remembrance Day but failed to recognize Jewish victims. "What sickness enables a statement on [Holocaust Memorial Day] that ignores 6 million Jews! Just imagine the response if Pres. Obama did that," Rice wrote. Specifically, Rice objected to Trump's use of the phrase "innocent people" on grounds that the phrase did not adequately reflect the genocide committed against Jews.

Trump, May Display "Special Relationship" Despite Criticisms.

A source on British Prime Minister Theresa May's team told Reuters (1/28, Piper) that May and President Trump engaged in a "warm, free-flowing and unscripted" conversation on Friday during lunch to reiterate the "special relationship" between the US and UK. The source revealed, "They talked a lot about Thatcher and Reagan, and both agreed it was one of the most successful political relationships ever," and that "Trump went on to say that he always looked up to Reagan and said that he wanted their relationship to be even better than that one." The source said Trump and May also discussed Russia, Brexit, and the NATO alliance.

The AP (1/28, Lawless) similarly says May and Trump's friendship was evidenced by "front-page photos of the two leaders touching hands as they walked at the White House before a strikingly collegial news conference." The two leaders' mutual affection was seemingly resistant to their starkly different positions on a variety of matters. May's office described Trump's offer of his hand as a chivalrous gesture and confirmed that the two leaders' conversation flowed easily. May's apparent rapport with Trump is "delighting those who think Trump's presidency will be good for Britain but alarming others who loathe the brash Republican populist." Britain's Labour Party leader Jeremy Corbyn accused May for having "failed to challenge Trump and stand up for our values," and Liberal Democrat leader Tim Farron said she "clearly spent her time with Trump dodging his despicable comments on torture, on women, on Muslims and on Mexicans."

Bloomberg Politics (1/29, Hutton, 201K) says that the two leaders' amicability failed to resonate in Britain, and "May's refusal to publicly disagree with" Trump on his executive order

limiting immigration "unleashed a flood of criticism," especially from her Conservative Party colleagues. In Turkey, where May traveled to after departing the US, she "was asked three times what she thought of the ban, and three times she ignored the question." May finally responded to heckling journalists, saying, "The United States is responsible for the United States' own policy on refugees."

NYPost Praises "Special Relationship" Between Trump, May. In an editorial, the New York Post (1/28, 3.82M) praises President Trump and British Prime Minister Theresa May for establishing their "special relationship" and adds that the US and Britain "seem to be in step again — as in the days of Ronald Reagan and Margaret Thatcher, or Bill Clinton and Tony Blair." The Post points to "Trump's remarkable Election Day win" and Britons' vote to leave the European Union, which prompted May's predecessor, David Cameron, to resign, as "twin populist surprises" to which the two leaders "owe their offices." The Post concludes, "For the new president's first face-to-face with a fellow world leader, it couldn't have gone better."

Hollande Urges Trump, European Leaders To Reject Populism.

Reuters (1/28, Rose) reports French President Francois Hollande, in a Saturday phone call, urged President Trump to resist adopting a protectionist approach because of the economic and political ramifications of "turning inward." Hollande also reiterated his country's commitment to the UN, the indispensable value of NATO, and importance of keeping the EU intact.

Before reporters, Hollande urged EU members to unite against the threat of populist movement and accused the US of encouraging "populism and even extremism," the AP (1/28, Hatton) reports. He accused the US of "saying that Europe should not take immigrants, shouldn't stay together, not believe in climate change," and called on bloc leaders to "engage in discussions (with the U.S.) that sometimes should be very firm." Hollande asserted that "as long as there are statements from the U.S. president about Europe, when he speaks about the model of Brexit for other countries, when the U.S. president talks about climate change...saying he's not convinced of it, we should respond to him. When he takes protectionist measures, we should respond to him. When he destabilizes the economies of other countries, not only European ones, we should respond to him. When he rejects the arrival of refugees, while Europe has done its duty, we should respond to him."

Jordanian King To Visit US On Monday.

The Wall Street Journal (1/28, Paletta, Nicholas, Subscription Publication, 6.37M) reports King Abdullah II of Jordan will visit Washington, DC on Monday, although it is unclear whether he will meet with President Trump. A statement from King Abdullah II's office claimed he will meet with members of Congress and other US officials; King Abdullah II's visit may be the first visit from an Arab leader since Trump issued an executive order limiting the US' refugee program and blocking the entry of people from various Muslim nations.

Europe's Future Expected To Hinge On Resolutions Of Key Uncertainties.

The New York Times (1/28, Gladstone, Subscription Publication, 13.9M) highlights the uncertainties that face Europe in 2017, such as "terrorism, borders, migration, economics and President Trump's new America First message booming from across the Atlantic." The Times profiles Britain's exit from the European Union, Turkish President Recep Tayyip Erdogan's potential withdrawal of Turkey's bloc membership application, and the economic troubles in Greece and Italy as key issues. The Times also points to Trump's uncertain position on US-Russian relations and NATO as well as his possible impact on key European elections this year.

NYTimes A1: Dispute Over Kings Of Malta Reflects Deep Divisions In The Vatican.

On its front page, the New York Times (1/28, A1, Horowitz, Subscription Publication, 13.9M) reports the medieval Roman Catholic order known as the Kings of Malta agreed on Saturday to Pope Francis' demand to replace its leader with a papal delegate. The "intra-Catholic squabble" erupted into "a full-scale proxy war between Pope Francis and the Vatican traditionalists who oppose him," however, when the conservatives denounced Francis' order as "an illegal annexation

and ideological purging by a power-obsessed pontiff." The conflict, says the Times, indicates that the Vatican is not immune to the "political tensions rippling across the globe."

WPost A1: Japan Addresses Growing Aging Population.

In a front-page article, the Washington Post (1/28, A1, Fifield, 11.43M) reports more than a quarter of Japan's population is over the age of 65, and that figure is expected to reach 40 percent by 2050. The nation's birthrate, however, is well below the level required to maintain its current population of 128 million. The Japanese government is preemptively addressing anticipated elderly care labor shortages and exploring how to keep the rising number of seniors healthy and active. In one measure, to be implemented next year, the government will loosen elderly caregiver licensing regulations and establish a technical intern program.

WPost Denounces Russia's Decriminalization Of Domestic Battery.

In an editorial about Russia's lower parliamentary house, the State Duma, vote Friday to approve the decriminalization of domestic battery for first-time offenders, the Washington Post (1/28, 11.43M) calls the move "wrong-headed" and says it "sends a message that brutality in a family is legitimate." The Post contends that the "most objectionable" aspect of the measure "is the broader message it sends: that a domestic assault that doesn't break bones or result in a concussion" should not be penalized, even if the assault results in humiliation or deeply damages the victim emotionally.

THE BIG PICTURE

Headlines From Today's Front Pages.

Wall Street Journal:
Trump Immigration Ban Sows Chaos
Trump Team Kept Plan For Travel Ban Quiet
The Rally's Next Test: Can Earnings Keep Up With Stock Prices?
Oil Firms Plot Divergent Spending Paths

New York Times:
Travelers Stranded And Protests Swell Over Trump Order
Bannon Seizes A Security Role From Generals
How Trump's Rush To Enact An Immigration Ban Unleashed Global Chaos
US Commando Killed In Yemen In Trump's First Counterterrorism Operation
After Mastectomies, An Unexpected Blow: Numb New Breasts
In Face Of Trump's Order, Some Muslim Nations Are Conspicuously Silent
Demonstrators In Streets, And At Airports, Protest Immigration Order

Washington Post:
Trump Stands By Order As Confusion, Dissent Swirl
Officials Fear Move Will Set Back Efforts To Fight Terrorism
Questions Multiply Over Bannon's Role In Decision
In A Muslim Enclave, Torn Families And Trump Supporters At Odds
As They Become Americans, A Mix Of Elation And Worry

Financial Times:
Federer Beats Nadal To Win 18th Slam Title
Trump Defiant As World Leaders Criticise Travel Ban
Bloody Philippine Drugs War Sparks Rush For Rehab

Washington Times:
White House Says Trump Orders On 'Extreme Vetting' Still In Effect
Republicans Miss Own Deadline To Begin Repeal Of Obamacare
Protesters Decry Trump's Refugee Ban During A Busy Week For Dissenters

Islamic State Finds Success Infiltrating Its Terrorists Into Refugee Flows To West
Green Groups Target Trump With Guerrilla Warfare Campaign
Conservative Groups Press States To Overhaul Voter Lists, Combat Fraud

Story Lineup From Last Night's Network News:
ABC: Travel Ban Reactions; Travel Ban-Legal Challenge; Trump-Travel Ban; Trump-National Security Council; Travel Ban Impact; US SEAL Casualty-Yemen; Weather Forecast; 40-Year Murder Mystery; Phone Voice Scam; Audi Recall; Colorado Avalanche; MBA Long-shot; Military Academy Grand-slam.
CBS: Travel Ban Reactions; Trump-Travel Ban, National Security Council, Diplomacy; US SEAL Casualty-Yemen; War in Iraq; Israel-US Embassy Move; Chicago Police Chief Health; NFL News; Tennis News; Aleppo Soccer Match; Princess Diana Statue.

Network TV At A Glance:
Travel Ban Reactions – 9 minutes, 5 seconds
Trump-Travel Ban – 4 minutes, 35 seconds
US SEAL Casualty-Yemen – 2 minutes, 35 seconds

Story Lineup From This Morning's Radio News Broadcasts:
ABC: Quebec City Mosque Attack; Delta Flight Delays; Travel Ban Reactions; US SEAL Casualty-Yemen.
CBS: Travel Ban Reactions; Quebec City Mosque Attack; Delta Flight Delays; SAG Awards; Miss Universe.
FOX: Quebec City Mosque Attack; Trump-Travel Ban; Travel Ban Reactions; Confirmation Hearings; Princess Diana Statue.
NPR: Travel Ban Reactions; Travel Ban-Interview; Travel Ban-Canadian Response; Quebec City Mosque Attack.

WASHINGTON'S SCHEDULE

Today's Events In Washington.

White House:
PRESIDENT TRUMP — Holds breakfast and listening session with small business leaders; signs Executive Order; meets with Chief of Staff, Reince Priebus; has lunch with the Vice President; meets with Director of the Domestic Policy Council, Andrew Bremberg; meets with presidential personnel; meets with staff from the National Economic Council.
VICE PRESIDENT PENCE — Host a breakfast meeting with King Abdullah II of Jordan; has lunch with the President.
US Senate: 3:00 PM Senate aims to end debate on Secretary of State-nominee Rex Tillerson – Senate convenes and, following a period of morning business, holds cloture vote on the nomination of Rex Tillerson to be Secretary of State Location: Washington, DC http://www.senate.gov/

5:00 PM Senate Foreign Relations Committee organizational meeting – Business Meeting, with agenda including 'Subcommittee Membership and Jurisdiction for the 115th Congress', 'The Committee Rules for the 115th Congress', and 'S. Res. XXXX, Authorizing expenditures by the Committee on Foreign Relations during the 115th Congress' Location: S-116, U.S. Capitol, Washington, DC http://foreign.senate.gov/

Senate Small Business Committee votes on Linda McMahon to be SBA administrator – Business Meeting, to consider the nomination of Linda McMahon to be Small Business Administration Administrator * President-elect Donald Trump announced the nomination of the former WWE president and CEO last month Location: S-216, U.S. Capitol, Washington, DC http://sbc.senate.gov/
US House: 2:00 PM House Small Business Committee holds staff briefing ahead of organizational meeting – House Committee on Small Business staff briefing, to discuss the committee's rules and authorization and oversight plan, ahead of an organizational meeting Wednesday Location: Rm 2360, Rayburn House Office Bldg, Washington, DC http://smallbusiness.house.gov/

https://twitter.com/SmallBizGOP

5:00 PM House Rules Committee hearing – Hearing on 'H.J. Res. XXX – Disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule', 'H.J. Res. XXX – Providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to 'Disclosure of Payments by Resource Extraction Issuers', and 'H.J. Res. XXX – Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007' Location: H-313, U.S. Capitol, Washington, DC http://www.rules.house.gov/ https://twitter.com/RulesReps

Other: 9:00 AM National Health Policy Conference – National Health Policy Conference, providing insider perspectives on critical health care issues and priorities for the upcoming year. Speakers include House Minority Leader Nancy Pelosi Location: Washington Marriott Marquis, 901 Massachusetts Ave NW, Washington, DC http://www.academyhealth.org/events/2017-01/2017-academyhealth-national-health-policy-conference https://twitter.com/AcademyHealth

12:00 PM 'How Washington Is Destroying American Indians' book discussion at AEI – 'The New Trail of Tears: How Washington Is Destroying American Indians' book discussion at the American Enterprise Institute, with author Naomi Scahefer Riley speaking on how federal policy affects Native Americans. Followed by panel discussion with Schaefer Riley, Republican Rep. Rob Bishop, Chris Edwards (Cato Institute), and Keith Moore (formerly Bureau of Indian Education) Location: AEI, 1789 Massachusetts Ave., NW, Washington, DC http://www.aei.org/ https://twitter.com/AEI

6:30 PM White House press secretary speaks at GW discussion on the media under President Trump – George Washington University hosts 'Does Trump Need the News Media? Making and Shaping the News from 1600 Pennsylvania Avenue' – a discussion on the Trump administration's 'war' with the media, the role of the White House press corps, and the access journalists should have covering the White House. Speakers include White House Press Secretary Sean Spicer, former White House Press Secretary Ari Fleischer, CNN Senior White House Correspondent Jim Acosta, POLITICO Media Reporter Hadas Gold, The Wall Street Journal White House Correspondent Carol Lee, Reuters White House Correspondent and White House Correspondents' Association President Jeff Mason, C-SPAN Senior Executive Producer Steve Scully, and GW School of Media and Public Affairs Director Frank Sesno Location: Cloyd Heck Marvin Center, GW, 800 21st St NW, Washington, DC http://www.gwu.edu https://twitter.com/SMPAGWU #TrumpMedia

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Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Monday, January 30, 2017 3:55 PM
To: James B. Comey

Trump adding CIA chief back to National Security Council

By Eric Geller
| 01/30/17 03:45 PM EST

President Donald Trump is adding the director of the CIA back to the National Security Council.

The move amends Saturday's memorandum establishing the NSC, which did not list the CIA director as a "regular attendee" of NSC meetings.

"The president has such respect for [CIA] Director [Mike] Pompeo and the men and women of the CIA that today the president is announcing that he will amend the memo to add the CIA back into the NSC," White House press secretary Sean Spicer told reporters on Monday.

The elevation could create friction between the CIA and the Office of the Director of National Intelligence.

The DNI replaced the CIA director on the NSC when Congress created the position in 2005 to oversee the entire intelligence apparatus.

The CIA is considered the most powerful member of the intelligence community, and prior to the creation of the DNI, the CIA director coordinated the other agencies' activities.

Obama's CIA director and his DNI clashed early in his first term over participation in the meetings.

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Thursday, February 2, 2017 5:37 PM
To:	James B. Comey
Subject:	FW:

Trump team building a wall inside National Security Council

There are fears of an even more insular decision-making process than reigned during the Obama administration.

By Gregory Hellman and Bryan Bender
| 02/02/17 05:12 AM EST
| Updated 02/02/17 11:23 AM EST

President Donald Trump's national security adviser is relying on a new layer of hand-picked aides on the National Security Council that some professional staffers worry will serve as a "barrier" between them and top officials.

The moves by retired Lt. Gen. Michael Flynn are stoking fears of an even more insular decision-making process than reigned during the Obama administration, which was roundly criticized for micromanaging national security and eroding the influence of the Pentagon, State Department and other agencies. And it is prompting some frustrated career staffers in the primary policymaking body inside the White House, who had been asked to stay on under Trump, to consider departing instead, say multiple sources with direct knowledge.
On Thursday, Flynn announced he has hired four top new deputies, all holding the title of deputy assistant to the president and responsible for broad portfolios — from economics to regional affairs and strategic planning.

"You will not have the experts in the room when the principals are having these discussions," worries one NSC veteran who has heard complaints from White House officials this week. The person, like others, agreed to speak on condition of anonymity.

"They are not being used," added another source with direct knowledge of the developments, who similarly expressed concern that the Trump team is "doubling down on cutting out the professional experts."

"They have been emasculated and have no authority," the source added. "But they are still getting hammered by agencies and allies and don't know what to tell them. … Many are heading for the exits."

The concerns come after Trump granted his political strategist, Steve Bannon, who is separately constructing his own power center inside the West Wing, membership on the highest rung of the National Security Council, traditionally reserved for Cabinet chiefs. Permitting a political operative to participate in the high-level meetings was seen by many as a dangerous break with tradition and prompted at least one member of Congress to recommend that the 1947 law that created the body be changed.

The staffing deliberations also come after reports that the president and his senior aides did not fully consult with his secretaries of Homeland Security and Defense before issuing a controversial executive order temporarily banning travel to the United States from seven majority-Muslim countries.

The small coterie of advisers fall under Flynn — and above the senior directors of the NSC staff who are organized around regions of the world and security threats such as terrorism or weapons of mass destruction.

Joining the inner circle are David Cattler, a former Defense Intelligence Agency official who will oversee regional affairs; John Eisenberg, a former Justice Department official who will be the NSC's top legal adviser; longtime Commerce and State Department official Kenneth Juster, who will steer economic policy; and Kevin Harrington, most recently the managing director and head of research for Thiel Macro LLC, a San Francisco-based global macro hedge fund. Harrington will be responsible for strategic planning.

The White House declined to address questions about the new layer of personnel at the top levels of the NSC structure — and none was identified in an executive order that Trump signed on Saturday laying out its overall makeup and membership.

But a spokesman told POLITICO that Flynn intends to rely on a smaller staff and "run a very precise and orderly and quick process." The spokesman cited the fact that there is now one executive secretary for both the NSC and the companion Homeland Security Council, which includes many of the same members and relies on much of the same staff.

Officials regularly criticized the Obama administration for ballooning the size of the NSC and shutting out Cabinet-level departments. In last year's defense bill, Congress passed a provision limiting future NSC staffs to 200 people to prevent overreach — although scholars have questioned whether such a limit is constitutional.

There is wide bipartisan support for shrinking the NSC.

"Everybody has been saying for years that the NSC was too big and too micro-managerial," said Steve Sestanovich, a top State Department official in the 1990s who served on the NSC in the administration of President Ronald Reagan. "If the new administration is willing to take that problem on, more power to them."

Flynn said at a think tank discussion last month that “our mission is to ensure the president and the national security community is committed to carrying out necessary reforms." And in a brief memo to Cabinet departments this week he pledged that he and his team "will be working closely with you and your teams."

But longtime participants on the NSC deliberations from both parties expressed concern that the early signs portend the same type of micromanagement under Trump as under Obama — or worse.

“What you're seeing here is two things: one, a total politicizing of the national security apparatus, and two, a second power center being created," said another Obama NSC veteran. “It's the place policy will get made, and it will push aside career NSC staffers.”

Indeed, in terms of the day-to-day operations, the Trump order issued on Saturday outlining the basic structure of the National Security Council is viewed by many as failing to address the Obama White House's management problems.

For example, it similarly mandates that members of the NSC staff chair regional and issue-related policy coordination committees, sometimes known as interagency working groups, and can invite representatives from executive departments where they deem appropriate.

“It means you've got the White House in the room the whole time,” said Vikram Singh, who previously served as deputy assistant secretary of defense for South and Southeast Asia during the Obama administration. “This sounds like a continuation, ironically.”

Coupled with the rise of political influence in the body, the continuation of NSC control of policy coordination committees demonstrates that Republicans are casting aside previous criticisms now that they are in the White House, said Loren Schulman, who served as senior adviser to Obama's last national security adviser, Susan Rice. "It tells me they want to increase the amount of coordination through the White House,” she said. "They haven't put their money where their mouth is."

Stephen Hadley, who served as national security adviser for President George W. Bush, said the overall structure as laid out in the executive order "won't fix that problem" of micromanagement. "It depends on how it is used. But I know Flynn and company want to bring things back to the more strategic level and get out of the micromanaging detail."

Sestanovich, however, warned that a smaller organization could create its own problems. "If the NSC staff is smaller, does that mean other bureaucracies do what they want with less oversight, or that the White House calls the shots from a smaller knowledge base and with less consultation?"

For others, the unfolding setup is even more concerning given the slow pace at which the Trump administration has staffed top security and intelligence posts in the Pentagon, State Department and other key agencies.

"What do you have to coordinate if you're having trouble staffing?” asked Heather Hurlburt, who previously served on President Bill Clinton's NSC. “It kind of gives another meaning to micromanage.”

Coordinating more with Cabinet departments than was the case with the immigration ban will also make for better decisions, advises Nicholas Burns, who served on the NSC under presidents George H.W. Bush and Clinton.

"I would like to believe these are just the operational mistakes of the first 10 days in office and they will do better,” Burns said. "The system works best when the president trusts its leading secretaries and delegates to them.”

Eli Stokols and Michael Crowley contributed to this report.

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Monday, February 13, 2017 7:24 AM
To:	James B. Comey
Subject:	FW: FBI Public Affairs News Briefing Monday, February 13, 2017

Did you receive the clips this morning?

From: [redacted] mailto [redacted] b7E
Sent: Monday, February 13, 2017 7:09 AM
To: [redacted]
Subject: FBI Public Affairs News Briefing Monday, February 13, 2017

Mobile version and searchable archives available at [redacted]

TO: THE DIRECTOR AND SENIOR STAFF

DATE: MONDAY, FEBRUARY 13, 2017 7:00 AM EST

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- Suspect In Istanbul Nightclub Attack Formally Charged.

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- UK Cyber Official: 188 "High-Level" Cyberattacks In Last Three Months.
- British Schoolchildren To Receive Cybersecurity Lessons.
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- FBI Creates "Wanted" App For Smartphones.

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LEADING THE NEWS

US Agencies Investigate Flynn's Contacts With Russian Diplomats.

Revelations regarding National Security Adviser Michael Flynn's contacts with Russia prior to President Trump taking office dominated coverage over the weekend, with widespread reporting from print and online media, as well as both network and cable news outlets. The Washington Post notably had seven articles dedicated to the matter. On Friday and Saturday, many outlets questioned Flynn's truthfulness in reports focused on how intelligence gathered by US agencies contradicted past claims by Flynn and other White House officials. Many outlets centered on reactions from leading Democratic lawmakers, some of whom called for Flynn to resign or have his security clearance revoked. Sunday's coverage included several stories suggesting that Flynn is on thin ice within Trump's inner circle following White House senior aid Stephen Miller's appearance on several Sunday talk shows in which he declined to defend Flynn or offer President Trump's position on the matter.

The CBS Evening News (2/10, story 2, 2:25, Pelley, 11.17M) reported the FBI and other intelligence agencies are investigating National Security Adviser Flynn to determine whether he discussed US sanctions against Russia in his December phone call with Russian ambassador Sergey Kislyak, as alleged by the Washington Post on Thursday. Correspondent Jeff Pegues said the agencies allegedly "gathered the information through ongoing electronic surveillance of Russian officials and suspected spies." Vice (2/12, Owen, 2.28M) says the fact "Flynn can't seem to get his story straight" is "raising concerns that Trump's trusted advisor may have unlawfully interfered in U.S. foreign policy interactions with Russia and then tried to cover it up."

The Hill (2/10, Seipel, 1.25M) reports in its "Blog Briefing Room" blog, "President Donald Trump on Friday told his press pool that he didn't know about reports that his national security adviser Michael Flynn discussed sanctions with Russia before he was sworn in." In video footage broadcast by the CBS Weekend News (2/11, story 2, 0:55, Ninan), President Trump was shown telling reporters, "I don't know about it. I haven't seen it. What report is that?" A spokesperson to Flynn "now says the national security adviser simply cannot remember whether he discussed sanctions. A switch from his earlier denials," ABC World News Tonight (2/10, story 2, 3:40, Muir, 14.63M) reported. White House press secretary Sean Spicer defended Flynn's conversation and previously described it as a precursor to a possible meeting between President Trump and Russian President Vladimir Putin. Vice President Pence claimed last month that Flynn's conversations "happened to occur around the time that the United States took action to expel diplomats had nothing whatsoever to do with those sanctions."

Bloomberg Politics (2/10, Sink, 201K) reported Pence claimed that his assertion was based on what Flynn told him, according to an Administration official. Bloomberg notes Flynn's spokesman told the Post that while Flynn "had no recollection of discussing sanctions, he couldn't be certain that the topic never came up." The Washington Post (2/10, Hohmann, 11.43M) says "one takeaway" from the revelations on Flynn is that, "Either the national security adviser misled the vice president, or the vice president knowingly misled the American people."

The Washington Post (2/10, Miller, 11.43M) says Flynn spoke privately with Pence on Friday "in an apparent attempt to contain the fallout." One senior Administration official "disputed that Flynn was in jeopardy" of losing his job. "He's in every meeting he's supposed to be doing, fulfilling his job as national security adviser. He's seeing the president constantly," the official said of Flynn.

Writing for the Washington Post (2/12, 11.43M), Chris Cillizza argues, "What's worse for Flynn is that not only did he get caught not telling the truth but that he apparently passed along that falsehood to Vice President Pence, too." In another piece for the Washington Post (2/10, 11.43M), Cillizza said, "It strains credulity that on Wednesday, Flynn could issue a flat denial about conversations he had with Kislyak, but on Thursday, suddenly his memory of those conversations changed." Cillizza adds that "it's hard to see how Flynn or Trump will be able to simply dismiss it as 'fake news' produced by a biased media given the depth and breadth of the sourcing on the Post story."

The Kremlin also denied that Flynn and Kislyak addressed the issue of sanctions before Trump's inauguration, the AP (2/10, Pace, Salama) reported. The AP writes, "It's not unusual for incoming administrations to have discussions with foreign governments before taking office," but the timing and frequency of the contacts elicited "questions about whether Trump's team discussed--or even helped shape--Russia's response." The AP explains "Putin unexpectedly did not retaliate against the U.S. for the expulsions, a decision Trump quickly praised."

NBC Nightly News (2/10, story 2, 2:20, Holt, 16.61M) Andrea Mitchell reported, "The timing of Flynn's calls and texts with the Russian is critical: just as the Obama White House was expelling 35 Russian diplomats for the election year hacking." Mitchell clarified that "intelligence sources say no one has concluded that Flynn broke any laws."

Miller Declines To Defend Flynn As Questions About Contact With Russia Continue. The AP (2/12, Colvin) reports that "top White House aide" Stephen Miller "sidestepped repeated chances" to defend "embattled" NSA Flynn during appearances on several Sunday morning political talk shows. President Trump has yet to comment on reports that Flynn "engaged in conversations with a Russian diplomat about US sanctions before Trump's inauguration."

On ABC's This Week  , Miller said, "I don't have any information to change anything that has previously already been said by the White House on this matter. Gen. Flynn has served this country admirably and with distinction." Host George Stephanopoulos repeatedly pressed Miller on the issue, asking why he was representing the White House on the show if he did not have anything substantive to say on the issue. On NBC's Meet The Press  , Miller said, "Gen. Flynn has served this country admirably...and I look forward to having more discussions about this in the future." According to the Washington Post (2/12, O'Keefe, 11.43M), when Chuck Todd asked Miller if Trump still had confidence in Flynn, "Miller said he did not know. He said his colleagues at the White House 'did not give me anything to say.'"

The Los Angeles Times (2/12, Lauter, 4.52M) says Miller's "silence on Flynn was significant because the White House had booked him on several of the major Sunday television interview programs." Miller appears to have been "deliberately chosen...in part to avoid having to give a definitive answer about Flynn."

The Washington Post (2/12, A1, Rucker, Entous, O'Keefe, 11.43M) reports that Flynn "is under increasing political pressure and risks losing the confidence of some colleagues. ... 'The knives are out for Flynn,' said one administration official who, like others interviewed for this report, spoke on the condition of anonymity in order to speak candidly." The Wall Street Journal (2/12, A1, Borak, Subscription Publication, 6.37M) says in a headline that Flynn's position is growing "tenuous," and that Miller declined to say whether the President still has faith in Flynn. The Los Angeles Times (2/12, Lauter, 4.52M) says that the "ominous silence" around Flynn "deepened" with Miller's appearances.

Reuters (2/12, Holland) headlines a summary of the Flynn controversy "Trump's National Security Adviser Flynn Trying To Survive Crisis."

NYTimes Analysis: NSC "Chaotic And Anxious." The New York Times (2/12, A1, Sanger, Schmitt, Baker, Subscription Publication, 13.9M) reports that even beyond the Flynn situation, "these are chaotic and anxious days inside the National Security Council," where "staff members get up in the morning, read President Trump's Twitter posts and struggle to make policy to fit them. Most are kept in the dark about what Mr. Trump tells foreign leaders in his phone calls." Some now use "encrypted communications to talk with their colleagues, after hearing that Mr. Trump's top advisers are considering an 'insider threat' program that could result in monitoring cellphones and emails for leaks." Deputy NSA K.T. McFarland "acknowledged that career officials were on edge." McFarland told the Times, "I think it would be a mistake if we didn't have consternation about the changes – most of the cabinet haven't even been in government before."

Democratic Lawmakers Call For Investigation Into Flynn.  ABC World News Tonight (2/11, story 3, 1:10, Llamas, 14.63M) on Saturday reported that Democratic members of Congress have called for an investigation into National Security Adviser Michael Flynn and whether he discussed the possibility of loosening sanctions imposed under former President Obama with Russian diplomats.

The Los Angeles Times (2/10, Wire, Lauter, 4.52M) reported, "Democrats on the House intelligence committee demanded Friday that President Trump address" the revelations about Flynn. House Intelligence Committee Ranking Member Adam Schiff said the allegations against Flynn raise "serious questions of legality and fitness for office." Another Los Angeles Times (2/10, 4.52M) article reported that Schiff said in a statement that if Flynn did speak to Russia about the sanctions, "and then he and other administration officials misled the American people, his conduct would be all the more pernicious, and he should no longer serve in this administration or any other." Meanwhile, Rep. Eric Swalwell, the ranking Democrat on the Intelligence Committee's CIA subcommittee, "said Flynn should be suspended until the allegations are investigated." Swalwell told the Daily Beast (2/10, 1.11M) that Flynn "was undermining the [Obama] administration's... policy, to punish Russia for interfering in our elections. ... Until we get to the bottom of it, I don't think he should have access to classified information." Democratic Rep. Mike Quigley, a member of the House Permanent Select Committee on Intelligence Committee, told the Beast Flynn "needs to step down. The credibility of the White House with the American public and international community is at stake." Other senior Democrats echoed Quigley and Schiff, including Eliot Engel, the top Democrat on the House Foreign Affairs Committee, who said Flynn should resign if the

allegations are true.

The Washington Examiner (2/10, Feldscher; Klimas, 400K) reported Sens. Ed Markey and Chris Murphy, both members of the Senate Foreign Relations Committee, released a joint statement expressing their concerns regarding Flynn. Markey specifically said Flynn may have to resign. He added, "I hope federal law enforcement professionals investigate this matter immediately. Any effort to undermine our nation's foreign policy – even during a transition period – may be illegal and must be taken seriously."

The Washington Times (2/12, Howell, 272K) reports that Rep. Elijah Cummings (D-MD), "the House's top Democratic investigator" as ranking member of the Oversight and Government Reform Committee, says Flynn "needs to explain whether he discussed sanctions with Russia's ambassador." On ABC's This Week  , Cummings said it would be "an appropriate action" to suspend Flynn's security clearance pending an investigation, adding, "There's something else that needs to be asked. That is, did the President instruct Gen. Flynn to talk to the Ambassador? And did he know about it? If he knew about this conversation, when did he know it?" Politico (2/12, Strauss, 2.46M) notes that Cummings' response came after host George Stephanopoulos asked him if he agreed with House Minority Leader Nancy Pelosi, who believes "Flynn's security clearance should be revoked, pending the completion of an investigation into the matter."

The Hill (2/10, Greenwood, 1.25M) reported that Sen. Claire McCaskill, the ranking Democrat on the Senate Homeland Security and Governmental Affairs Committee, demanded an FBI briefing "as soon as possible" on communications between Flynn and Kisylak. In a letter Friday to FBI Director Comey, McCaskill wrote, "Given the significant implications that any such communications may have had for the nation's homeland and national security, I request that you provide a closed briefing for the Committee as soon as possible regarding the scope and status of any current FBI investigation related to General Flynn's contacts with the Russian government."

On Fox News Sunday  (2/12, Wallace), Senate Foreign Relations Committee ranking Democrat Sen. Ben Cardin said, "We need to get to the bottom of this. ... The relationship between Russia and our elections is something that needs to be independently investigated. I would call for an independent investigation like we had a 9/11. We need to have an independent investigation, and Gen. Flynn's comments add to our concern about the relationship with Russia."

On CNN's State Of The Union  , Sen. Al Franken agreed, saying, "Either he was lying about not having discussed that had or forgot. ... There's going to be have to be investigations...an independent investigation into the Trump campaign and the Trump Administration's relationship to Russia."

Meanwhile, The Guardian (UK) (2/10, Borger, 4.07M) mentioned that Republican Sen. Mike Rounds told CNN that if the country had been misled, "we would expect the president to take appropriate actions."

Christie: Flynn Needs To Have "Candid" Conversation With Trump, Pence. The Huffington Post (2/12, Wilkie, 237K) reports that New Jersey Gov. Chris Christie joined Miller in trying to "insulate the White House" from the revelations about Flynn. Appearing on CNN's "State of the Union," Christie argued that Flynn needs to give Trump and Pence a "candid conversation" to "make sure that everybody gets the accurate story on this matter and that it's cleared up."

Ignatius: To Reestablish Trust, Flynn Must Truthfully Disclose Contacts With Russia. In his column for the Washington Post (2/11, 11.43M), David Ignatius said the investigation into whether Flynn discussed sanctions with Russian Ambassador Sergey Kislyak should not focus on Flynn's possible violation of the "obscure and probably unenforceable" Logan Act, but on whether he "sought to hide" the nature of the discussion and whether he "was open about his conversations." Ignatius said, "A national security adviser's success depends on maintaining trust, especially with his White House colleagues," and Flynn can only fill his trust deficit "with a full accounting of what happened" that is consistent with US intelligence agencies' records of his calls.

Cartoon Shows Flynn As Soviet Soldier. Washington Post (2/12, 11.43M)cartoonist Ann Telnaes, in a piece titled, "Michael Flynn's Russian Connection," drew Flynn wearing a Ushanka hat featuring what appears to be the symbol for a Soviet soldier. A small man who looks like Putin is shown emerging from the top of the hat.

Pompeo Reportedly Refuses Clearance To Flynn Aide Townley. Politico (2/10, Nussbaum, Cheney, 2.46M) reported "a top deputy" to National Security Adviser Michael Flynn, senior director for Africa Robin Townley, was informed Friday "that the Central Intelligence Agency had rejected his request for an elite security clearance required for service on the NSC, according to two people with direct knowledge of the situation." The decision, which a source said was approved by CIA Director Mike Pompeo, "forced Townley...out of his NSC post" and "infuriated Flynn and his allies." The sources "said that the CIA did not offer much explanation for why Townley's request for so-called 'Sensitive Compartmented Information' clearance was rejected," but "said that Flynn and his allies believe it was motivated by Townley's skepticism of the intelligence community's techniques – sentiments shared by Flynn." The New York Daily News (2/11, Sommerfeldt, 4.45M) said one source told Politico that Flynn and his deputies "believe this is a hit job from inside the CIA on Flynn and the people close to him. .. Townley believes that the CIA doesn't run the world." A second source reportedly "said a number of Trump administration officials are critical of Flynn, and view him as actively waging a 'jihad against the intelligence community.'" That source claimed officials blame Flynn for Trump's "fraught relationship" with intelligence community leaders.

Putin Spokesman Comments On Leaked Allegations Of Trump-Putin Call. The Washington Post (2/10, Roth, 11.43M) reported details of President Trump's telephone conversation with Russian President Vladimir Putin were leaked on Thursday. According to the leaked details, Trump allegedly denounced the New START treaty, which limits both countries' nuclear weapons deployments to no more than 1,550, as favoring Russia. Trump also allegedly said "nuclear weapons should be way down and reduced very substantially, that's part of it," and that the sanctions against Russia are hurting the nation "very badly right now," but that "something can happen that a lot of people are going to benefit." Putin's spokesman, Dmitri Peskov, said he could not confirm the leaked information, and also denied that nuclear reduction negotiations were in any way tied to the loosening of sanctions.

COUNTER-TERRORISM

Questions Arise About Undercover FBI Agent Near Gunman Before Texas Terror Attack.

The AP (2/10, Billeaud) reported that questions have arisen as to how much more authorities could have done to stop two Arizona men from opening fire "outside a Prophet Muhammad cartoon contest in suburban Dallas in 2015." The AP said court documents show that an undercover FBI agent drove past the two men before they opened fire, which drew criticism from defendant Abdul Malik Abdul Kareem's lawyer and the lawyer for two security guards, who argued the "government has not been forthcoming about the agent's role in the plot and have questions why the agency didn't break up the plot." Lawyer Trenton Roberts said, "We are convinced that there is much more to this story than the FBI has admitted." The Dallas Morning News (2/10, 1.12M) posts the AP's coverage to its website.

Man Pleads Guilty To Planning Bomb Attack With Islamic State.

The AP (2/10, Hays) reported that Munther Omar Saleh of New York City on Friday pleaded guilty to charges that he was in communication with an Islamic State recruiter "who was killed in a US drone strike in Syria in 2015, according to a federal prosecutor." In his plea, Saleh admitted that he sought contact with the group "knowing that it was involved in terrorism."

Reuters (2/10, Raymond) reported that prosecutors said Saleh was planning a pressure-cooker bomb attack in conjunction with one of the Islamic State's top hackers and that he pleaded guilty to four counts, including "conspiring to provide material support to Islamic State and assaulting a federal officer by charging at a law enforcement vehicle." He is one of six men arrested in connection with "a group of individuals who had pledged allegiance to Islamic State, or ISIS, and discussed traveling to join the group." The New York Times (2/10, Mele, Subscription Publication, 13.9M) reported that New York City man Fareed Mumuni also recently pleaded guilty in the plot to join ISIL. FBI New York Assistant Director in Charge William F. Sweeney Jr. said the men's guilty pleas "show just how close the threat of homegrown terrorism exists for New York City."

FBI JTTF Investigating Dakota Access Pipeline Protesters.

The Guardian (UK) (2/10, 4.07M) reported that an FBI joint terrorism task force is investigating activists who are protesting against the Dakota Access pipeline. "Multiple officers," The Guardian said, "have attempted to contact at least three people tied to the Standing Rock 'water protector' movement in North Dakota." The nature of the investigation is unknown, but some attorneys believe the FBI's actions are unconstitutional. "The idea that the government would attempt to construe this indigenous-led non-violent movement into some kind of domestic terrorism investigation is unfathomable to me," said civil rights attorney Lauren Regan. "It's outrageous, it's unwarranted ... and it's unconstitutional." In a piece based on The Guardian's coverage, the Daily Caller (2/10, White, 898K) reported that more than 600 arrests have taken place as a result of protests of the pipeline.

Former National Guardsman Sentenced To Prison For Trying To Join ISIL.

The AP (2/10) reported that 27-year-old former National Guardsman Mohamed Jalloh of Sterling, Virginia was sentenced on Friday to 11 years in prison after pleading guilty last October to "attempting to provide material support to" ISIL. The AP said Jalloh admitted that he traveled to Africa and boarded a truck to join ISIL before "bailing out." The charge against Jalloh "originated from an FBI sting operation." The Washington Post (2/10, Weiner, 11.43M) reported that Joseph Flood, a lawyer for Jalloh, blamed his client's actions on heavy drug use and childhood trauma, rather than radical sentiment. Jalloh's attachment to ISIL was "superficial" and he was confused, Flood said. "He's clearly a follower," he added. Jalloh, the Post noted, also claimed to have been in search of a wife when an FBI operative contacted him about pursuing terrorism. "For two months, Flood wrote, the informant 'hounded' Jalloh with 'nearly constant entreaties' to engage in a violent attack," the Post reported. Jalloh was arrested after attempting to buy an assault rifle.

FBI Asked To Investigate Release Of Pheasants, Possibly By Eco-Terrorists.

The Portland (OR) Tribune (2/12, Rendleman, 104K) reports that the Clackamas County Sheriff's Office in Oregon has asked the FBI to investigate the release of some 50 pheasants from an aviary, purportedly by eco terrorists. The Animal Liberation Front lauded the release of the animals online, the Tribune reports. The pheasants were valued at approximately $1,000.

Trump Administration Delivers CIA Torture Report To Federal Court.

The Miami Herald (2/10, Rosenberg, 856K) reported the Trump Administration on Friday said it had delivered the Justice Department's copy of the "so-called Torture Report on the CIA's secret prison network during the George W. Bush administration" to a Federal court in DC. The Herald says Acting Assistant Attorney General Chad Readler notified the court that a redacted copy of the report had been deposited for secure storage with the Court Information Security Officers.

House Report Calls For Better Screening Of "Insider Threats" At Airports.

The Washington Post (2/11, Kunkle, 11.43M) says a new Congressional report released by the House Homeland Security Committee this week indicates a need for the "Transportation Security Administration, airport operators and airlines" to improve screening procedures for "workers such as baggage handlers or cleaning crews for possible security threats." The report notes cases going back to 2008 of "aviation workers, former employees or contractors" being "recruited to fight for ISIS or other terrorist groups" or "engag[ing] in efforts to smuggle firearms or other contraband aboard aircraft." Moreover, the report says that "approximately 450 airports remain vulnerable to insider attacks" given inadequate employee background checks and rechecks.

Bomb Scare In Los Angeles Creates "Commuter Nightmare."

Breitbart (2/11, Marlow, 2.02M) reports the Los Angeles County Sheriff's bomb squad was called to investigate a package, which resulted in the temporary shut down of the Hollywood, Universal/Studio City and Hollywood/Western stations. A "black backpack" was ultimately determined to not be a threat. The scare, according to Breitbart, "set off a commuting nightmare for those on the Metro Line as well as surrounding freeways."

WSJournal Analysis: In The Wake Of A Terror Attack In The US, Trump Should Not Round Up Muslims.

A Wall Street Journal (2/10, Benjamin, Subscription Publication, 6.37M) analysis reports that a terror attack will eventually take place against the US by jihadists and how the Trump Administration responds will affect not only national security but the national psyche. The Journal concedes that an attack may occur in the US, noting that while a 9/11 style attack is unlikely given aggressive counterterrorism efforts, it cannot be ruled out. Following any attack, the Journal says it is critical to avoid the post-9/11 round-up of Muslims as either suspects or witnesses.

Kristof: "Husbands Are More Deadly In America Than Jihadist Terrorists."

Nicholas Kristof writes in his New York Times (2/11, Kristof, Subscription Publication, 13.9M) column that between the years 1975 and 2015, terrorists from the seven nations listed in President Trump's travel ban "killed zero people in America," according to the Cato Institute. However, the number of people killed by guns in the same period was 1.34 million, which he says "includ[es] murders, suicides, and accidents." Citing University of North Carolina professor Charles Kurzman, Kristof says Americans last year were more likely to be killed for being Muslim rather than to be killed by Muslim terrorists. Kristof also notes "Husbands are incomparably more deadly in America than jihadist terrorists," being more "deadly in part because in America they have ready access to firearms."

Slate Analysis: Career Intel Officials Killed Order To Bring Back Black Sites, Enhanced Interrogation.

In an analysis, Slate (2/10, Carter, 1.83M) reported the Trump Administration withdrew language in a draft executive order that "would have resurrected the torture regime that existed immediately after 9/11" after career officials within the CIA and Defense Department rejected the order "from the moment it left the White House." Slate says those officials didn't oppose the order because of their political views. They did so, the article says, because "torture...doesn't work, corrodes their integrity, makes it harder to work with allies, and carries enormous risk for strategic blowback."

Gitmo Commander: No Input Into Trump Policies.

The Miami Herald (2/12, Rosenberg, 856K) reports Rear Adm. Peter J. Clarke, the commander of the prison at Guantánamo Bay, said he has not been consulted President Trump's policy for the prison, adding, "I don't need to provide my input to policy decisions." While the New York Times obtained a draft executive order authorizing adding ISIL captives to Guantánamo Bay, Clarke said he has not been ordered to prepare to receive new captives. Defense lawyers warn that some detainees are fearful of ISIS. While the prison currently has no female prisoners, there is speculation that they may be among new detainees, and Clarke would not provide clear assurance "that male soldiers would not be supervising female detainee showers."

California Islamic School Marks Fourth Group To Reject CVE Grant Under Trump Administration.

The AP (2/11, Abdollah) reports the Bayan Claremont Islamic school in California has rejected an $800,000 federal grant awarded as part of the "Countering Violent Extremism" program. This marks the fourth organization to do so under the Trump Administration. The AP says the Bayan Claremont grant was the second largest "among the first 31 federal grants for CVE awarded to organizations," but that the schools president, Jihad Turk, said that to accept the money would ultimately "do more harm than good." Turk stated, "if we're compromised, even if only by perception in terms of our standing in the community, we ultimately can't achieve that goal."

French Authorities Arrest Four People Suspected Of Plotting "Imminent" Terror Attack.

The New York Times (2/10, Breeden, Subscription Publication, 13.9M) reports Paris prosecutors on Friday arrested three men and one 16-year-old girl in southern France. France's Interior Ministry explained that a two-week investigation led Paris prosecutors to believe that the suspects were

preparing an "imminent" terror attack, although authorities "do not know where or how" it was to be implemented. Police officers discovered bomb-making materials in a raid of one of the suspect's homes.

The Wall Street Journal (2/10, Bisserbe, Subscription Publication, 6.37M) reports that in the raid, police discovered the same explosive that ISIS suicide bombers used in attacks in Paris and in Brussels. The arrests are the latest in a string of raids across Europe, including in Germany, Belgium, and Britain, against suspected ISIS operatives.

"No Evidence" Of Terrorism As Likely Pepper Spray Causes Closure Of Hamburg Airport.

The Washington Post (2/12, Kirchner, 11.43M) reports that in response to 68 people experiencing eye irritation and breathing difficulties from the likely dissemination of pepper spray through the air-conditioning system, German authorities evacuated hundreds and closed Hamburg Airport between 11 a.m. and 2 p.m. Sunday. Hamburg police spokesman Rene Schönhardt insists there was "no evidence" the incident was part of a terror attack, but officials are investigating to determine how the spray from a lipstick-sized cartridge entered the ventilation system.

WPost A1: Children Targeted In ISIS' Latest Recruitment Strategy.

In a more than 2,000-word front-page article, the Washington Post (2/11, Faiola, Mekhennet, 11.43M) reports ISIS' threat "is taking on a new form: child terrorists either directly in contact with or inspired by the militant group." In Germany alone, at least 10 minors were involved in five terror plots within the last 12 months. Most of the minors were German-born homegrown threats, highlighting authorities' concerns "that the intelligence community is often blind to the threat posed by these teens and preteens." Furthermore, German authorities are prohibited from monitoring children to the extent that they track suspected adults. European intelligence officials also said ISIS' tactics to radicalize children now involve "propaganda tailor-made for youths" and meticulous scouting online. Many targeted children have psychological disorders or live in broken or violent households, enabling recruiters to "groom" them "through flattery and attention" and perceived friendship.

European Parents Of Foreign Fighters Worry Coalition Forces Will Kill Their Children. French and Belgian parents of children recruited by ISIS told USA Today (2/11, Vidon, 5.28M) that they want to see the militant group's destruction in Iraq and Syria, but worry that coalition forces will kill their radicalized children. A think tank in The Hague estimated that about 4,000 people have traveled from Europe to fight alongside ISIS in Iraq and Syria since 2012. Psychologist Patrick Amoyel, who founded the anti-extremism Entr'Autres Association in Nice, said many child recruits initially try to reconnect with their Arabic and North African heritages, and then reclaim Islamic identities as a means of redemption for the contempt and marginalization their ethnic communities face in European societies. Amoyel said many parents are also consumed with guilt and often deny that their children have been radicalized.

Suspect In Istanbul Nightclub Attack Formally Charged.

The AP (2/11) reports Turkish prosecutors formally arrested Abdulkadir Masharipov, accused of killing 39 people in an Istanbul nightclub on New Year's Day. Turkish authorities claimed Masharipov trained in Afghanistan and conducted the attack on behalf of ISIS.

The Turkish court charged Masharipov, an Uzbek citizen, with attempting to overthrow the constitutional order, multiple counts of murder and weapons possession, and for being a member of an armed terror group, Reuters (2/11, Tattersall, Dikmen) reports. Prior to his formal arrest, Masharipov was at large for 17 days before Turkish authorities apprehended him in a "massive operation," AFP (2/11) reports. He is believed to have entered the country in January last year.

COUNTER-INTELLIGENCE

Former US-Based KGB Agent To Release Book.

The Guardian (UK) (2/11, 4.07M) profiled Jack Barsky, a former US-based KGB agent who has authored a new book based upon his experiences. The book, which will be released on March 21,

discusses Barsky's early life in East Germany, time in New York as a spy, and defection to the US in 1997. Barksky's book is titled: "Deep Undercover: My Secret Life And Tangled Allegiances As A KGB Spy In America."

CRIMINAL INVESTIGATIONS

Charleston Church Shooter Requests New Trial.

The AP (2/12, Kinnard) reports "Convicted Charleston church shooter Dylann Roof has asked for a new federal trial, saying prosecutors didn't have jurisdiction to bring their case against him." In a Friday motion, attorneys for Roof claimed the government failed to prove Roof's use of highways, a gun manufactured outside of South Carolina, and the Internet were sufficient links to bring federal religious obstruction charges. "Roof remains in custody in the Charleston County jail, where he awaits a death penalty trial in state court," the AP says.

The Daily Beast (2/12, 1.11M) and Columbia (SC) State (2/12, Monk, 357K) also report on Roof. The Christian Science Monitor (2/12, 387K) posts the AP's coverage to its website.

South Carolina Black Community Seeks "To Come To Terms" With Church Shooting. The AP (2/11, Collins) reported "the holes in the fabric of life in Charleston remain" following the shooting of an African-American church in Charleston, South Carolina. The AP highlighted the difficulties faced by the black community in the city "to come to terms with the murders at Emanual," and that this is made all the harder by the still unresolved case of a white police charged in the death of unarmed black man Walter Scott. However, the piece said "there has been progress," noting that after 50 years, the Confederate Flag was removed from Statehouse grounds.

North Carolina Man Charged With Opening Fire In DC Restaurant To Remain Jailed.

McClatchy (2/10, Douglas, 74K) reported that Edgar Maddison Welch, a "North Carolina man charged with firing an assault rifle inside a Washington restaurant that conspiracy theorists falsely claimed harbored a child-sex ring remained jailed Friday as his attorney received more time to negotiate a possible plea deal with federal prosecutors." Welch appeared in DC federal court for a brief hearing in his case. Welch, who has pleaded not guilty to federal and DC firearms charges, has been jailed since December 4. He faces up to 35 years behind bars.

Amid Ethics Concerns, Philadelphia DA Announces He Will Not Seek Reelection.

Reuters (2/10, Ingram) reported that Philadelphia District Attorney Seth Williams announced Friday that he would not run for reelection, citing "regrettable mistakes" he made when he accepted gifts that resulted in his being fined $62,000 by Philadelphia's ethics board. The gifts, which Williams failed to disclose, "including NBA basketball tickets, cash and lodging," Reuters said. "The gifts prompted the FBI to interview members of the prosecutor's staff and at least one of the gift-givers, and the bureau is investigating a nonprofit Williams founded." Williams apologized for his actions during a televised news conference. The AP (2/10, Dale) reported that Williams "failed to disclose five sources of income and 89 gifts on 2010-2015 financial statements and omitted 10 items on an amended statement." Williams has served as district attorney for seven years. The Washington (DC) Times (2/10, Dale) posts the AP's coverage to its website.

Community Honors Three Muslims Students Killed In North Carolina.

NBC Nightly News  (2/11, story 8, 2:10, Diaz-Balart, 16.61M) reported members of the Muslim community in Chapel Hill, North Carolina are coming together to honor the legacy of three Muslim students who were shot and killed, dental student Deah Barakat, his wife Yusor and her sister Razan. Correspondent Roger Allen said the s new facility called the Light House has been named in honor of the students, and that it "will be a hub for community groups." Deah Barakat's sister Suzanne said, "I hope it brings the community together."

Dossier Allegations Gaining Credibility After Details Corroborated By Intel.

The CBS News (2/11, Pegues, 4.4M) says the dossier is "gaining credibility among law enforcement," with one "U.S. official familiar with the document's origin say[ing] that even people

who discounted it initially have begun to take it more seriously." Jim Sciutto reported on CNN The Situation Room (2/10, 6:02 p.m. EDT, 02:15, Blitzer, 554K) that "For the first time, US investigators say they have corroborated some of the communications detailed in a 35-page dossier compiled by a former British intelligence agent." Sciutto said "until now, US officials have said none of the content or allegations had been verified, but now multiple current and former US law enforcement and intelligence officials tell CNN that intelligence intercepts of foreign nationals confirmed that some of the conversations described in the dossier took place between the same individuals on the same days and from the same locations as detailed in the dossier."

The Christian Science Monitor (2/12, 387K) says the dossier is "gaining legitimacy" amid an ongoing FBI-led probe into the document. Officials caution, though, that "the more salacious things" alleged in the document have not been corroborated, and "a few specific facts and claims listed in the document have already been proven to be incorrect." Still, CSM says that news of the corroborated details "could bolster many Trump critics who question the president's ethics in regard to his business ties as well as his controversial policies."

Spicer: White House "Disgusted" By "Fake News" From CNN On Dossier. The Hill (2/10, Hensch, 1.25M) reports White House press secretary Sean Spicer on Friday "blasted CNN (2/10, Sciutto, Perez, 29.79M) for its reporting on an unverified dossier alleging that the Russian government has compromising information about President Trump." Spicer said, "We continue to be disgusted by CNN's fake news reporting." He added, "It is about time CNN focused on the success the President has had bringing back jobs, protecting the nation, and strengthening relationships with Japan and other nations. ... The president won the [2016] election because of his vision and message for the nation. This is fake news."

Atlanta Releases Documents Related To Bribery Scandal.

WSB-TV Atlanta (2/9, 410K) reported online that "The city of Atlanta...produced more than a million documents" last week "it says are related to a bribery scandal." At a news conference about an ongoing federal investigation into kickbacks for city contracts, Atlanta Mayor Kasim Reed, presented boxes containing some 1.4 million pages of records. "What I'm going to say is the documents that are in this room are the documents we provided to the Justice Department," Reed said. Among the records was a federal grand jury subpoena seeking documents "related to Mitzi Bickers, a political operative who helped Reed get elected and a former business partner of the contractor who admitted paying more than $1 million in bribes," WSB noted. The mayor has not been questioned by the FBI. In a more than 2,000-word article, the Atlanta Journal-Constitution (2/11, 1.41M) discusses the bribery allegations in the context of previous Atlanta political scandals.

Man Charged With Abducting Couple From Illinois Bank.

The Chicago Sun-Times (2/10, Wilusz, 798K) reports that 40-year-old Chad C. Schipper has been charged with abducting a couple from an Illinois bank on Wednesday. "The abduction of Constance P. VanOosten of Erie, Illinois; and her husband, Larry D. VanOosten, may have been financially motivated, according to a statement issued late Wednesday by the FBI's Chicago office," the Sun-Times says. Schipper has been charged with "home invasion, kidnapping and two counts of aggravated kidnapping" the Sun-Times says

Chicago Woman Convicted Of Forcing Women Into Prostitution.

The Chicago Sun-Times (2/10, Mayes, 798K) reported that Chicago woman Rita Law has been found guilty of forcing women to work as prostitutes in multiple spas she operated in Indiana. "Law, 58, was found guilty by a federal jury of sex trafficking, involuntary servitude, transporting a woman across state lines to engage in prostitution, and using an interstate facility to promote prostitution, according to the U.S. Attorney's office for Northern Indiana," the newspaper reported. Law had initially flown to Hong Kong to avoid prosecution. "The case was investigated by the FBI and Homeland Security Investigations, with assistance from Indiana authorities."

CAIR Seeks FBI, State Investigation Of Vandalism Of Ohio Mosque.

WSYX-TV Columbus, OH (2/11, 50K) reported online that the Council on American-Islamic Relations has called upon the FBI and state law enforcement to investigate graffiti painted onto an Ohio mosque. "Officials at the Ahlul Bayt Center said a white man was seen on surveillance video painting messages on the door of the mosque that included 'Allah is a fraud,'" WSYX said. The WCMH-TV Columbus, OH (2/11, 229K) website reported similarly.

FBI Issues Warning About Romance Scams.

Adrienne Bankert reported on ABC World News Tonight  (2/12, story 7, 1:35, Llamas, 14.63M) that the FBI is warning of online romance scams ahead of Valentine's Day. The scams, in which fraudsters use romance to solicit money, "cost victims an average of $15,000 to $20,000," Bankert says, citing the FBI. Some scammers pretend to be US soldiers based overseas. WBBM-TV Chicago (2/10, 61K) quoted FBI Chicago spokesman Garrett Croon as saying, "In 2015 the average loss in Illinois was just over $4-million to romance scams. ... On a national average, the loss was just over $203-million." The numbers cited by Croon, WBBM notes, are based only on reported scams. Many scams go unreported.

Illinois Governor To Aid Chicago In Fight Against Street Violence.

In an exclusive, the Chicago Sun-Times (2/10, Sneed, 798K) reported that in his state budget address on Wednesday, Illinois Gov. Bruce Rauner plans to address the street violence problem in Chicago. According to the Sun-Times, Rauner plans to "add resources to help contain Chicago's violence," is proposing to fund the training of cadets, and will "supplement the surge in troopers he's already sent to the Chicago region to address this issue."

Suit Against Florida Sheriff's Office Over Fatal Shooting Goes To Trial.

The AP (2/12, Spencer) reports from Loxahatchee, FL that "the parents of Seth Adams are sure Sgt. Michael Custer is lying about why he fatally shot their unarmed son in the parking lot of the family's nursery business nearly five years ago, even though the sheriff's deputy was cleared by investigators." According to the AP, "the family will get a chance to prove its allegations when a federal civil rights trial against Custer and the sheriff's office begins Monday with jury selection." The family and their attorneys "say ballistics tests, contradictions in Custer's statements and observations by his Palm Beach County colleagues undermine his account of Adams as an immediate and persistent aggressor in the confrontation."

Criminal Justice Reform Advocates Facing "Hurdle" With Trump Administration.

The Wall Street Journal (2/10, O'Keeffe, Subscription Publication, 6.37M) reports the new president of Families Against Mandatory Minimums cleared an important hurdle in getting his probation officer to agree to allow him to interact with felons. However, the Journal says now the Trump Administration poses another significant hurdle. While President Obama sought to mitigate what he considered to be unfair sentences, the piece says that under Trump and Attorney General Jeff Sessions, there is a potentially more challenging road ahead. It additionally notes criminal justice reform was not explicitly discussed by Trump while on the campaign, but says that Sessions has been an opponent of shortening prisons sentences.

Miller Says Trump "Correct, 100 Percent" About Large-Scale Voter Fraud.

Presidential adviser Stephen Miller said on ABC's This Week  (2/12, Stephanopoulos, 6.61M), "The White House has provided enormous evidence with respect to voter fraud, with respect to people being registered in more than one state. Dead people voting, non-citizens being registered to vote. ... That is a scandal! ... And I'm prepared to go on any show, anywhere, any time, and repeat it and say the President of the United States is correct, 100 percent."

The New York Post (2/12, Schultz, 3.82M) says Miller "doubled down on President Trump's unsubstantiated claims. ... Asked repeatedly [for] proof, Miller said voter fraud is a serious issue and will be evaluated by [the] Justice Department once it's up and running." The Los Angeles Times (2/12, King, 4.52M) says the Administration "continued Sunday to assert a widely debunked claim that massive vote fraud helped deprive the president of a popular-vote victory" last fall. The

Wall Street Journal (2/12, Ballhaus, Subscription Publication, 6.37M) headlines a report on the comments "Trump Adviser Repeats Unsubstantiated Vote Fraud Assertions."

In the Washington Post (2/12, 11.43M) Fact Checker, Glenn Kessler awards Miller "bushels of Pinocchios" over the assertion, writing that "the White House continues to provide zero evidence to back up its claims of voter fraud," instead returning repeatedly "to the same bogus talking points that have been repeatedly shown to be false." Kessler adds, "It's pretty shameless to cite research in a way that even the researcher says is inappropriate."

Sanders, Franken: Vote Fraud Claims Show Trump Is A Liar. On NBC's Meet The Press  (2/12, Todd, 157K), Sen. Bernie Sanders said, "We have a president who is delusional in many respects, a pathological liar. ... When somebody goes before you and the American people and say three million to five million people voted illegally in the last election, nobody believes that. There is not the scintilla of evidence. What would you call that remark? It's a lie. It's a delusion." The Washington Post (2/12, O'Keefe, 11.43M) characterizes the remarks as "strong words."

On CNN's State Of The Union,  (2/12, Tapper, 420K) Sen. Al Franken similarly said that President Trump "lies a lot. He says things that aren't true. ... You know, three million to five million people voted illegally. There was a new one about people going in from Massachusetts to New Hampshire. ... That is not the norm for a president of the United States or actually for a human being."

The New York Daily News (2/12, Edelman, 4.45M) reports Franken, in response to a question by CNN's Jake Tapper as to whether any Republican senators had "expressed concerns about President Trump's mental health," replied, "A few," commenting, "We all have this suspicion that he...that he lies a lot, that he says things that aren't true." Politico (2/12, Cohen, 2.46M) reports Franken also criticized the President's referring to Sen. Elizabeth Warren as "Pocahontas" as "racist." The AP (2/12) and The Hill (2/12, Balluck, 1.25M) similarly report Franken's comments.

WSJournal: Texas Voter Fraud Sentence Is Excessive. In an editorial, the Wall Street Journal (2/12, Subscription Publication, 6.37M) argues that while the media minimizes the extent of voter fraud, the eight-year and $5,000 fine sentence for Rosa Maria Ortegaon, a green card holder who voted in Texas, is excessive. While the jury didn't believe Ortegaon's explanation that she thought legal residents have the right to vote, this wasn't a violent felony or a fraud ring. The Journal calls on Gov. Greg Abbott to commute the sentence should the a judge not be able to intervene.

FINANCIAL CRIME & CORPORATE SCANDALS

SEC Accuses Chinese Investor Of Insider Trading In Animation Deal.

The Los Angeles Times (2/10, James, 4.52M) reported that the SEC has accused Chinese investor Shaohua "Michael" Yin and his family of participating in an insider trading scheme to illegally profit "from Comcast Corp.'s $3.8-billion acquisition last year of DreamWorks Animation." According to the SEC, during a three-week period prior to the sale, five brokerage accounts purportedly controlled by Yin, acquired more than 2 million shares of DreamWorks stock. Yin had never owned stock in the animation company before. According to the SEC, Yin "has made illegal trades of stock of other companies, and the FBI executed a search warrant on Yin at the San Jose International Airport on Feb. 3, just before he boarded a flight to China," the Times said. Bloomberg News (2/10, Robinson, 2.41M) reported that Yin or his associates attempted to withdraw the illegal profits from the brokerage accounts after the FBI searched Yin, the SEC claims in its complaint.

Ex-Massey CEO Seeks En Banc Rehearing Of Appeal.

The Charleston (WV) Gazette-Mail (2/10, Ward, 9K) reports that attorneys for Don Blankenship "asked Friday that the full 4th U.S. Circuit Court of Appeals reconsider a previous decision in which a three-judge panel upheld the criminal conviction of the former Massey Energy Co. CEO." In a filing with the court, "Blankenship's defense team urged the full court to focus any re-examination of the case on two issues: Whether the trial jury was wrongly instructed on the definition of criminal willfulness and whether defense lawyers were improperly denied the chance for a second cross-examination of a key government witness." The Gazette-Mail notes that Blankenship "is

serving a one-year sentence in a federal prison in California" after being "convicted in December 2015 of conspiring to violate federal mine safety standards at Massey's Upper Big Branch Mine, where 29 workers died in an April 2010 explosion."

Massachusetts Couple Sentenced For Tax Evasion.

The Boston Globe (2/11, Geanous, 1.08M) reported that Massachusetts couple Sergey and Anastasia Bulavchenko pleaded guilty Friday to tax evasion charges and were sentenced to two years probation. The couple was "charged with tax evasion and willful failure to file tax returns in connection to their business, UNEOL LLC, which provided a US shipping address for customers living in other countries," the Globe says. According to authorities, the Bulavchenko's business also facilitated identity theft and credit card fraud. The investigation of the couple and their business involved the FBI and Massachusetts State Police.

Former Arizona Sheriff's Deputy Pleads Guilty In Embezzlement Scheme.

The Arizona Republic (2/10, Wagner, Harris, 1.1M) reports that former Pima County, Arizona Sheriff's Deputy Christopher Radkte pleaded guilty Friday to misappropriating funds as part of an embezzlement scheme. "Radtke, 55, once second in command of the Sheriff's Department, was indicted on seven felony counts of money laundering and theft after investigators discovered deputies misappropriated roughly a half-million dollars seized from criminals over 18 years," the Republic says. As part of the plea deal, Radtke will receive no prison time and will retain his state pension.

WSJournal: Greenberg Prosecution Shows Abuse Of Law By Prosecutors.

In an editorial, the Wall Street Journal (2/12, Subscription Publication, 6.37M) uses former AIG CEO Hank Greenberg's $9 million settlement to blast the businessman's prosecution, calling the amount negligible for Greenberg, who the Journal says admitted only accounting errors. The Journal touts the outcome as a vindication for Greenberg and blasts prosecutors for the money spent on the case. The Journal argues that the prosecution was revenge by former state AG Eliot Spitzer for Greenberg's criticism of him, illustrating the lengths progressives go to punish capitalists. The Journal concludes the case shows the ease whereby prosecutors can abuse the law to seek fame instead of justice.

CYBER DIVISION

Privacy Groups Criticize FBI Methods In Playpen Probe.

CSO Magazine (2/11, Kan, 81K) reported that three privacy advocacy groups on Friday "filed briefs in a lawsuit involving the FBI's hacking operation against Playpen." Privacy International, the Electronic Frontier Foundation, and the ACLU of Massachusetts claimed that the FBI's take down of the child pornography website violated the constitution and international law because the "operation involved the FBI hacking 8,700 computers in 120 countries, based on a single warrant," the magazine said. The groups filed their briefs in the case of Alex Levin, a "suspect in the FBI's Playpen investigation who's appealing the way the agency used malware to gather evidence against him," the magazine said. Slashdot (2/12, 46K) reported similarly.

UK Cyber Official: 188 "High-Level" Cyberattacks In Last Three Months.

BBC News (UK) (2/12, 2.39M) reports "Britain's security has been threatened by 188 high-level cyber attacks in the last three months, according to" National Cyber Security Centre chief executive Ciaran Martin, who "told the Sunday Times many of the attacks 'threatened national security.'" Martin "told the newspaper that attempts on government departments were designed to 'extract information on UK government policy on anything from energy to diplomacy to information on a particular sector.'"

The Guardian (UK) (2/12, 4.07M) reports that Martin "told the Sunday Times there had been a 'step change' in Russia's online aggression against the west." Martin is quoted saying, "Part of that step change has been a series of attacks on political institutions, political parties,

parliamentary organisations and that's all very well evidenced by our international partners and widely accepted."

The Independent (UK) (2/12, Roberts, 1.28M) reports Martin "warn[ed] that Britain is being hit by 60 'significant' cyber-attacks each month." The Independent adds, "An attempt to disrupt the 2015 general election was thwarted by GCHQ in a cyber attack the security service said was the first of its kind."

British Schoolchildren To Receive Cybersecurity Lessons.

BBC News (UK) (2/11, Symonds, 2.39M) reports, "Schoolchildren in England will be offered lessons in cyber security" beginning in September "in a bid to find the experts of the future to defend the UK from attacks." BBC says, "Classroom and online teaching, 'real-world challenges' and work experience will be made available."

The Independent (UK) (2/11, Dearden, 1.28M) reports, "The new Cyber Schools Programme aims to teach pupils some of the skills they would need to help defend Britain's businesses and institutions against online threats." The Independent adds, "Ministers are making up to £20m available for extracurricular sessions that will see expert instructors drafted in to teach, test and train selected teenagers."

Cyber Experts: Recent Hacks Part Of International Effort, Resembling 2014 Sony Hack, To Target Global Banks.

The Wall Street Journal (2/12, McMillan, Subscription Publication, 6.37M) reports cybersecurity experts have found evidence which suggests recent attacks on Polish institutions form part of an international effort targeting global financial institutions in several countries, and that the effort shares traits with the 2014 Sony attack. Researchers say the attacks installed code on financial regulatory authorities' websites, then used them to attack the computers of certain financial institutions. The number of targeted banks and the extent of financial losses are unknown.

Defense Contractors Among "Vulnerability Hunters."

Under the headline "The secret world of vulnerability hunters," the Christian Science Monitor (2/10, Sternstein, 387K) reports on the market for network vulnerability exploitation – including the hackers who sell "bug bounty" programs to companies they've infiltrated, cybersecurity experts who "moonlight" for the agencies like FBI to infiltrate networks of criminal targets, and government contractors who also work to find vulnerabilities. According to the article, "defense contractors ManTech, Booz Allen Hamilton, Harris, and Raytheon have all landed formal US government contracts to infiltrate targeted software, say former employees there." The companies "have scooped up boutique firms that concentrate on spy technology, industry insiders say," with Mantech buying exploit researcher Oceans Edge and Raytheon purchasing bug developer SI Government Solutions.

Microsoft To Grade Commercial Customers' Security Settings.

The Wall Street Journal (2/10, Greene, Subscription Publication, 6.37M) reports Microsoft will begin grading the Office 365 security settings of its commercial customers, in order to strengthen its software and services from frequent hacking attempts. The Journal says Hartford Financial Services Group Inc. plans to use the security score to determine cyberinsurance rates for its customers. Microsoft did not say whether other insurance companies were approached to use the service.

Florida County School Employees At Risk Of Becoming Data Breach Victims.

The South Florida Sun Sentinel (2/12, 581K) reports, "Authorities say as many as 7,700 Manatee County school employees are at risk of being victims of a data breach." County school officials "learned earlier this month that two payroll employees of the school district along Florida's Gulf Coast had fallen for an email phishing scam" from a hacker "posing as Superintendent Diana Greene" requesting "all W-2 forms for district employees."

Senate Armed Services Cyber Subcommittee Chairman Wants To Learn About Current State Of US Cybersecurity.

Politico (2/10, 2.46M) "Morning Cybersecurity" reports that the "immediate priority" for US Sen. Mike Rounds, the "newly appointed chairman of a freshly created Armed Services cybersecurity-focused subcommittee," is to "figur[e] out the state of play." Rounds is quoted as saying that includes asking the Defense Department for an assessment of "where they see the need for either manpower or additional resources," as well as "assessing where the United States stands in its capabilities compared with 'both bad actors and peer competitors.'"

House Homeland Security Committee To Hold Hearing On Cyber Threats.

The Hill (2/10, Chalfant, 1.25M) reports, "The House Homeland Security Committee is planning a hearing on cybersecurity threats early next month." The committee "is expected to hold a full hearing on the Department of Homeland Security's (DHS) cyber defenses and threats to the U.S. on March 1, according to a committee aide." The Hill adds the hearing "will be the committee's first focusing on cybersecurity since the intelligence community concluded that Russia engaged in a cyber and disinformation campaign aimed at influencing the 2016 U.S. presidential election," though it "will not focus on the Russian election hacks but will instead cover the full scope of the threat landscape."

Russia Suspected In Italian Foreign Ministry Hack.

The Guardian (UK) (2/10, 4.07M) reports, "Russia is suspected by Italian officials of being behind a sustained hacking attack against the Italian foreign ministry last year that compromised email communications and lasted for many months before it was detected, according to people familiar with the matter." The Guardian says an Italian government official "confirmed that the attack took place last spring and lasted for more than four months but did not infiltrate an encrypted system used for classified communications." While then-foreign minister Paolo Gentiloni "was not affected by the hack, according to the official," the foreign ministry's "field offices" were affected, though "the government official said sensitive information had not been compromised because it would also have been encrypted."

"Prolific" Hacker Sentenced In "Rare Win" For Law Enforcement.

The AP (2/10) reports that "prolific foreign hacker" Ercan Findikoglu, who was "behind sophisticated cyberattacks that netted an estimated $55 million," was sentenced to eight years in prison Friday in a "rare win for law enforcement officials who have identified, but failed to arrest, hundreds of others like him." The AP describes Findikoglu as "a Russian-speaking Turkish national so skilled with computers that he tracked the sprawling international heist in real-time to make sure a small army of thieves wouldn't cheat him out of his share of the proceeds."

Cybersecurity Exercise Takes Place In Colorado.

The Denver Post (2/12, 778K) reports on a cybersecurity training exercise "conducted by Regis University, the state, and the Colorado Army and Air Force National Guard" involving the virtual disabling of a dam. The Post says, "This particular exercise was based on a real cyberattack against a small dam in upstate New York that was conducted by Iran, said Jeremy Lammon, master sergeant in the Air National Guard." DHS representatives were among the attendees, the Post adds.

CSMonitor Analysis: Cyber System Flaws Trigger Efforts To Identify Vulnerabilities.

A more than 2,100-word Christian Science Monitor (2/10, Sternstein, 387K) analysis examines how "flawed" and "vulnerable" cyber systems, including "the websites we all use, the apps on our smartphones, the software on our laptops, and industrial systems running critical infrastructure," has lead a push in the hiring of cybersecurity professionals to detect these vulnerabilities. The Monitor says that such flaws have become "increasingly valuable to both the people trying to break into digital networks and those trying to defend them." It has driven efforts by companies to launch "so-called bug bounty programs" that pay researchers to locate system and product

vulnerabilities.

House Democrats Call For Probe Of White House Cybersecurity.

FedScoop (2/10) reports, "Democratic members of the House Committee on Science, Space and Technology are calling for a probe into the White House's cybersecurity practices." US Reps. Eddie Bernice Johnson, Dan Lipinski, and Don Beyer "signed and sent a letter to the committee's Republican leadership requesting a hearing on the matter." Their letter is quoted saying, "Given your previous investigations of cybersecurity practices at multiple federal agencies, including the Federal Deposit Insurance Corporation (FDIC) and Federal Reserve Board, and with respect to former Secretary Clinton's private email server, we trust you will be equally concerned with any and all careless cybersecurity practices of the Trump Administration."

Senators Demand Answers From Yahoo CEO On Data Breaches.

The Washington Times (2/10, Blake, 272K) reports Sens. John Thune and Jerry Moran sent a letter to outgoing Yahoo CEO Marissa Mayer on Friday raising questions about "a pair of high-profile data breaches that resulted in more than a billion accounts being compromised by hackers." In the letter, the Senators said, "Despite several inquiries by Committee staff seeking information about the security of Yahoo! user accounts, company officials have thus far been unable to provide answers to many basic questions about the reported breaches." The Times says they are requesting a response by February 23.

Representatives Urge Flynn To Change Export Agreement To Address Cybersecurity Concerns.

The Hill (2/10, Uchill, 1.25M) reports that bipartisan group of representatives "with cybersecurity chops" are urging National Security Adviser Flynn "to change an export agreement many believe weakens international cybersecurity." The Wassenaar Arrangement, the Hill says, is a non-binding agreement between 40 nations, which "creates export policies for civilian technologies with military uses." According to The Hill, the accord does not account for the "subtleties of cybersecurity" and "some of its restrictions can prevent the sharing of cybersecurity research and information about threats."

LAW ENFORCEMENT SERVICES

California, US Saw Surge In Gun Sales Last Year.

NBC Nightly News (2/12, story 6, 2:15, Snow, 16.61M) reported that last year, "more guns were sold" in California "than ever before," and the state "was not alone with the surge of gun sales as the fight over guns is heating up." NBC (Beck) added that one reason for the surge is "California's bullet button ban," in which "the state made it illegal to sell rifles that have a button shooters can use to reload faster." The ban was passed in July 2016 "but took a few months to go into effect." According to NBC, "gun store owner Vince Torrez says the ban helped make 2016 his busiest year in decades." California gun sales "surged last year, selling over a million firearms for the first time ever," which mirrored a nationwide trend. NBC added that "the gun industry is bracing for a slowdown in sales because of solid Republican control in Washington."

New York Planning To Have 23,000 Body Cams On Officers BY 2019.

The AP (2/11, Long) reports that New York City is planning to "put body cameras on all 23,000 of its patrol officers by 2019," which it notes is an "ambitious effort that would dwarf all others across the country," but that the department is still "lagging behind other cities, with only limited experience with the cameras and zero currently on the streets." Mayor Bill de Blasio's body camera plan, the AP says, "is crucial to restoring trust between officers and the communities they serve."

OTHER FBI NEWS

Podesta: Some "Forces" Within FBI Wanted Clinton "To Lose."

The Huffington Post (2/12, Bobic, 237K) reports that Hillary Clinton campaign chairman John Podesta on Wednesday criticized the FBI for its response to Russia's purported hacking of the DNC. "I think to this day it's inexplicable that they were so casual about the investigation of the Russian penetration of the DNC emails," Podesta said during a panel discussion in San Francisco. "They didn't even bother to send an agent to the DNC. ... They left a couple of messages at the IT help desk saying, 'You might want to be careful.'" Podesta added, "There are at least forces within the FBI that wanted her to lose."

Wyden Asks FBI To Explain Changes To FOIA Rules.

CNN Money (2/10, Larson, 3.59M) reports that Sen. Ron Wyden (D-OR) is asking the FBI for an explanation of the bureau's announcement last week that it "would stop accepting email requests for Freedom of Information Act (FOIA) data," and instead require the submission of FOIA requests "through an online portal called eFOIA – or via fax or snail mail." In a letter to the FBI on Thursday, Wyden, a member of the Senate Select Committee on Intelligence, "said there are limitations to the online portal," including "a 3,000 character limit on requests, unclear rules about what people can request, and technical barriers that prevent people 'engaged in the innovative use of technology' from automating their requests. 'These limitations may become serious problems if this system is to be the sole method through which the agency can receive digital FOIA requests,' Wyden said in his letter."

The Daily Dot (2/10, 287K) reports that Wyden "urged the FBI to revise its new policy, which he interpreted as potentially placing an 'unnecessary burden' on requesters, citing limitations of the FBI's new online submission platform. 'While it is admirable that the FBI has sought to make it easier to receive and process FOIA requests,' wrote Wyden, 'there are a number of limitations with the online portal. These limitations may become serious problems if this system is to be the sole method through which the agency can receive digital FOIA requests.'"

Sanctuary City Debate May Influence Decision On Building FBI's New Headquarters.

The Washington Times (2/12, Miller, 272K) reports the decision over where to build a new FBI headquarters may be influenced by the sanctuary city debate as the two finalist cities are Prince George's County, Maryland and Fairfax County, Virginia. In Prince George's County, "local officials resist helping deport illegal immigrants," while police cooperate with ICE in Fairfax County. The Times says it is unknown whether the executive order that bars federal funds from sanctuary jurisdictions will impact construction projects.

FBI Creates "Wanted" App For Smartphones.

Bloomberg Government (2/10, 1K)reported on the "FBI Wanted App" for Apple and Android devices. The app "allows users to join in the search for fugitives and suspects, as well as crime victims and missing children," Bloomberg said. According to FBI spokesman Christopher Allen, "Thousands of cases have been solved over the years thanks to the watchful eyes of concerned citizens. ... The FBI Wanted App will help carry on this tradition." The FBI has also created the Child ID App and the Bank Robbers App.

OTHER WASHINGTON NEWS

Miller: Administration Considering Options On Travel Ban.

Coverage of presidential adviser Stephen Miller's comments on four Sunday morning shows about the White House's next steps on the travel ban now frozen by a federal court is widespread but essentially straightforward. Reports cover Miller's defense of President Trump's policy as constitutional and examine the Administration's options with little additional analysis or comment – though several Democratic senators also appeared to rebut Miller's arguments and reiterated their opposition to the policy.

NBC Nightly News  (2/12, lead story, 2:30, Snow, 16.61M) said in its lead story that "the White House is considering how to move forward on its immigration policy after losing in court last week." NBC's Kelly O'Donnell said, "Defending that travel ban across morning television

[Sunday]...Miller lashed out at the courts." Miller: "We have a judiciary that has taken far too much power and become in many cases a supreme branch of government." ABC World News Tonight (2/12, story 3, 2:05, Wright, 14.63M) reported, "The Administration is now turning its attention back to the targeted travel ban, intent on rescuing the policy one way or another, even if that means writing a new, more limited order. ... The Administration doesn't want the courts to have the last word." Miller: "We can pursue further executive actions. All options are on the table. We have equal branches of government in this country. The judiciary is not supreme."

On ABC's This Week (2/12, Stephanopoulos, 6.61M), Miller said, "A district judge in Seattle cannot force the President of the United States to change the laws and our Constitution because of their own personal views. ... And we will do whatever we need to do, consistent with the law, to keep this country safe." On CBS' Face The Nation (2/12, Dickerson, 4.61M), Miller said, "I think it has been an important reminder to all Americans we have a judiciary that has taken far too much power and become in many case as supreme branch of government. One unelected judge in Seattle cannot remake laws for the entire country."

On NBC's Meet The Press (2/12, Todd, 157K), Miller said, "The bottom line is we are pursuing every single possible action to keep our country safe from terrorism." On Fox News Sunday (2/12, Wallace), Miller said the Administration's options include "the possibility of new executive actions designed to prevent terrorist in perpetration of our country. And I want to say something very clearly, this will be very disappointing to the people protesting the President and the people in Congress like Sen. Schumer, who has attacked the President for his lawful and necessary action. The President's powers here are beyond question."

The Washington Post (2/12, Rucker, 11.43M) reports Miller said the Administration is considering appealing "and having an emergency hearing 'en banc,' or before all judges on the court; seeking an emergency stay at the Supreme Court; taking the case to trial at the district level; or writing a new executive order for Trump to sign that would withstand legal scrutiny." The Post calls Miller's Sunday interviews "unusually combative."

Bloomberg Politics (2/12, Niquette, 201K) reports that Miller said the Ninth Circuit Court of Appeals "took power that belongs 'squarely in the hands of the president' in a 'judicial usurpation.'" The Wall Street Journal (2/12, Ballhaus, Subscription Publication, 6.37M) also reports Miller said several options are under consideration, and notes Miller's defense of Trump's actions as constitutional, while the New York Daily News (2/12, Edelman, 4.45M) says Miller's comments "indicated that the administration was actively looking at ways to keep the measure alive."

Newsweek (2/12, Loffredo, 862K) reports on its website that Miller "continued Donald Trump's attacks on the judiciary over his suspended travel ban while declining to indicate what legal strategy the administration will pursue." Reuters (2/12, Chiacu, Harte) says Miller "attacked" the court ruling, and the Los Angeles Times (2/12, King, 4.52M) reports he "renewed the White House attack on what the president and senior aides have characterized as overreach by the courts."

USA Today (2/12, Jackson, 5.28M) says the 31-year-old Miller's "influence and public profile appear to be on the rise," and the Washington Times (2/12, Howell, 272K) reports that the President, "who is known to keep tabs on his aides' TV performances, said he was pleased with Mr. Miller's defense." Trump tweeted, "Congratulations Stephen Miller – on representing me this morning on the various Sunday morning shows. Great job!" The Huffington Post (2/12, Fang, 237K), however, says Miller's appearances went "disastrously," on the travel ban and on other issues. Voice of America (2/12, Bredemeier, 57K) also covers Miller's appearances on its website.

Schumer: Trump Should Throw Travel Ban "In The Trash." On CBS' Face The Nation (2/12, Dickerson, 4.61M), Senate Minority Leader Schumer said Trump should not revise the travel ban executive order, but "he ought to throw it in the trash. I think this executive order is so bad and so poisoned and its genesis is so bad and terrible that he ought to just throw it in the trash can." Politico (2/12, Strauss, 2.46M) says the comment "came in response to a question about the Trump administration looking to introduce a new executive order similar to a travel ban for seven majority-Muslim countries" blocked by the Ninth Circuit.

The New York Post (2/12, Moore, 3.82M) reports that Schumer "went on to call the order 'un-

American and unconstitutional.'" Schumer said, "A religious ban just goes against the American brain. We believe in immigrants in this country and we don't believe in a religious test." The Washington Times (2/12, Howell, 272K) also reports on Schumer's remarks.

Other senators were also critical. On NBC's Meet The Press  (2/12, Todd, 157K), Sen. Bernie Sanders called Miller's remarks "a shell game," saying, "While there is a whole lot of discussion about the racist, in my view, immigration policies of the Trump Administration which are based on anti-Muslim ideology, which are doing us enormous harm all over the world, something else is going on at the exact same moment is that President Trump is backtracking on every economic promise that he made to the American people when he told workers and senior citizens he was not going to cut Social Security, Medicare, and Medicaid."

On Fox News Sunday  (2/12, Wallace), Sen. Ben Cardin said, "I've talked to leaders from around the world that tell us that" the travel ban executive order "will be used as a recruitment for terrorist organizations it will put Americans at greater risk traveling abroad, that it adds to self-radicalization." On CNN's State Of The Union  (2/12, Tapper, 420K), Sen. Al Franken similarly said, "I agree with Sen. McCain and Sen. Graham that actually this kind of ban makes us less safe and it gives a recruiting tool to ISIS and to other jihadists saying America is anti-Muslim. ... I think that Trump and his group are trying to make Americans more afraid. I think that's part of how they got elected is make more people afraid."

However, Sen. Jeff Flake, a Republican who is frequently critical of Trump, said on CBS' Face The Nation  (2/12, Dickerson, 4.61M), "I do think it is constitutional. It is not a Muslim ban. ... I think that the message that it sends to our allies abroad and the countries that we need to work with is not a good one."

WPost Analysis: 9th Circuit Cites 1993 Case About Ritual Sacrifices In Blocking Travel Ban. The Washington Post (2/12, Guerra, 11.43M) reported on its "Post Nation" blog that in 1993, the Supreme Court "granted constitutional protections to an Afro-Cuban religious group that sacrifices animals, such goats, chickens, ducks and turtles, as a form of ritual," and "more than two decades later, specifically Thursday, three federal appeals court judges relied partly on that ruling when they declined to reinstate President Trump's controversial entry ban on refugees and citizens from seven predominantly Muslim countries." The Post noted that "the states of Washington and Minnesota, which sued to block Trump's executive order, cited the president's fiery rhetoric and a previous statement about a 'total and complete shutdown' of Muslims entering the country to prove that his directive was meant to discriminate against one religion," and the 9th Circuit Court of Appeals "agreed, citing the 23-year-old Supreme Court ruling on animal sacrifices as precedent."

Page: Trump Running Up Against Realities Of Presidential Power. Susan Page of USA Today (2/12, 5.28M) writes under the headline "Reality Check: After Three Weeks, Trump Hits A Washington Wall" that after "a dizzying flurry of actions" in his first weeks in office, Trump "has begun running smack into constraints mandated by the Constitution and imposed by political reality. Without acknowledging he's being forced to trim his sails, the president is moving to delay some campaign promises and downsize others, steps that sometimes have been overshadowed by a continued stream of the defiant tweets that marked his political rise." Page writes that Trump is "discovering how the Constitution's structure, federal laws and rival power centers...make leadership in the Oval Office a more complicated calculation than in the corporate suite."

Washington State AG Ferguson Profiled. The AP (2/12, Johnson) profiles Washington State Attorney General Bob Ferguson, who is in "the vanguard of resistance" against Trump's travel ban. Ferguson said on ABC's This Week  , "The Administration, the President, simply refused to recognize what everybody else can recognize. Four federal judges have looked at this case. ... All four have completely and utterly rejected the President's arguments in this case, and we anticipate winning as the case moves forward."

Some Employees Of Long-Established Tech Firms Join Critics Of Ban. The New York Times (2/12, Streitfeld, Subscription Publication, 13.9M) reports that though "the older, stodgier, less glamorous part of the tech universe" has been generally quiet about the ban, not joining in the legal filings or public criticism of its peers, some employees of firms like Cisco, Hewlett Packard

Enterprise, and IBM are showing "defiance" and "agitating for an explicit corporate morality."

Policy Puts Hospitals' Selections Of Residents In Turmoil. The Wall Street Journal (2/12, Evans, Subscription Publication, 6.37M) looks at the difficulties hospitals are having in selecting applicants for residencies, noting that in recent years, about 14 percent of residents have come from abroad.

Syrian Refugee Family Now In US. The Los Angeles Times (2/12, King, 4.52M) has a feature on a refugee family who had "survived war's bloody ruination of their Syrian hometown, Homs, endured years of hardscrabble life in Jordan and undergone an exhaustive US vetting process that had lasted more than two years," and are now in the US after the refugee ban initially froze their plans.

WPost: Trump Should Back Abolition Of EB-5 Visa Program. In an editorial, the Washington Post (2/12, 11.43M) says that if President Trump really wants "to show that his immigration policies reflect consistent principles, not his and his family's involvement in the real estate business," he should back a bill sponsored by Sens. Charles Grassley and Dianne Feinstein, the chair and ranking Democrat on the Senate Judiciary Committee, that would abolish the EB-5 visa program, "which began a quarter-century ago as a well-intentioned plan to attract international capital to the United States, but has morphed into a scandal-ridden embarrassment."

Law Professors: Trump Should Be Judicious In Criticism Of Judiciary. In an op-ed for the Wall Street Journal (2/12, Subscription Publication, 6.37M), University of Virginia law professor Sai Prakash and University of California, Berkeley law professor John Yoo write that while it is legitimate to criticize the federal judiciary, it is unwise when such criticism is unfounded. The professors defend President Trump's right to lodge reasonable protests about important decisions, as his predecessors have done, but warn that such criticism should be reserved for issues and decisions of importance, not a legal setback in a minor procedural test of a temporary executive order.

Miller Says Blumenthal Misrepresented Gorsuch's Comments.

On Fox News Sunday  (2/12, Wallace), Chris Wallace said Judge James Robart "has received death threats" since President Trump tweeted criticism of the judge in the wake of his decision to issue a temporary restraining order against the travel ban. Asked if Trump should be blamed if "something happens" to Robart, presidential adviser Stephen Miller said, "This is one of the most ludicrous things that the media does, where when any crazy person in this country issues a death threat, that they then blame a politician or a public official. That is reckless and irresponsible and should never be done." Asked about Supreme Court nominee Neil Gorsuch's comment that Trump's criticism of the judiciary was "disheartening and demoralizing," Miller said, "I have my opinions, and Judge Gorsuch has had his comments, as you know, misinterpreted and misrepresented by Senator Bluementhal, who as we all know has profound credibility issues."

Schumer Questions Gorsuch's Independence For Not Publicly Criticizing Trump. On CBS' Face the Nation  , Senate Minority Leader Schumer said he asked Judge Gorsuch if he would "publicly condemn what President Trump did with the existing judge, which any judge worth his salt should do. He refused. He said to me, 'I'm disheartened.' Now, his handlers were sitting there and he whispered, 'You can make that public.' So this was not – you can't behind closed doors whisper to a senator and then not say anything. And then when President Trump attacked and said 'he didn't mean me,' they all said yeah, he didn't mean President Trump. That was a further indication of his lack of independence."

AP Analysis: Gorsuch Has Defended Freedom Of Speech, Religion. The AP (2/12, Donn, Mulvihill) reports that Gorsuch "has been a defender of free speech and a skeptic of libel claims, an Associated Press review of his rulings shows," a record that "puts him at odds with President Donald Trump's disdain for journalists and tendency to lash out at critics." However, the AP analysis found, "on other First Amendment cases involving freedom of religion," Judge Gorsuch's rulings "in his decade on the 10th US Circuit Court of Appeals in Denver reflect views more in line with the president and conservatives." Judge Gorsuch "repeatedly has sided with religious groups when they butt up against the secular state," according to the AP.

Gorsuch Scales Back Description Of Harvard Pro Bono Work. The Wall Street Journal

(2/12, Reinhard, Subscription Publication, 6.37M) reports that Judge Gorsuch has scaled back a description of his pro bono work at Harvard Law School after questions were raised over his involvement in two volunteer criminal justice programs. In a questionnaire released on Saturday by the Senate Judiciary Committee, Gorsuch said he "participated" in the two programs. He had said in a 2006 Senate form, as a federal appeals court nominee, that he had represented "defendants in criminal proceedings in Massachusetts state courts" and helped represent inmates, the Journal notes.

DC Area Prepares For Economic Woes Due To Trump's Effect On Federal Workforce, Spending.

The Washington Post (2/12, McCartney, 11.43M) reports that while "the administration and congressional leaders have sent mixed signals about their intentions," the Washington, DC region "is bracing for shock" to its economy due to decreased federal spending. "The region is widely expected to fare worse" than others due to efforts "to restrict the size and cost of the federal workforce." Predicted "sharp cuts in federal nondefense spending...would strain local budgets nationwide and pose a particular threat to economic growth," and while President Trump has called for infrastructure investment, detailed plans appear to involve tax credits, not spending. Meanwhile, business leaders say "Trump's demonization of the capital...has hurt the region's reputation as a good place to work." On top of all this, GOP proposals to convert domestic spending programs into block grants would "shift costs and responsibilities to state and local governments," as well as, according to critics, serve "to mask cuts."

INTERNATIONAL NEWS

Report Disputes Russia's Claims Of Restraint In Syria.

The New York Times (2/12, Gordon, Subscription Publication, 13.9M) reports that while Russian military officials have "vociferously denied that their airstrikes have killed civilians in Syria," but a "new analysis that draws on satellite images, security camera videos, social media and even footage from the Kremlin-backed Russian television network has challenged Moscow's claims." The analysis by the Atlantic Council also "concludes that Syrian forces used chlorine gas on a far greater scale than is commonly believed."

Hezbollah Supports Syrian Ceasefire, Peace Talks.

Reuters (2/12, Francis) reports Hezbollah said Sunday it "strongly supports the Syrian ceasefire agreed on in Kazakhstan and any truce that could lead to a political solution." Leader Hassan Nasrallah said Sunday, "Hezbollah strongly supports, not just the Astana ceasefire, any ceasefire agreed upon in Syria," in order "to prevent bloodshed and pave the way for political solutions."

Opposition Selects Delegation For Geneva Talks.

Another Reuters (2/12, Al-Khalidi, Perry) report says Syria's main opposition body, the High Negotiation Committee (HNC), on Sunday approved a delegation to take part in Geneva peace talks later this month. The group said in a statement after two-days of meetings in Riyadh, the "21-member negotiating team included members of two dissident alliances with which it has previously been at odds."

Tension Mounts Among Shiites In Baghdad After Clashes.

Reuters (2/12, Majeed, Rasheed) reports tensions between Iraq's Shi'ite leaders "mounted on Sunday as the toll from protests in central Baghdad on Saturday increased to six killed." At least 174 other protesters were injured in clashes that pitted police and followers of cleric Moqtada al-Sadr demanding "an overhaul of a commission that supervises elections, ahead of a provincial poll due in September."

Baghdad Protesters, Police Clash Outside Baghdad's Green Zone.

Reuters (2/11, Chmaytelli, Hameed) reports thousands of protesters loyal to Moqtada al-Sadr, a

prominent Shi'ite cleric, gathered in Baghdad on Saturday to press for election commission reforms. Police attempted to disperse some protesters who tried to cross a bridge into the Green Zone, and the protest escalated into clashes that killed as many as five demonstrators and at least one officer. The Interior Ministry said up to 320 people were wounded. Prime Minister Haider al-Abadi issued an investigation into the casualty claims. Al-Sadr, in a statement, accused the police of using excessive force on peaceful demonstrators and called on protesters to "withdraw until further notice."

The Wall Street Journal (2/11, Kesling, Adnan, Subscription Publication, 6.37M) reported Abadi did not address the demonstrators' demands and reiterated that any electoral commission overhauls must be achieved through parliament. Separately, four Katyusha rockets were fired from the eastern side of the city at the Green Zone; no known casualties resulted.

Turkish-Backed Syrian Opposition Forces Stall In Al-Bab.

The Syrian Observatory for Human Rights told the AP (2/11, Issa) that ISIS still controls nine-tenths of the northern Syrian town al-Bab, even though Turkish and allied Syrian opposition troops reached the outskirts of the city seven weeks ago. The operation is a part of Turkey's broader "Euphrates Shield" mission, in which Turkey hopes to clear both ISIS and US-backed Kurdish forces in Syria away from its border, and Syrian opposition forces hope to secure territory. Meanwhile, Kazakhstan's Foreign Ministry announced on Saturday that it is inviting Syrian government and opposition forces as well as Russian, Turkish, and Iranian delegates for preparatory ceasefire talks on Feb. 16 and 17.

WPost Urges Administration To Support Assad's Removal.

The Washington Post (2/11, 11.43M) editorializes the Saydnaya military prison outside of Damascus "deserves attention, if only because it shows the regime's calculated sadism and cold determination to exterminate all who oppose it." Citing an Amnesty International report, the Post says up to 13,000 civilians were systematically executed at Saydnaya, dubbed the "human slaughterhouse," under Syrian President Bashar al-Assad's rule, "and there is no reason to believe the killings have stopped since then." The Post urges "all those who believe that the Syrian civil war" can conclude with Assad still in power to consider the report, and calls on the Administration to avoid decisions that "tolerate or even support the butchers of Damascus."

Iraqis Battling Oil Well Fires Set By Retreating ISIS Militants.

The Washington Post (2/12, Holley, 11.43M) reports on the challenges faced by Iraqi oil workers. Outside of Mosul, retreating ISIS militants set fire to oil wells, and "at least five of the 25 oil well fires left in the militants' wake still rage...forming a second front in the battle for Iraq that is no less dangerous for the proud men involved."

Amnesty International Urges UN To Investigate 13,000 Hangings In Syria.

The Los Angeles Times (2/10, Agrawal, 4.52M) reports Amnesty International urged the United Nations to independently investigate and take action against Syrian government and military prison officials allegedly responsible for as many as 13,000 executions by hanging since 2011. Even though the UN and US have repeatedly denounced the Syrian government's use of chemical weapons, barrel bombs, and airstrikes against civilians, "inaction has been the norm." According to analysts, former President Obama could not convince Congress or any other world leader to move forward with a military operation, in part because Russian President Vladimir Putin is an ally of Syrian President Bashar Assad. Furthermore, any action on behalf of the UN Security Council would require unanimous approval, which China and Russia have vetoed in the past.

Afghan Official: Joint US-Afghan Raid Killed 22 Civilians.

The AP (2/12, Khan) reports Helmand presidential envoy Jabar Qahraman and residents of the Sangin district claimed that a joint US-Afghan operation last week led to 22 civilian deaths. A statement by American spokesman CAPT Bill Salvin indicates American forces have "not reached any conclusions" about civilian casualties. According to Reuters (2/12, Smith), a UN statement on

Sunday indicated the strikes killed 18 civilians, primarily women and children, and the UN's most recent report shows civilian deaths from American and Afghan airstrikes "dramatically" increasing in 2016.

Media Analyses: Netanyahu Will Seek To Reset US Ties During Talks With Trump.

Bloomberg Politics (2/12, Wainer, 201K) reports that when he visits the White House this week, Israeli Prime Minister Benjamin Netanyahu will try to "recalibrate ties" with the US "after eight years of high-profile clashes" with President Obama. Netanyahu "sees a chance for a warmer relationship" with President Trump. "The overriding goal will be to restore the relationship so that there are no surprises and no daylight," said former Ambassador Michael Oren, now a deputy minister in Netanyahu's office. The New York Times (2/12, Fisher, Subscription Publication, 13.9M) reports Netanyahu "suggested on Sunday that it was unrealistic to expect their two countries to agree completely on all issues," but insisted that "he was the strongest leader to navigate the relationship – the nation's most important, yet often its trickiest." The Times says Wednesday's meeting is "expected to set the tone for the American-Israeli relationship."

According to Reuters (2/12, Heller), Netanyahu said Sunday he would present "responsible policies" in talks with Trump, "signaling to the Israeli far-right to curb its territorial demands in the occupied West Bank." Said the Israeli leader, "I understand there's great excitement about this meeting (with Trump). But...my primary concern is Israel's security (and) strengthening our solid alliance with the United States." That, he added, "requires responsible policies," without elaborating. The Washington Post (2/12, Booth, 11.43M) reports that during his visit, Israeli Education Minister Naftali Bennett, leader of the pro-settlement Jewish Home party, pressed Netanyahu "to abandon his tentative commitment to the two-state solution," and not to use the words "Palestinian state."

The Los Angeles Times (2/12, Wilkinson, 4.52M), however, notes that on Friday, Trump told Israel Today that "going forward with settlements" is not a "good thing for peace," a position the Times says "puts him far closer to traditional US policy, and to Obama, than before." Settlements "don't help the [peace] process. I can say that. There is [only] so much land left. And every time you take land for settlements, there is less land left." The Times says the President's remarks "put him at odds with Netanyahu."

Feinstein, Heinrich Call For Continued US Efforts Towards Two-State Solution. In an op-ed in USA Today (2/12, 5.28M), Sens. Dianne Feinstein and Martin Heinrich call for the Administration to "help create the conditions necessary for resuming direct talks between" Israel and the Palestinians, including "a halt to Israeli settlement construction and an end to Palestinian incitement of terror." The senators warn that a two-state solution, which both Democratic and Republican administrations have worked towards, is the only way to stem the violence, provide "true security for Israel," and keep Israel "both majority Jewish and democratic." With "the incitement of violence and terror by Palestinians," Israel expanding settlements, and Trump's nominee to be the ambassador to Israel, David Friedman, expressing "an openly hostile attitude to a two-state solution," Feinstein and Heinrich call for the United States to "continue to play a constructive role, rather than turning a blind eye to actions by either party that undermine the prospects for peace."

Media Analysis: Trump-Trudeau Meeting Comes Amid Questions About Relationship.

The AP (2/12, Gillies) reports the first in-person meeting between President Trump and Canadian Prime Minister Justin Trudeau "could be the most important meeting for Canada" with a US leader "in decades." The meeting comes, according to the AP, as "many Canadians fear Trump will enact protectionist measures that could hurt their economy" and are worried that Trump "could be as combative as he was with the leaders of Mexico and Australia." The Wall Street Journal (2/12, Vieira, Mauldin, Subscription Publication, 6.37M) says the meeting likely will provide indications of how Washington intends to proceed with changes to the economic framework of the continent. Trudeau said last week that both Trump and he were "elected on commitments to strengthen the middle class and support those working hard to join it, and that's what we are going to focus on in these meetings."

NYTimes Analysis: Canada's Conservatives Looking For a Way Forward. The New

York Times (2/12, Austen, Subscription Publication, 13.9M) reports that while in many countries the "political right" has "been on the rise lately," Canada's Conservatives "are in the political wilderness" following their 2015 defeat to the Liberals and Trudeau. The Conservatives, according to the Times, also are "lacking a permanent leader to replace" former Prime Minister Stephen Harper. The Times says the Conservatives "are asking" who "can take up our standard, cross swords with a charismatic and popular opponent, and lead us back to power in Parliament?"

Media Analyses: North Korean Missile Launch A Challenge To Trump.

Media reports on North Korea's test early Sunday of a mid-range ballistic missile cast the move as a test of the Trump Administration. On NBC Nightly News  (2/12, story 2, 0:55, Snow, 16.61M), for example, Kier Simmons said the launch "was a direct and deliberate challenge to the new Administration," and the AP (2/12, Talmadge) too says it was "an implicit challenge" to President Trump.

ABC World News Tonight  (2/12, story 2, 1:50, Llamas, 14.63M) noted the test came as Trump hosted Japanese Prime Minister Shinzo Abe at Mar-a-Lago. The leaders responded "with a swift joint statement, calling the test launch intolerable and Trump assuring that the US has Japan's back 100 percent." ABC's David Wright noted Sunday's launch was Pyongyang's first missile test since Trump took office, and while it "posed no threat to the US...it was a crucial test of Trump's commitment to the US-Japan security alliance."

The Washington Post (2/12, Wagner, 11.43M) reported early Sunday that Trump's "hastily called news conference" Saturday evening with Abe ended with a "pledge...to stand by Japan '100 percent' in the wake of North Korea's latest ballistic missile launch." The Post noted that the press conference "lasted barely two minutes" and neither leader took questions from reporters. The AP (2/12, Talmadge) said Abe "read a brief statement," and "Trump followed Abe with even fewer words," saying in part: "I just want everybody to understand and fully know that the United States of America stands behind Japan, its great ally, 100 percent."

The New York Times (2/12, Baker, Subscription Publication, 13.9M) reports that in response to North Korea, Trump "reacted with surprising restraint" in "sharp contrast to his response after Iran tested a ballistic missile." The Times says if Pyongyang "was testing the new president, as many analysts believe, then Mr. Trump seemed intent on showing that he would not be baited into a confrontation."

USA Today (2/12, Madhani, 5.28M) reports Trump adviser Stephen Miller told Fox News Sunday  (2/12, Wallace) that Trump is sending an "unmistakable signal to North Korea and to the entire world," and is determined to "reinforce and strengthen our vital alliances in the Pacific region as part of our strategy to deter and prevent the increasing hostility that we've seen in recent years from the North Korean regime." On CBS' Face the Nation  , Miller said, "Last night was a show of strength. Saying that we stand with our ally, having the two men appear on camera worldwide to all of planet earth was a statement that will be understood very well by North Korea." Reuters (2/12, Chiacu) also reports Miller's comments.

The Wall Street Journal (2/12, A1, Nicholas, Lee, Cheng, Subscription Publication, 6.37M) reports on its front page that in the wake of Sunday's test, Trump is facing calls for a show of strength toward North Korea. Sen. Cory Gardner urged Trump to "immediately pursue a series of tough measures," including sanctions, military exercises with US allies in the region, and the accelerated deployment of an advanced missile system in South Korea. Sen. Tom Cotton similarly said, "It's time the regime had to face consequences for its behavior."

For its part, Reuters (2/12, Park) reports North Korea hailed the test of a new type medium-to-long-range ballistic missile as successful. State-run media said leader Kim Jong Un supervised the test of the Pukguksong-2. AFP (2/12) reports the missile flew for "about 500 kilometers (310 miles) before falling into the Sea of Japan," according to South Korea's defense ministry. The New York Times (2/13, Choe, Subscription Publication, 13.9M) reports North Korea said the missile "used a high-thrust, solid fuel-powered engine and was fired from a self-propelled missile launching truck," which is "an important stride."

The AP (2/12) reports the US, Japan, and South Korea have requested an urgent meeting of the UN Security Council, which "is expected to take place Monday."

Trump Urged To Pursue Tougher Sanctions. On CNN's Fareed Zakaria GPS (2/12, Zakaria, 410K), Richard Haass, president of the Council on Foreign Relations, said, "We're moving towards the situation where either...we get the Chinese on board and we increase the pressure on [North Korea] through sanctions, and the Chinese are in the unique position to do it ,or Mr. Trump is going to have to face a truly fateful decision about whether we're prepared to live with a North Korea with the capability against us or we're going to use military force one way or another to destroy their nuclear missile capabilities."

Also CNN's Fareed Zakaria GPS (2/12, Zakaria, 410K), former Director of Policy Planning at the State Department, Anne-Marie Slaughter, said, "There is a tougher policy. We can impose much more personal sanctions that strike at the heart of the actual North Korean regime. China doesn't want us to do that, but it has been effective. The question is whether Trump will use this to get a tougher policy."

CNN's Stetler Criticizes Trump For Tweets About CNN In Wake Of Missile Test. Brian Stelter said on CNN's Reliable Sources (2/12, 301K), "Donald Trump's Twitter feed matters, not because it gives us on TV something to talk about, but because foreign leaders are all monitoring it, all paying very close attention, foreign leaders like Kim Jong-un. On a weekend when the President faces his first real international test with North Korea, on a weekend when he's hosting the Japanese prime minister at Mar-a-Lago, on a weekend when he's supposedly working on his response to the Ninth Circuit, Trump is tweeting about all this: 'While he's on Fake News CNN, Bernie Sanders was cut off for using the term fake news to describe the network. They said technical difficulties.'"

Steinmeier, A "Critic" Of Trump, Elected Germany's President.

A special assembly on Sunday elected former German Foreign Minister Frank-Walter Steinmeier the country's new president. Steinmeier received 931 of the 1,260 votes that came from the lower house of parliament and representatives of Germany's states. Media coverage highlights that Steinmeier has been a critic of President Trump. The New York Times (2/12, Smale, Subscription Publication, 13.9M) reports – in a story discussing Chancellor Angela Merkel's precarious political situation caused by the rising popularity of the country's right – says Steinmeier's new position "provides stature and an important platform" despite its largely ceremonial role.

Bloomberg News (2/12, Donahue, 2.41M) says Steinmeier – who is a "vocal critic" of Trump and once called him a "hate preacher" – "predicted 'difficulties' in relations with the US" amid a "complete re-ordering of international relations." Steinmeier told broadcaster ZDF after his election, "In the past we were always certain that we would have more difficult negotiating partners in the east." He continued, "Suddenly we're confronted with a situation in which we'll at the very least deal with uncertainty and also difficulties in trans-Atlantic relations." The Washington Post (2/12, 11.43M) reports Steinmeier "shunned political tension or any mention of Trump" in his acceptance speech. However, the Post adds that Steinmeier characterized Germany as an "anchor of hope" in an increasingly uncertain world. Steinmeier said, "We're living in tumultuous times; many in our country feel insecure."

The Wall Street Journal (2/12, Geiger, Subscription Publication, 6.37M) reports Steinmeier's election was expected as, according to the AP (2/12, Press), the Social Democrat "had the backing" of German Chancellor Angela Merkel's "grand coalition" of center-right and center-left parties. The AP says Steinmeier "has long been one of Germany's most popular politicians." He was the chief of staff of former Chancellor Gerhard Schroeder and "was a main architect" of Schroeder's economic reforms. The Los Angeles Times (2/12, Kirschbaum, 4.52M) reports Merkel's Christian Democrats "had failed to agree on their own candidate" and "reluctantly threw their weight behind" Steinmeier "after criticizing his uncharacteristically sharp comments about Trump." Reuters (2/12, Rinke) quotes Merkel as saying she has "faith" in Steinmeier "to lead our country in these difficult times."

UK Defense Minister Praises Trump's Efforts To Strengthen NATO.

The Wall Street Journal (2/12, Kesling, Subscription Publication, 6.37M) reports British Defense Minister Michael Fallon said Saturday that US-British defense ties have never been stronger and

welcomed President Trump's efforts to strengthen NATO by pushing allies to contribute more to their mutual defense. "The British-American defense partnership is the deepest, strongest defense partnership anywhere in the world," Fallon said.

Iran Arrests Eight Foreigners Suspected Of Plotting Attacks.

Reuters (2/11) reports Iranian Intelligence Minister Mahmoud Alavi announced on Saturday that security forces arrested eight armed Sunni Islamist foreigners, or "Takfiri." The state news agency IRNA wrote, "Initial information indicates that Kalashnikovs and other equipment were obtained to carry out terrorist operations" in Tehran and other cities "under the direct guidance" of militants in neighboring nations. Alavi did not indicate from what nation the alleged organizers resided, but Iranian officials have accused Saudi Arabia in the past of supporting ISIS.

Thousands Protest Against Trump, Pena Nieto In Mexico.

Thousands of Mexicans protested against President Trump on Sunday on the streets of Mexico City and other cities. Media coverage says that while protest organizers intended for the demonstrations to focus on Trump, many attendees chose to use the events to speak out against their own president – Enrique Pena Nieto. The Los Angeles Times (2/12, McDonnell, 4.52M) reports the protesters "wav[ed] Mexican flags and signs denouncing" Trump as they marched through Mexico City in "the largest mobilization in the capital to date against" the American President's policies. Protest organizers, according to the Times, "dubbed the march 'Vibra Mexico' (roughly, Mexican vibe) and mounted an aggressive social media campaign encouraging people to attend."

However, the Washington Post (2/12, Agren, 11.43M) says organizers "envisaged a protest that would condemn Trump's treatment of Mexico, but also demand more of Mexican politicians." The Post says the "balance was proving difficult to maintain" as "hashtags criticizing the Vibra México protest were trending on Twitter" and organizers "were pleading with protesters" to focus on Trump. Many protesters, according to Reuters (2/12, Garcia), "also heaped scorn on their own president" as they criticized him for being "a weak leader who has presided over rampant corruption and violence at home."

WSJournal Analysis: Trump Moves Toward Center On Foreign Policy.

The Wall Street Journal (2/12, Nicholas, Lee, Subscription Publication, 6.37M) under the headline "Donald Trump's Diplomatic Moderation" reports that President Trump seems to be moving towards following a more traditional US foreign policy than was suggested by some of his campaign statements. As an example, the Journal cites Trump's appearance with Japanese Prime Minister Shinzo Abe following the North Korean missile launch in which he said the "United States of America stands behind Japan, its great ally, 100%." That is contrasted to campaign suggestions that Japan benefits more than the US from the alliance. Similar shifts towards established policy are described with respect to the "one-China" policy, NATO, and sanctions against Russia over Ukraine. The moves are credited to advice from Defense Secretary Mattis and Secretary of State Tillerson, as well as Trump's meetings with other leaders.

CSMonitor Analysis: With Similarities To FDR, Trump Moving To Reverse His International Legacy. The Christian Science Monitor (2/12, Jonsson, 387K) reports that, among Americans who feel "a mix of Christian apocalyptic thought peppered with a sense of humiliation at the hands of foreigners," there is a "broader sentiment taking root" that looks to President Trump to revise President Franklin Delano Roosevelt's "legacy of fearless optimism and world leadership." The Monitor uses examples of those who agree with Trump in Warm Springs, Georgia, where Roosevelt built his "Little White House." The Monitor says that despite their different philosophies, Trump and Roosevelt are similar in how "both took on the courts, both pushed the boundaries executive authority in the name of national security, and both showed an ability to take advantage of emerging media," as well as how much of their bases are "self-described 'commoners; who feel they have a handshake deal with the president."

WSJournal Lauds Trump's Handling Of China, Japan. In an editorial, the Wall Street Journal (2/12, Subscription Publication, 6.37M) lauds President Trump's phone call with China's Xi Jinping and summit with Japan's Shinzo Abe, contrasting the planning and respect with Trump's

previous dealing with foreign leaders. The Journal defends Trump's affirmation of the "One China policy," which he previously said was under negotiation, as not capitulating to China's stance on the issue but setting the stage for expanding support for Taiwan. The Journal also welcomes Trump's reversal from casting Japan as a freeloader to expressing support for the country's defense and praise for Abe.

NYTimes Analysis: Foreign Diplomats Hope Haley Speaks For Administration.

The New York Times (2/12, Sengupta, Subscription Publication, 13.9M) reports that world diplomats are "figuring out how to deal with President Trump." To do that, "they're counting on his United Nations envoy, Nikki R. Haley." They are, however, said to wonder whether Haley is "speaking for herself, or for the administration?" Still they are "queuing up to see her," and "nearly all described" her "as a natural politician and a refreshing contrast to the president."

Peruvian President Asks Trump To Consider Deporting Former Leader.

Reuters (2/12, Taj) reports Peruvian President Pedro Pablo Kuczynski said in a statement that he asked President Trump, by phone, to "consider deporting" ex-president Alejandro Toledo, who is "wanted in connection with a far-reaching graft probe." The issue "is threatening to strain tensions between the United States and Peru." Trump said that they spoke to "reinforce the strong bilateral ties that exist between the United States and Peru," the White House said, but it "did not mention Toledo in a read-out of the conversation."

IMF Head: Trump Policies Likely To Be Good For American Economy In The Short Term.

The AP (2/12, Gambrell) reports International Monetary Fund head Christine Lagarde, during an event at the World Government Summit, predicted President Trump's planned infrastructure investment and tax changes would produce short-term gains for the American economy, but warned of "a tightening that is going to be difficult on the global economy and for which economies have to prepare."

Hezbollah Leader Calls Trump An "Idiot."

The AP (2/12) reports Hezbollah leader Hassan Nasrallah said Sunday that "the world will benefit from having an 'idiot' in the White House." Referring to President Trump, Nasrallah said, "We are very optimistic that when an idiot settles in the White House and boasts about his idiocy, this is the beginning of relief for the oppressed around the world."

Moscow Supporting Europe's Far Right Populists.

NBC Nightly News  (2/12, story 3, 2:15, Snow, 16.61M) reported, "Moscow is exerting more and more political influence in Europe." NBC (Bradley) added that Russia is providing "loans, cooperation, and propaganda" to Europe's increasing vocal far right populists, "even as the US reels from Russian political interference in its own presidential election." In response, the EU "created an agency to counter anti-Europe propaganda."

WPost Touts Russian News Network, Warns Against Political Interference. In an editorial, the Washington Post (2/12, 11.43M), touts Current Time television as a response to Russia's "dark mastery" of soft power in the form of "propaganda, news, social media, cybermischief, deception, leaks and other means to influence hearts and minds." The 24/7 Russian-language television network provides fair reporting without disinformation in Russia and countries. Arguing that "key" to the venture's success is being "deemed credible by audiences that have been fed a steady diet of anti-Americanism in recent years," the Post warns the Administration against making it a propaganda machine. The Post also calls for Congress to make sure this response to Russia's information war, "using real news and straight programming and reflecting the highest and best values of our open society," remains "properly financed and politically unhindered."

Bolton Lauds Reports Trump Seeks To Cast Aside New START Treaty.

Former Ambassador John Bolton, in an op-ed in the Wall Street Journal (2/12, Subscription

Publication, 6.37M), welcomes reports of President Trump's disdain for the 2010 New START arms-control treaty. Bolton argues that the treaty has been bad for the US and Trump's position indicates a refusal to accede to Vladimir Putin's wishes. Acknowledging concerns that Trump will weaken the sanctions on Russia, Bolton warns this would embolden Russia in its dealings in the Middle East, particularly with Iran, weaken Western Europe's resolve on sanctions, and alarm Central and Eastern Europe. Bolton concludes that Trump has to realize that countries' foreign policies are driven by national interests, not personal chemistry.

Romanians Continue To Protest Government Corruption.

Bloomberg Politics (2/12, Timu, 201K) reports that 70,000 people demonstrated throughout Romania on Sunday to demand the cabinet step down, according to local media. Bloomberg Politics notes this 13-day protest is the largest show of unrest since the 1989 ousting of dictator Nicolae Ceausescu. According to the Wall Street Journal (2/12, Hinshaw, Subscription Publication, 6.37M), many protesters see National Anticorruption Directorate chief prosecutor Laura Codruta Kövesi as a symbol of change in Romania. The NAD has reportedly increased in authority in recent years, with 2,100 abuse-of-office cases currently under investigation, among them many high-profile politicians. The Journal says that older generations resist the anticorruption measures as reminiscent of communist era rule. The New York Times (2/12, Gillet, Subscription Publication, 13.9M) also reports on the story.

Kashmir Clash Between Indian Troops, Militants Leads To Violent Protests.

The New York Times (2/12, Kumar, Subscription Publication, 13.9M) reports that four militants, two soldiers, and one civilian died in a gun battle between Indian security forces and Hizbul Mujahedeen militants lasting 12 hours into Sunday morning in a Kashmir village. Young people who gathered to grieve the deaths of the militants threw stones at security forces. The troops responded with gunshots and tear gas, resulting in one death and 21 injuries, according to the local hospital superintendent.

Somaliland To Allow UAE To Establish Naval Base.

Somaliland's parliament on Sunday approved the United Arab Emirates' formal application to establish a naval base in the territory's Berbera port town, the AP (2/12, Guled) reports. An official with the Somali breakaway territory explained the UAE intends to use the base to attack Shia Houthi fighters in Yemen and Somaliland President Ahmed Silanyo claimed the measure would create jobs and benefit the territory. Nine parliamentary lawmakers vehemently opposed the "controversial" plan, as did neighboring Ethiopia and Djibouti.

WSJournal Analysis: Despite European Unhappiness, IMF Won't Budge On Greece Bailout.

In an analysis, the Wall Street Journal (2/12, Nixon, Subscription Publication, 6.37M) reports that the window for a with the window for a Greek Debt deal quickly closing, European governments and institutions sorely want to resolve the standoff over the next phase of the country's bailout program, but the International Monetary Fund is standing firm against political pressure, refusing to participate because it believes the numbers don't add up. Many Europeans criticize the IMF as being overly pessimistic in its forecasts and assessment of the country's prospects for reform. The Journal concludes that should Europe seek to postpone the Greek bailout issue until after this year's elections, the IMF will not be part of it.

Egyptian Cost Of Living Soars.

The Wall Street Journal (2/12, Lohade, Kholaif, Subscription Publication, 6.37M) reports Egypt's largely working- and middle-class people are seeing jumps in the cost of living due to high inflation, a weaker currency, falling government subsidies, a new value-added tax, and increased tariffs. However, the government has had to take tough measures on the economy to get International Monetary Fund money that will support an economy hurt by years of political unrest and pay for importing necessities such as wheat and medicine.

Cambodian Opposition Party Leader Resigns.

The New York Times (2/12, Wallace, Subscription Publication, 13.9M) reports Cambodia's "embattled" opposition party leader, Sam Rainsy, abruptly resigned on Saturday in what he described as a "pre-emptive defense move" to save the Cambodia National Rescue Party ahead of June's local elections. Earlier this month, Prime Minister Hun Sen proposed a series of moves through which he could dissolve any party, including the CNRP, headed by someone with a criminal conviction. A number of criminal defamation lawsuits have been filed against Rainsy, a long-lasting, "internationally visible opposition figure," who leads the Cambodian People's Party.

Swiss Voters Approve Simplified Citizenship Process For Third-Generation Immigrants.

The New York Times (2/12, Cumming-Bruce, Subscription Publication, 13.9M) reports Swiss voters, in a national referendum on Sunday, approved a government-sponsored measure to simplify and expedite the citizenship approval process for third-generation immigrants under 25-years-old. The measure will not grant automatic citizenship to children of non-citizens born in the nation, but nearly 25,000 people who are the descendants of foreigners with permanent residency status are no longer subjected to the "lengthy and expensive procedure to obtain citizenship." The Times says Sunday's vote "went against the recent tide of right-wing populism and anti-immigrant sentiment in much of Western Europe." The result also, according to the Times, came despite a campaign by the right-wing People's Party "to stoke fears of Muslims infiltrating the country."

Spain's Far-Left Podemos Party Head Defeats Leadership Challenge.

The New York Times (2/12, Minder, Subscription Publication, 13.9M) reports Spain's Podemos Party leader Pablo Iglesias "won an unexpectedly clear victory" in a leadership challenge vote on Sunday. The Times says Iglesias' win is expected to bolster his far-left party's "radical" and "anti-institutional hard-line policies." The Times adds the result will also "likely" increase "pressure on the Socialists," which is in the throes of its own "bitter leadership dispute."

Voeten: Public Recognizes Friendly, Hostile Countries Well.

Erik Voeten, in the "Monkey Cage" blog of the Washington Post (2/12, 11.43M) writes, "The public does pretty well" in recognizing which countries are friendly and hostile to the United States in international affair. A YouGov survey of 7,150 Americans between Jan. 28 and Feb. 1 found a "quite high" correlation between public opinion of 144 countries and their alignment with US interests, as measure by voting with "the United States in the United Nations General Assembly on contentious issues during the 71st session (fall of 2016)." Voeten concludes, "in the aggregate, the public does have a pretty clear sense of who the United States' foes and friends are." However, Trump's hostility towards such countries may not hurt him politically, as academic research indicates "the public doesn't lead but follows messages by political leaders when forming opinions about foreign policy."

THE BIG PICTURE

Headlines From Today's Front Pages.

Wall Street Journal:
Flynn's Position Grows Tenuous
Trump Faces Test Over North Korea Missile
Speed Limits On Trump's Infrastructure Drive: Federal Laws, Rare Species And Nimbys
Will Snap Pop? Investors Seem Skeptical

New York Times:
Turmoil At The National Security Council, From The Top Down
Trump Sons Forge Ahead Without Father, Expanding And Navigating Conflicts
As Japan Ages, Menus Adapt To Finding The Gourmet In Purées
Subway's Slide In Performance Leaves Straphangers Fuming

"Hamilton" And "Harry Potter" Productions Try To Outwit Scalpers
Adele Dominates Grammys; Beyoncé Gives Showstopping Performance

Washington Post:
Protesters Breaking Camp, But Not With Broken Spirits
Bannon's Navy Experience Shaped His Worldview
Doubts Swirl On Flynn's Standing
GOP Moves Quickly To Curtail Regulations
Chaffetz Unfazed By Detractors In Utah And The District

Financial Times:
Swiss Voters Reject Corporate Tax Reforms
North Korea Tests Trump With Missile Launch
Navalny Determined To Run For Presidency Of Russia
ArcelorMittal Calls For Carbon Levy On EU Imports
Washington Times:
72 Convicted In US Terror Cases Came From Nations Targeted For Vetting
Liberals Commandeering Obamacare Town Halls, Blasting GOP Plan For Repeal
Academic Feud Over Noncitizen Voters Resurfaces With Fraud Probe
Trump Cautious In Response To North Korean Missile Launch
By Backing Trump's Interior Pick, Democrat Tester Thins Republican Field In Montana

Story Lineup From Last Night's Network News:
ABC: Severe Weather; North Korea Missile Test; Immigration Order-Legal Challenge; Immigration Crackdown; Chicago Weekend Gun Violence; Severe Weather-West Coast; Online Romance Scam; Oklahoma City Fire; Oregon Hiker Rescue; Womens University Basketball; Al Jarreau Dies; Firefighter Adaption.
NBC: Immigration Order; North Korea Missile Test; Russia-EU Political Influences; Germany Airport Air Contamination; Severe Weather; Gun Control; College Hall Name Changes; Al Jarreau Dies; General Moore Dies; Cuban Immigrants; Sex-Trafficking Documentary; Jewish Muslim Protester Families.

Network TV At A Glance:
Weather – 5 minutes, 15 seconds
Immigration Order – 4 minutes, 35 seconds
North Korea Missile Test – 2 minutes, 45 seconds

Story Lineup From This Morning's Radio News Broadcasts:
ABC: Oroville Dam Evacuation; Severe Weather; North Korea Missile Test; Grammy Award.
CBS: Oroville Dam Evacuation; Grammy Award; Immigration Order; Michael Flynn Controversy; North Korea Missile Test; Severe Weather.
FOX: Oroville Dam Evacuation; Severe Weather; Missing Fishing Boat; Grammy Award.
NPR: Oroville Dam Evacuation; Immigration Crackdown; Retailers Drop Trump Brand; Grammy Award; Al Jarreau Dies; US Gasoline Price.

WASHINGTON'S SCHEDULE

Today's Events In Washington.

White House:
PRESIDENT TRUMP — Speaks with President Muhammadu Buhari of Nigeria by phone; speaks with President Jacob Zuma of South Africa by phone; meets with Prime Minister Justin Trudeau of Canada; meets with the Republican National Committee Chairwoman and Co-Chairman; participates in a pinning ceremony for Major Ricardo (Rick) Turner; speaks with Maureen Scalia by phone.
VICE PRESIDENT PENCE — Joins the President to participate in a bilateral meeting with Canadian

Prime Minister Justin Trudeau; holds a series of meetings with lawmakers.
US Senate: Senate votes on Treasury Secretary-nominee Steven Mnuchin – Senate convenes with agenda including vote on the nomination of Steven Mnuchin to be Secretary of the Treasury * Then-President-elect Donald Trump announced the nomination of the former Goldman Sachs partner in November Location: Washington, DC http://www.senate.gov/
US House: 2:00 PM House of Representatives meets for legislative business Location: Washington, DC http://www.house.gov/

5:00 PM House Rules Committee hearing – Hearing on 'H.J. Res. 66 – Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees' and 'H.J. Res. 67 – Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees' Location: H-313, U.S. Capitol, Washington, DC http://www.rules.house.gov/ https://twitter.com/RulesReps

5:30 PM House Oversight and Government Reform Committee Business Meeting – Business Meeting, with agenda including 'H.J. Res. 27, Disapproving the action of the District of Columbia Council in approving the Death with Dignity Act of 2016' * Democratic Rep. Eleanor Holmes Norton has criticized the decision to mark up the resolution regarding the Death with Dignity Act without a hearing on it with witnesses, calling it 'an abuse of Congressional authority over the District' which 'violates the spirit of the Home Rule Act' Location: Rm 2154 Rayburn House Office Bldg., Washington, DC http://oversight.house.gov/ https://twitter.com/GOPoversight
Other: 7:30 AM National Congress of American Indians Executive Council Winter Session – National Congress of American Indians 2017 Executive Council Winter Session (aka Tribal Nations Legislative Summit). Speakers include House Minority Leader Nancy Pelosi, White House Deputy Director of Intergovernmental Affairs William Kirkland, Sens. Tom Udall, Al Franken, Steve Daines, James Lankford and Lisa Murkowski, and Reps. Tom Cole, Raul Grijalva, Frank Pallone and Norma Torres Location: Capital Hilton, 1001 16th St NW, Washington, DC http://www.ncai.org/ https://twitter.com/NCAI1944

12:15 PM 'Afghanistan: Prospects for 2017 and Beyond' New America discussion – 'Afghanistan: Prospects for 2017 and Beyond' New America discussion, with keynote from Afghanistan Ambassador to the U.S. Amb. Dr Hamdulla Mohib, and Hoplite Group CEO Ioannis Koskinas discussing the prospects for the Afghan Govt and people and how President Donald Trump can shape U.S. policy towards Afghanistan Location: New America, 740 15th St., NW, Washington, DC http://www.newamerica.org/ https://twitter.com/NewAmericaISP #AfghanProspects

2:00 PM National ABLE Alliance promote program on Capitol Hill with GOP Sen. Richard Burr – National ABLE Alliance – a multi-state partnership to help individuals with a disability or blindness save for a better future without jeopardizing their federal benefits – promote their program at Capitol Hill event, with Republican Sen. Richard Burr, State Treasurers Michael Frerichs (Illinois), Dale Folwell (North Carolina), Joe Torsella (Pennsylvania), Seth Magaziner (Rhode Island), and Michael Fitzgerald (Kansas), National Down Syndrome Society's Heather Sachs, Autism Speaks' Stuart Spielman, ABLE Administrator Jeff Howkins, ABLE Fellow Daniel Elkus, and ABLE National Resource Center's Chris Rodriguez Location: SVC 209, U.S. Capitol, Washington, DC savewithable.com

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, February 15, 2017 7:25 AM
To:	James B. Comey
Subject:	Tweet

Donald J. Trump @realDonaldTrump 5m5 minutes ago

Information is being illegally given to the failing @nytimes & @washingtonpost by the intelligence community (NSA and FBI?).Just like Russia

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, February 15, 2017 12:09 PM
To:	James B. Comey
Subject:	Proposed Exec SVTC Topics

- Current events
- AG Meeting with DOJ Law Enforcement Agencies re: violent crime (Last Thursday) - QT Meeting with NA sessions and SOS class (Monday) - POTUS CT Meeting (Yesterday) - National African American History Month Commemoration (This morning) - Seattle FOV (Tomorrow) - NOBLE Event (Friday morning) - African American Agents Association Conference (Saturday) @McLean, VA - Enjoy President's Day Holiday Weekend

FEDERAL BUREAU OF INVESTIGATION
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FOI/PA# 1374160-000

Total Deleted Page(s) = 11
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Page 179 ~ Referral/Consult;
Page 180 ~ Referral/Consult;
Page 181 ~ Referral/Consult;
Page 393 ~ b5; b6; b7C;
Page 394 ~ b5;
Page 395 ~ Referral/Consult;
Page 396 ~ Referral/Consult;
Page 397 ~ Referral/Consult;
Page 403 ~ b5;
Page 405 ~ b5;

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Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Thursday, February 16, 2017 10:04 AM
To: James B. Comey
Subject: FW: FBI Public Affairs News Briefing Thursday, February 16, 2017

b7E

From: Bulletin Intelligence [mailto:[redacted]]
Sent: Thursday, February 16, 2017 7:03 AM
To: [redacted]
Subject: FBI Public Affairs News Briefing Thursday, February 16, 2017

Mobile version and searchable archives available at [redacted]

FBI News Briefing

TO: THE DIRECTOR AND SENIOR STAFF

DATE: THURSDAY, FEBRUARY 16, 2017 7:00 AM EST

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- Study: ISIL Terror Suspects Charged In US Are Frequently Citizens.
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CRIMINAL INVESTIGATIONS

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- Attorney: Feds Investigating Sexual Harassment Payments By Fox News.

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- GAO Head: Federal Legacy Systems Pose Hindrance To Improved Agency Cybersecurity.
- US Steel Withdraws Claim Against Alleged Cybertheft Of Intellectual Property.
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- New Rebel Offensive In Southern Syria Threatens Cease-Fire.
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- Mattis To NATO Allies: Pay More Or US Will "Moderate Its Commitment."
- Tillerson In Germany On His First Overseas Trip.
- Dunford To Meet With Russian Counterpart.
- Fighting Escalates In Eastern Ukraine.
- Fox News Analysis: "Trump Effect" Sparks Anti-Immigrant Push In European Elections.
- Trump Calls On Venezuela To Release Jailed Opposition Leader.
- Tillerson, Kelly To Visit Mexico Next Week.
- Malaysia Arrests Two Suspects In Killing Of Kim Jong-Un's Half-Brother.
- Burma Says Retired Army Officer Paid For Human Rights Lawyer's Murder.

- South Africa Considers $260-Per-Month Minimum Wage.
- Police Whistleblower Scandal Puts Irish Cabinet In Crisis.

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- Headlines From Today's Front Pages.

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- Today's Events In Washington.

LEADING THE NEWS

Trump Blasts "Illegally Leaked" Flynn Information, Readies "Broad Review" Of Intel Agencies.

Coverage of National Security Adviser Flynn's resignation continues to be heavy, including reports on all three network newscasts and extensive cable commentary. The focus of the story has shifted to the President's comments on the matter Wednesday, as well as to calls from lawmakers for an investigation into whether Trump campaign aides were in contact with Russian officials during last year's campaign. Trump is portrayed very unfavorably in most reports, with many deriding his criticism of the media and what he termed "illegally leaked" information on Flynn as an attempt to distract from legitimate questions about his aides' contacts with Russian officials. On  CNN's Situation Room (2/15, 554K), for example, Jim Acosta said, "You can see the President is taking no responsibility for any of this. He's blaming the press." Scott Pelley, in the lead story for the CBS Evening News  (2/15, lead story, 3:10, Pelley, 11.17M), reported Trump "lashed out...at perceived enemies," suggesting that "the FBI and the NSA are behind what he called 'illegal leaks of classified information' that led to the downfall of Michael Flynn."

Politico (2/15, Nelson, 2.46M), meanwhile, said that while Trump "is facing a very real threat of growing calls for investigations into numerous controversies," he is "on the offensive, blaming the media and the intelligence community for what he continues to call 'fake news.'" In a tweet Wednesday morning, Trump wrote, "The fake news media is going crazy with their conspiracy theories and blind hatred. @MSNBC & @CNN are unwatchable. @foxandfriends is great!" Trump added, "This Russian connection non-sense is merely an attempt to cover-up the many mistakes made in Hillary Clinton's losing campaign," and "Information is being illegally given to the failing @nytimes & @washingtonpost by the intelligence community (NSA and FBI?). Just like Russia." The Washington Times (2/15, Sherfinski, 272K) reports that Trump tweeted, "The real scandal here is that classified information is illegally given out by 'intelligence' like candy. Very un-American!"

In fact, the New York Times (2/15, Risen, Rosenberg, Subscription Publication, 13.9M) reports, "Administration officials" say Trump "plans to assign a New York billionaire to lead a broad review of American intelligence agencies...an effort that members of the intelligence community fear could curtail their independence and reduce the flow of information that contradicts the president's worldview." Cerberus Capital Management co-founder Stephen A. Feinberg's potential role "has met fierce resistance among intelligence officials already on edge because of the criticism the intelligence community has received from Mr. Trump during the campaign and since he became president." While there has been no announcement on the matter, Feinberg "recently told his company's shareholders that he is in discussions to join the Trump administration." The Hill (2/15, Vladimirov, 1.25M) also reported on Feinberg's possible position, citing the Times report.

The Washington Times (2/15, Taylor, 272K) says the Administration and the intelligence community "moved closer to open warfare in the wake of National Security Adviser Michael Flynn's spectacular downfall – and the fallout is unnerving key American intelligence partners around the world." The Times cites a "senior Republican national security source" who said, "Our foreign partners are deeply alarmed and unsettled by what they're seeing in Washington." The Wall Street Journal (2/15, Harris, Lee, Subscription Publication, 6.37M) cites current and former officials who said US intelligence officials have withheld sensitive information from Trump amid concerns it might be leaked. The Journal says the decision to withhold the information highlights the level of mistrust between Trump and the intelligence community.

The New York Daily News (2/15, Joseph, 4.45M) says Trump "fiercely defended" Flynn and

"took aim at the leaks." Lester Holt said on NBC Nightly News  (2/15, story 2, 2:50, Holt, 16.61M) said Trump's praise for Flynn a day after he forced him out, leaves "the question whether the President would have fired him had Flynn's false statements about his dealings with a Russian official not gone public." Kristen Welker called Trump's comments "a stunning act of defiance," and cited "a source inside the White House" who acknowledges that "the episode has been a major distraction and now there are attempts to turn the page."

The AP (2/15, Pace) reports that as Flynn's resignation "sparked a new swirl of controversy over Trump's potential ties to Moscow," Trump "blamed the media and 'illegally leaked' intelligence information for" causing Flynn's downfall. Appearing to "side with his former aide," Trump said it was "really a sad thing that he was treated so badly." To the Washington Times (2/15, Boyer, 272K), Trump offered "an angry defense" of Flynn and "characterized the firing as a result of sabotaging leaks to the media, rather than dissatisfaction with Mr. Flynn's job performance."

Bloomberg Politics (2/15, Olorunnipa, 201K) quotes Trump as saying during a joint news conference with Israeli Prime Minister Benjamin Netanyahu, "He's been treated very, very unfairly by the media – as I call it, the fake media, in many cases." Reuters (2/15, Holland) says Trump called Flynn a "wonderful man." The Washington Post (2/15, Parker, 11.43M) notes that Trump's comments came after White House press secretary Sean Spicer on Tuesday "emphasized that Trump asked Flynn to resign because he could no longer be trusted."

According to The Hill (2/15, Fabian, Hagen, 1.25M), Trump "doubled down on his condemnation of the leaks from the intelligence community," saying, "It's criminal action, a criminal act and its been going a long time, before me. ... But now it's really going on." Trump added, "People are trying to cover up for a terrible loss the Democrats had under Hillary Clinton." Correspondent Chip Reid said on the CBS Evening News  (2/15, story 3, 2:00, Pelley, 11.17M) that "Democrats, including Congressman Adam Schiff, say the focus on leaks is just a distraction." Meanwhile, the "Republican Chairman of the House Intelligence Committee says he will ask the FBI to investigate the recent rash of leaks, and, the penalty on a charge of leaking classified information is up to ten years in prison."

The New York Times (2/15, Landler, Subscription Publication, 13.9M) also says Trump "lashed out at the nation's intelligence agencies," blaming "illegal leaks to the news media" for Flynn's ouster. Trump "tried to shift attention from damaging questions about contacts with Russia by Mr. Flynn and others close to the president, arguing that the outrage is not those contacts, but the leaks about them." However, the Times adds, "the White House has had little success in trying to shift the narrative from the Russian contacts to accusations about the leaking of sensitive information by the intelligence agencies, as well as by the FBI."

Jonathan Karl said in the lead story for ABC World News Tonight  (2/15, lead story, 5:20, Muir, 14.63M) that Trump "is expressing more outrage about leaks in the newspapers than about Flynn's behavior" despite the fact that "during the presidential campaign, then-candidate Trump reveled in leaks when they were about somebody else, Hillary Clinton." The Washington Post (2/15, Parker, 11.43M) also says that Trump's "ire over the insider tips to journalists...contrasted with his indirect praise of the disclosure of leaked internal emails from the Clinton campaign made public by WikiLeaks during the lead-up to the election." Dana Milbank writes in his Washington Post (2/15, 11.43M) column that Trump has gone "from zero to Watergate in 25 days," as media outlets have revived the Nixon era question of what the President knew and when he knew it. Milbank argues, however, that this may be "the wrong question." The "real question" is "whether Flynn, in his contacts with the ambassador, was doing Trump's bidding, at least implicitly."

The New York Times (2/15, Shear, Subscription Publication, 13.9M) reports the President has changed his attitude from "I love WikiLeaks!" on the campaign trail to condemning the acts of those who submit information to the site as "criminal" from the White House. Trump is not the first to change his opinion against Washington's "common currency," with former President Obama having prosecuted more whistle-blowers while in office than all previous presidents combined.

Joe Scarborough said on MSNBC's Morning Joe  (2/15, 270K) that it is up to congressional Republicans "to get to the bottom of this and to begin investigating. And how disheartening it was to see several people on the Hill and some editorial writers say this isn't about

the Russian connections, this is about leaks." Phil Mudd said on CNN's Situation Room (2/15, 554K), "Every President comes in office and says, 'Wow, there's gambling in Vegas and people in Washington, DC leak.' The second challenge you find when you determine that you get leaks like that is not all of them come from the Department of Justice, the FBI, the NSA, people you don't like. Some have come from within your own house. In this case, the White House." Mudd added, "We have a National Security Adviser who had inappropriate conversations with the Russians and lied to his boss, and the blame goes on the National Security Agency. Are you kidding me? Happens every year, every administration...and I think this President is having a hard time accepting that."

Karl also said in the lead story for ABC World News Tonight (2/15, lead story, 5:20, Muir, 14.63M) that "the turmoil in the White House combined with the National Security Council shake-up has some key Republicans in Congress worried about chaos and dysfunction in the West Wing." Sen. John McCain: "We don't know who is in charge, this Flynn situation, the whole environment is one of dysfunction in the Trump Administration."

GOP Lawmakers Alarmed About Flynn Leak; Rubio Says Intel Panel Conducting Probe. Breitbart (2/15, Wong, 2.02M) reported that Sen. Marco Rubio said Tuesday that the Senate Intelligence Committee will examine who wiretapped and leaked Flynn's conversation with the Russian ambassador. Said Rubio, "The Senate Select Intelligence Committee is conducting an investigation into Russia's role in our elections and its aftermath. And I imagine this among other topics will be in the purview of that." Rubio also expressed concern that "intelligence was being leaked to the press, rather than given to committees that have oversight over the intelligence agencies."

Meanwhile House Oversight Committee Chairman Jason Chaffetz said Wednesday that he has asked the Justice Department to investigate the leaks surrounding Flynn. Politico (2/15, Lima, 2.46M) reported that in a letter to Justice Department IG Michael Horowitz, Chaffetz "expressed concern over 'potentially classified national security information' circulated in recent news reports leading up to the resignation of the former national security adviser." Chaffetz wrote, "We have serious concerns about the potential inadequate protection of classified information here. ... In light of this, we request that your office begin an immediate investigation into whether classified information was mishandled here."

House Intelligence Committee Chairman Rep. David Nunes said on Fox News' Hannity (2/15, 535K), "There could have been multiple crimes here committed, but for sure, leaking of classified information is punishable by law. This needs to be looked into by the appropriate agencies, and in fact our committee is going to be requesting that the agencies actually look into this and try to bring these perpetrators accountable and hold them accountable under the law."

Rep. Steve King said on Fox News' Hannity (2/15, 535K), "It looks like it was a strategic plan that was unfolded and kind of synchronized that the intel that was gathered, perhaps by someone within the FBI at the time – less likely one of our other branches or components of the intelligence community – and then strategically released and leaked the information to do the maximum amount of damage to Mike Flynn."

In his Washington Times (2/15, 272K) column, Bill Gertz writes that Flynn's resignation "was the result of a coordinated effort by current and former US intelligence officials to undermine the Trump administration using the disclosure of highly classified communications intercepts." Gertz cites "a White House national security official" who said "the intelligence bureaucrats went after Mr. Flynn" because of "his plan to reform US intelligence agencies that during the Obama administration became mired in political correctness and lost much of their effectiveness." In his "Talking Points Memo" segment on Fox News' The O'Reilly Factor (2/15, 767K), Bill O'Reilly decried what he described as "mass hysteria" over Flynn. O'Reilly argued that there is "no credible evidence that General Flynn was directed to do anything, yet the anti-Trump media spends hours talking trash."

Lawmakers Push For Investigation Of Trump-Russia Ties; Republicans Oppose Select Committee. Correspondent Jim Axelrod said on the CBS Evening News (2/15, story 2, 2:55, Pelley, 11.17M) that Trump "has insulted everyone from federal judges to fellow

Republicans to Meryl Streep," but he has "seemed to bend over backward to avoid criticizing Vladimir Putin." Peter Wehner, who "worked for Ronald Reagan and both Bush administrations, writing speeches and generating policy ideas," says part of the reason "could be financial entanglements between Mr. Trump's real estate empire and Russia." USA Today (2/15, Dorell, 5.28M) provides an overview of Trump's "long-standing ties to Russia," which former US Ambassador to Ukraine and Uzbekistan John Herbst said "might explain why his policy is 'noticeably weaker on Russia than on anything else.'"

Major Garrett said in the lead story for CBS Evening News  (2/15, lead story, 3:10, Pelley, 11.17M) that Democrats "stepped up calls for a bipartisan investigation." While "some Republicans like Tennessee's Bob Corker and South Carolina's Lindsey Graham are calling for thorough inquiries," Sen. Rand Paul "wants to defer to the Justice Department." The Wall Street Journal (2/15, Paletta, Lee, Subscription Publication, 6.37M) says the Administration is facing pressure from lawmakers over its contacts with Russia, with Democrats focusing on whether Flynn was freelancing when he spoke to the Russian ambassador, or acting on the orders of a superior in the Administration. Bloomberg Politics (2/15, Olorunnipa, 201K) describes "a growing sense of political peril" within the GOP and says "leading congressional Republicans on Wednesday joined calls by Democrats for a deeper look at relationships between President Trump's team and Russian government officials."

However, Politico (2/15, Bresnahan, Bade, 2.46M) reported that House Republicans are "downplaying calling for a select committee to investigate the matter." Nunes "reacted angrily to calls for a new probe following a New York Times bombshell report about such communications," telling Politico, "The Democrats can play their politics all they want; they're welcome to do that, this is Washington. ... But as far as I'm concerned, we will continue to investigate the Russian activity like we've done for many years." Of a select committee, Nunes said, "There is not going to be one; I can tell you there is absolutely not going to be one. And I am not going to be lectured by people who are speaking out of both sides of their mouths." House Speaker Ryan expressed a similar sentiment on MSNBC's Morning Joe  (2/15, 270K), saying, "It's not as if the Intelligence Committee has not been already investigating this. They have been and will continue to do that. It's important that it is the Intelligence Committee because they are the ones that have access to classified information."

Meanwhile, USA Today (2/15, Kelly, 5.28M) says congressional Democrats "raced to every open microphone Wednesday to demand a broad and independent investigation." Roll Call (2/15, Bowman, 63K) reported that Democrats "laid out their demands for independent investigations" and "are hopeful public outcry will force the administration and congressional Republicans to comply." In addition, Democrats were "united in calling on Attorney General Jeff Sessions to recuse himself from any Justice Department investigation into whether there was criminal wrongdoing." The AP (2/15, Lardner) reports that Senate Minority Leader Schumer "said Sessions should not be involved because of potential conflicts of interest and because of Justice Department regulations that prohibit individuals with political ties to the subjects of an investigation from leading it."

Schiff, a member of the House Intelligence Committee, said on CNN's Situation Room  (2/15, 554K) that conversations between Trump campaign aides and Russian officials "will be a key investigation into this. There is a lot to look at. We'll look at the what the FBI response was, how they used paid media and trolls and also the issue of collusion." Schiff added that "this is something very much of interest and has to be investigated. And I think that's really one of the most serious allegations to surface since the election." Asked if he believes Trump directed Flynn to tell the Russians that his Administration would roll back sanctions, Schiff said, "I don't know is the answer. But it certainly wouldn't surprise me."

Rep. Kathleen Rice told CNN's Situation Room  (2/15, 554K) that there is "no question that President Trump found out about this three weeks ago...and chose to do nothing until it became public. Now, what that says is he's interested, President Trump is interested in having a very secret administration and that's not what the public deserves."

The New York Times (2/15, Flegenheimer, Subscription Publication, 13.9M) reports that while Democrats "see a scandal 'bigger than Watergate,'" Republicans "see a Russia-size obstacle to conservative legislation," and the result is that "aggressive oversight on Capitol Hill of ties between

President Trump's campaign associates and Russian intelligence is far from assured." Schumer said, "I've been in Congress for a long time. I've never seen anything like this. ... Nothing less than our system of checks and balances, democratic institutions and our national security is at stake." The Hill (2/15, Bolton, 1.25M) said Schumer "warned that Trump officials might try to cover up improper contacts with Russian intelligence." According to Schumer, "there is legitimate concern that President Trump's circle of advisers may try to destroy evidence that could shed light on the substance of reported conversations with Russian agents." Schumer "demanded that all records of contact between Trump's campaign, transition and administration officials be preserved."

The Washington Post (2/15, Demirjian, Sullivan, 11.43M) reports that Senate Democratic leaders agreed "to a bipartisan probe inside Congress" of the allegations, agreeing to "push forward with an ongoing Intelligence Committee investigation." This, as Senate GOP leaders "responded to Flynn's resignation by saying that the Intelligence Committee probably will examine the circumstances," a position they reiterated on Wednesday. Asked on MSNBC's Morning Joe  (2/15, 270K) if there needs to be a special committee, Senate Majority Leader McConnell said, "No. We know how to do our work and we have an Intelligence Committee. ... I don't think we need to go through setting up a special committee but we are going to look at Russia involvement and the US election."

Sen. Jeff Flake said on CNN's The Lead  (2/15, 320K), "My understanding is the Senate is already looking into it, the intelligence committee. I don't think a special committee is needed. I think the standing committees can do it just fine." Senate Foreign Relations Committee Chairman Bob Corker said on MSNBC's Morning Joe  (2/15, 270K), "It's hard to know where to start. The base issue is getting to the bottom of what the Russian interference was and what the relationship was with associates of the Trump effort. So that is the big elephant in the room that has got to be dealt with in the most appropriate way. The American people need to understand, we need to understand and it needs to be dealt with quickly and we need to get it behind us."

Sen. Chris Coons said on MSNBC MTP Daily  (2/15), "Initially we need to rely on the Senate Intelligence Committee which is already under way in conducting an open investigation that will be classified into materials and information that really shouldn't be reviewed in an open setting. ... I also think two committees on which I serve, Foreign Relations and Judiciary should be holding public hearings into what this means for our next election, for our relations with our vital allies in Europe who also face Russian aggression against their elections in Germany, France, and elsewhere and on Judiciary into what this means and cyber crime and for Russia's interference in our election. Then we should proceed to an independent commission and an independent investigation outside of Congress."

Senate Minority Whip Durbin was less sanguine about an Intelligence Committee probe, telling MSNBC's Morning Joe  (2/15, 270K) that "the Intelligence Committee is a graveyard for investigations. Let me tell you why. Their hearings are largely in secret. The public will not have access to the testimony." Durbin added, "We are waiting for bipartisan cooperation and support for an independent commission to take on this investigation."

Sen. Chris Murphy said on MSNBC's Morning Joe  (2/15, 270K), "There is a real urgency to getting to the bottom of this. Why? Because it is potentially affecting US policy. There is no theory of international relations that explains the positioning that Trump has taken on Russia." Coons added that "an independent nonpartisan commission is the only way to get to the bottom of this and give it subpoena power and allow it to do what the Republicans have been explicit that the two existing intelligence investigations are not going to do."

The Washington Post (2/15, 11.43M) argues in an editorial that by "dash[ing] off a half-dozen tweets in which he curiously both denied the news and attacked the leakers who disclosed it," Trump "gave more cause for Republicans and Democrats to demand answers about his opaque and increasingly troubling ties with Moscow." The Post stresses "the dire need for a broader, bipartisan probe of Russia's election-year meddling," and says if "congressional inquiries ultimately are derailed by politics, an independent commission must be empaneled."

Also Wednesday, Sens. Chuck Grassley and Dianne Feinstein, the chairman and ranking member of the Senate Judiciary Committee asked Attorney General Sessions "to send the

committee documents and provide a briefing on the resignation of President Donald Trump's national security adviser," Reuters (2/15, Zengerle) reports.

The AP (2/15, Tucker) reports that Democrats also accused the FBI of having a double standard for refusing "to discuss potential contacts between Russian officials and associates of President Donald Trump," despite its "public disclosures about Hillary Clinton's emails." Congressional Democrats and former Clinton aides "say they're upset a law enforcement organization that so publicly discussed one probe didn't even hint at the existence of another."

In an editorial, the New York Times (2/15, Subscription Publication, 13.9M) says there is "more than sufficient reason for Congress to investigate what Moscow has been up to and whether people at the highest levels of the United States government have aided and abetted the interests of a nation that has tried to thwart American foreign policy since the Cold War." The Times adds that while "one might expect Mr. Trump to be clamoring for details that would eliminate any suspicion that his administration is in league with an enemy," he "has waged an unhinged attack on the intelligence agencies themselves."

NYTimes Analysis: Journalists See Russia Story As A Watergate Tale For Twitter Era. Michael Grynbaum and Sydney Ember of the New York Times (2/15, Subscription Publication, 13.9M) write under the headline "Journalists, Battered And Groggy, Find A Renewed Sense Of Mission" that "the swirling story around President Trump's dealings with Russia is being compared in journalism circles to past blockbusters like Watergate and the Monica Lewinsky scandal – with a 21st-century twist." Major mainstream news organizations "are jousting for scoops" as the "watch the news unfold on Twitter in real time. Anonymous sources are driving bombshell stories, and leaks are springing from encrypted iPhone messaging apps rather than from meetings in underground parking garages." New Yorker editor David Remnick said, "There is this uncertainty about what is happening minute to minute, day to day. There is this sense that every day is going to bring something startling, if not calamitous." The Times writes that "the accelerated metabolism is nonpartisan," with conservative websites also "covering every twist of the White House developments."

Henninger, Dan Rather Weigh In On Watergate Similarities. In his Wall Street Journal (2/15, Henninger, Subscription Publication, 6.37M) column, Daniel Henninger writes that while this situation does not rise to the level of a Watergate-type threat to Trump's presidency, the goal of Trump's opponents is not impeachment but to undercut his power with the American people, which requires making him look like a loser. Henninger argues that could occur unless the Administration can return to the basics that got them to the White House. Dan Rather took a different view of the severity of the scandal in a Facebook post that went viral on Tuesday. According to the New York Post (2/15, Mendoza, 3.82M), Rather wrote, "On a 10 scale of armageddon for our form of government, I would put Watergate at a 9. This Russia scandal is currently somewhere around a 5 or 6, in my opinion, but it is cascading in intensity seemingly by the hour." Rather also "slammed the White House's credibility," writing, "The White House has no credibility on this issue. Their spigot of lies – can't we finally all agree to call them lies – long ago lost them any semblance of credibility. I would also extend that to the Republican Congress, who has excused away the Trump Administration's assertions for far too long."

Flynn's Security Clearance Suspended. CNN has reported that Flynn's security clearance has been suspended, The Hill (2/15, Hensch, 1.25M) reported. A spokesman for the DIA that "the suspension is a normal administrative move for clearances under 'pending review.'" According to the spokesman, the clearance "could be reinstated if no wrongdoing is found." Meanwhile, Pamela Brown reported on CNN's Anderson Cooper 360  (2/15, 686K) that "the FBI is not suspected to pursue charges against" Flynn. However, "there is still an ongoing broader FBI review of Flynn, and other Trump campaign aides on their Russia-related dealings."

In a separate story for ABC World News Tonight  (2/15, story 2, 2:35, Muir, 14.63M) Senior Justice Correspondent Pierre Thomas said an "intensive investigation [is] under way." So far "FBI and intelligence officials have found no direct cooperation between Trump associates and the Russian government aimed at influencing the 2016 election and authorities can not yet say for certain if Trump associates knew they were dealing with suspected Russian intelligence who often pose as business, political and academic leaders. And even if they didn't know, many asking, why so much contact with the Russians before an American election at all?" CNN International (2/16,

598K) reports similarly.

Trump Offers NSA Job To Harward. Reuters (2/15, Hosenball, Walcott) reports that President Trump has offered the job of national security adviser to Vice Admiral Robert Harward, according to "two US officials familiar with the matter." Sources say it was not clear whether Harward had accepted the offer. Foreign Policy (2/15, Ricks, 359K) said Harward "is likely to bring in his own team, from deputy on down, with a focus on national security types with some experience under their belts."

Figure In Russian Cyber-Treason Scandal Linked To Underground Criminal Web Forums. McClatchy (2/15, Johnson, 74K) reports that Dmitry Dokuchaev, who is "one of the key figures in a cyber-treason scandal shaking Russia and possibly related to Russian efforts to influence the US presidential election has been linked to underground criminal forums on the web." Dokuchaev, a major in Russia's FSB security service and its Information Security Center, "used the screen name 'Forb' when he mingled with the large underground community of Russian-speaking criminals who use the so-called dark web to trade tools for defrauding consumers in the West." His activities "have potential significance to congressional inquiries into President Donald Trump's ties to Russia."

The Hill Analysis: Flynn Case Thrusts Comey Back Into Spotlight.

Under the headline, "Flynn Puts FBI Director Back In Spotlight," The Hill (2/15, Williams, 1.25M) reports that FBI Director Comey "is now reportedly presiding over an investigation that appears to have implicated one of President Trump's top aides." Though "Comey's presence has been in the background in recent weeks," the Hill says, the investigation into former National Security Adviser Flynn refocuses attention on the director, with both Republicans and Democrats pressuring the FBI for a "public accounting" of its investigation. MSN (2/15, Williams, 7.46M) posts The Hill's coverage to its website.

Mook Questions Why The FBI Never Commented On Flynn Probe. The Independent (UK) (2/15, Bulman, 1.28M) reports that in a tweet on Tuesday, former Clinton campaign manager Robby Mook criticized the FBI for handling the Clinton email probe and the Flynn investigation differently. "I'd like the FBI to explain why they sent a letter about Clinton but not this," Mook tweeted along with a link to the New York Times' coverage of Flynn's "repeated contacts" with Russian intelligence.

Downie: Flynn Situation "Destroyed Any Excuse" For Comey's Actions In Clinton Probe. In an op-ed for the Washington Post (2/15, Downie, 11.43M) "Post Partisan" blog, James Downie argues that reports of Trump associates Paul Manafort and Michael Flynn's contact with Russian intelligence officials have "destroyed any excuse for FBI Director James B. Comey's conduct during the election." According to Downie, reports of the existence of evidence of Manafort and Flynn's contacts with Russia prove that Comey made comments about the Clinton email probe while refusing to publicly discuss "concrete evidence" of the Trump advisors' misconduct. Reports that Comey sought to prevent other intelligence chiefs from telling the Trump transition team that Flynn had lied about his contacts with Russia only make the situation "worse" for Comey, Downie says. "With every new revelation," Comey's comments in the Clinton email probe appear "less and less justified," Downie concludes.

In a piece for GQ (2/15, Willis, 18.73M), Jay Wills similarly opines that Comey has "some explaining to do" regarding why he said "nothing at all" about Flynn while choosing to weigh in on the Clinton email controversy. "If [Comey] knew his agency had evidence that the Trump camp just might be colluding with a foreign government to swing the election, pulling the fire alarm on the inane Clinton emails story as he did is the height of irresponsibility, stupidity, partisanship, or some unholy combination thereof," Wills says.

COUNTER-TERRORISM

Pentagon Memo Decrees "ISIS" Official Name For Terror Group.

USA Today (2/15, Brook, 5.28M) reports that a Pentagon memo issued Tuesday decreed that "in all official references will refer to the terror network as the Islamic State of Iraq and Syria or ISIS." In an email, spokesman Navy Capt. Jeff Davis said, "ISIS is the term most known and understood by

the American public, and it is what our leadership uses. This simply aligns our terminology."

Study: ISIL Terror Suspects Charged In US Are Frequently Citizens.

Citing a new study by the Center on National Security at the Fordham University School of Law, NJ News (2/15, 952K) reports that many terrorists targeting America on behalf of ISIL are US citizens. In the center's survey of more than 100 ISIL prosecution cases filed in the US, "nearly eight in 10 individuals charged were U.S. citizens." Around 90 percent of the individuals were young men and about a third of them were converts to Islam, NJ News says.

Arkansas Senators Explain Letter Urging Trump To Keep Gitmo Open And Halt Transfers.

The Northwest Arkansas Democrat-Gazette (2/15, Lockwood, 54K) reports that Arkansas' two US senators – John Boozman and Tom Cotton – were among 11 Republican lawmakers who sent a letter to President Trump, "urging the White House to block the release of any more prisoners housed at Guantanamo Bay, Cuba." The also called for "maintaining and expanding the utilization of the detention facility," suggesting it should be used to store "current and future enemy combatants who pose a threat to our national security." Cotton on Tuesday told the Democrat-Gazette that the letter was to "reassure the president that he had congressional support for taking the steps necessary to roll back some of the needless Obama restrictions on the use of" Gitmo. Boozman told the newspaper that only the "most dangerous of the dangerous" remain at the facility, which is why the lawmakers want to "make sure that they remain in that facility versus bringing them over to the homeland or releasing them."

CRIMINAL INVESTIGATIONS

US Charges 41 Felons In Arkansas In Anti-Violence Program.

The Arkansas Democrat Gazette (2/15, 278K) reports that federal prosecutors in Little Rock, AR on Tuesday announced "the indictment of 41 convicted felons on federal charges, praising a federal anti-violence program for changing the way local and federal authorities work together." The indictments "were made under the Violence Reduction Network, a national program with the U.S. Department of Justice, that aims to reduce violent crime by providing participating agencies with training and federal resources." According to the Gazette, Little Rock and West Memphis "joined the federal anti-violence program in 2015, along with Compton, Calif., Flint, Mich., and Newark, N.J." The Gazette adds that "all of the 41 people indicted have long histories of drug trafficking, violent felonies or both, said Christopher Thyer, U.S. attorney for the Eastern District of Arkansas, at a news conference Tuesday afternoon."

Three Federal Prisoners Plead Guilty To Beating Another Inmate.

The AP (2/15) reports from Alexandria, LA that "three prisoners housed at the U.S. Penitentiary in Pollock, Louisiana, have pleaded guilty to the assault of an inmate that resulted in injuries." US Attorney Stephanie A. Finley's office said that Jason Mackenzie, 35, Robert Shipp Jr., 32, and Calvin Skelton, 42, "jumped the victim while he was reading a newspaper in the cell block on Oct. 21, 2015," and "punched and kicked him repeatedly." The victim "underwent multiple surgeries to repair injuries form the assault."

Jury Selected In Second Oregon Occupation Trial.

The Oregonian (2/15, Bernstein, 894K) reports that a jury of 12 has been selected for the trial of four Malheur National Wildlife Refuge occupation defendants. The newspaper describes several of the jurors. "In other developments," the Oregonian says, prosecutors are seeking permission from the Justice Department to compel the testimony of a former radio journalist who interviewed occupier Ryan Bundy in January 2016. In the interview, Bundy describes the occupiers' motivations. Defense attorneys have questioned why the government's move to seek the journalist's testimony comes only a few days away from the start of the trial.

Chicago Two-Year-Old Killed In Crossfire; Authorities Call For Federal Help.

According to NBC Nightly News (2/15, story 6, 2:00, Holt, 16.61M), a gunman killed two-year-old Chicago resident Lavontay White in the backseat of a car and a 26-year-old man, the suspected target. Chicago Police Superintendent Eddie Johnson and Mayor Rahm Emmanuel reportedly call for federal help in combating this crisis, with three children caught in crossfire in the past five days and 400 shootings in the city already this year.

Kansas Governor Confirms His Office Calls Were Intercepted By Federal Prosecutors.

The AP (2/15) reports from Topeka, KS that Kansas Gov. Sam Brownback "confirmed Wednesday that he and two of his top aides received letters from the U.S. Justice Department telling them that the federal government intercepted phone calls between them and an ex-legislator's number." The Kansas state Senate's "top two leaders also received the same letter dealing with phone calls in 2015 from a number for then-state Sen. Michael O'Donnell, a Wichita Republican who now serves on his local county commission in Sedgwick County." O'Donnell "told reporters Wednesday that he was shocked to learn that his phone was tapped in 2015." His comments "came a day after businessman Brandon Steven has confirmed he's the subject of an inquiry into poker and his efforts to open a casino in southeast Kansas in 2015."

The Topeka (KS) Capital-Journal (2/15, Shorman, 106K) reports that letters from the Justice Department "disclosing the interceptions went to Brownback at his Cedar Crest residence, deputy chief of staff Kim Borchers, and Tim Shallenburger, a legislative liaison for the governor and president of the Kansas Development Finance Authority." The Capital-Journal adds that "multiple news organizations in Wichita received letters earlier this week saying the justice department had intercepted calls in 2015 between staff members and O'Donnell." The Wichita Eagle reported on Tuesday "that former staff members of the newspaper had received letters," and "letters also were sent to multiple people in Wichita about the same time telling them their calls with Brandon Steven, a Wichita businessman, had been intercepted." WIBW-TV Topeka, KS (2/15, Viviani, 42K) reports that "the DOJ says the letters do not mean the person is being charged and they are required to send them out."

FBI, DOJ Investigating Threats Against Jewish Community Centers.

CNN (2/16, Burke, 29.79M) reports online that the FBI and Justice Department say they are investigating the recent rash of threatening calls placed to 48 Jewish community centers across the country. The agencies are probing "possible civil rights violations in connection" with the threats, the FBI said in a statement. The calls, which conveyed bomb threats, affected Jewish organizations in 27 states and one Canadian province last month.

Continuing Coverage: Two Reputed New York Mobsters Charged With Murder, Racketeering.

The Putnam (NY) Daily Voice (2/15, Failla) reports in continuing coverage that New York men Christopher Londonio and Terrance Caldwell have been indicted on charges related to the 2013 murder of Michael Meldish in the Bronx and their alleged participation in mafia racketeering schemes. "Hollywood and popular fiction almost romanticize the mob, so much so the general public may not know it exists in real life anymore," said FBI New York Assistant Director in Charge William Sweeney, Jr. "However, the crimes members are accused of taking part in are violent and all too real for their victims. The men charged in this case allegedly committed murder, robbery, dealing illegal drugs and extortion to only name a few." Caldwell was additionally indicted in the shooting of a mob rival.

Continuing Coverage: FBI Seeking DC Child Sex Trafficking Suspect.

The Washington Post (2/15, Hedgpeth, 11.43M) reports in continuing coverage that the FBI is seeking a Washington, DC man believed to be involved with child sex trafficking. "The child exploitation task force in the FBI's Washington field office has an arrest warrant for Gary O'Neal Bell, 24. Official allege he has been offering an underage girl for sexual encounters over the past several months," the Post says. A $2,000 reward is being offered for information leading to Bell's arrest. The WTTG-TV Washington (2/15, 67K) website also continues coverage.

Key Witness Refuses To Testify In Case Against Former Utah AG.

KSL-TV Salt Lake City (2/15, 547K) reports online that Utah businessman Jeremy Johnson on Wednesday refused to testify at the trial of former Utah Attorney General John Swallow. A judge jailed Johnson for contempt of court after he informed her he intended to "invoke his Fifth Amendment right against self-incrimination, even though the state extended him immunity," KSL says. "Losing Johnson would be a significant blow to the prosecution's case against Swallow" as "many of the state's charges are built around claims he has made." Swallow is charged with multiple felonies, including bribery, racketeering, and money laundering.

Judge Denies Motion To Dismiss Case Against Officer In Shooting Death.

The Minneapolis Star Tribune (2/15, Xiong, 1.27M) reports that "the criminal case against officer Jeronimo Yanez in the fatal shooting of Philando Castile will proceed to trial after a judge denied defense attorneys' attempt to dismiss the charges." Ramsey County District Judge William H. Leary III "heard oral arguments on the issue Wednesday morning, and filed his decision about 3:11 p.m. that afternoon, noting that whatever actions Castile may have taken did not exonerate Yanez, and that there was enough probable cause to move forward with the case."

Actor Testifies About Sex Trafficking At Senate Hearing.

USA Today (2/15, Jensen, 5.28M) reports that actor Ashton Kutcher on Wednesday testified at a senate hearing entitled, "Ending Modern Slavery: Building on Success." "I'm here today to defend the right to pursue happiness," Kutcher said at the start of his testimony. The actor, who is a co-founder of Thorn, an anti sex trafficking advocacy group, said he has met several victims though his work. "I've been on FBI raids where I've seen things that no person should ever see," said Kutcher. "I've seen video content of a child that's the same age as mine being raped by an American man that was a sex tourist in Cambodia." The Washington Post (2/15, Heil, 11.43M) reports, "Kutcher nearly broke into tears while describing his frustration at being unable to help the Department of Homeland Security locate a girl who was shown being raped on a video posted to the dark Web." The situation, he said, devastated him, because the girl may still be subject to abuse.

Roll Call (2/15, Gangitano, 63K) reports and The Hill (2/15, Chavez, 1.25M) report similarly.

Former Oklahoma Jailers Resentenced For Violating Inmates' Rights.

KFOR-TV Oklahoma City (2/15, 271K) reports from Muskogee, OK that "two former jailers at the Muskogee County Jail have been resentenced to longer terms in prison for violating the civil rights of inmates." Federal prosecutors said former jail superintendent Raymond Barnes, 46, was sentenced on Wednesday to two years in prison and former assistant superintendent Christopher Brown, 35, was sentenced to one year in prison. The two "were convicted in 2014 of assaulting inmates or instructing other jailers to assault the inmates." Barnes "was initially sentenced to one year in prison and Brown to six months in prison, but prosecutors appealed and the U.S. 10th Circuit Court of Appeals found the sentences 'unusually lenient' and ordered both men be resentenced."

2013 Poll: As Many As 2.1 Million Non-Citizen Hispanics May Be Illegally Registered To Vote.

The Washington Times (2/15, Scarborough, 272K) reports, "A large number of non-citizen Hispanics, as many as 2 million, were illegally registered to vote in the US, according to a nationwide poll. The National Hispanic Survey," which "was conducted in June 2013 by McLaughlin and Associates" offers "additional evidence for use by anti-voter fraud conservatives and bolsters an analysis by professors at Old Dominion University who say non-citizens registered and voted in potentially large numbers." In the poll, which had a "randomly selected sample of 800 Hispanics, 56 percent, or 448, said they were non-citizens, and of those, 13 percent said they were registered to vote." The Times adds that James Agresti, "who directs the research nonprofit 'Just Facts,' applied the 13 percent figure to 2013 US Census numbers for non-citizen Hispanic adults," and "calculated that the number of illegally registered Hispanics could range from 1.0 million to 2.1

million."

FINANCIAL CRIME & CORPORATE SCANDALS

FBI Posts Records On '70s Probe Of Alleged Trump Apartments' Race Discrimination.

Politico (2/15, Gerstein, 2.46M) reports that the FBI "has released nearly 400 pages of records on an investigation the bureau conducted in the 1970s into alleged racial discrimination in the rental of apartments from President Donald Trump's real estate company." The records "detail dozens of interviews the bureau conducted with Trump building tenants, management and employees, seeking indications that minority tenants were steered away from housing complexes." Politico added, "The records, posted on the FBI's Freedom of Information Act website, include a 1974 interview with a former doorman at a Trump building in Brooklyn. A supervisor 'told me that if a black person came to [the building] and inquired about an apartment for rent, and he, that is [redacted] was not there at the time, that I should tell him that the rent was twice as much as it really was, in order that he could not afford the apartment,' the ex-doorman said."

The Hill (2/15, Wilson, 1.25M) reports that the FBI probe, which was conducted from 1972 to 1974, "was part of one of the largest of such discrimination cases brought in that era. The Justice Department's Civil Rights Division ultimately filed a suit in 1973." Trump Management Co. countersued the government for $100 million in damages for alleged false accusations of discrimination. The government and the company eventually entered into a consent decree under which the company admitted no wrongdoing but took steps to prevent discriminatory practices. The Washington Post (2/15, Kranish, 11.43M) also reports on this story.

Indiana City Official Arrested, Charged With Fraud.

Indiana Public Media (2/15, 1K) reports that the FBI has arrested Muncie, Indiana building commissioner Craig Nichols, a month after investigators searched his home and office. "In a statement, the U.S. Attorney's office in Indianapolis says 38-year-old Craig Nichols has been indicted on charges of wire fraud, theft, and money laundering," IPM says. According to federal prosecutors, Nichols, used his city position to obtain work for his private contracting businesses. "Charges say he also billed Muncie for $376,000 of work the companies never actually undertook or completed at inflated prices," IPM says. The AP (2/15) reports that Nichols could face up to 20 years behind bars. The WRTV-TV Indianapolis (2/15, 76K) website reports similarly.

Florida Software Developer, New Jersey Pastor Stand Trial For Bitcoin Exchange.

Reuters (2/15, Raymond) reports from New York that "a Florida software engineer and a New Jersey pastor engaged in lies and corruption to facilitate an illegal bitcoin exchange business whose operators wanted to take over a small credit union to evade scrutiny, a federal prosecutor said on Wednesday." Reuters adds that "at the start of a trial in Manhattan federal court, Assistant U.S. Attorney Won Shin told jurors that programmer Yuri Lebedev schemed with others to bribe Trevor Gross, the pastor and head of a Jackson, New Jersey-based credit union housed in his church." Shin said Gross "accepted bribes including a $150,000 church donation in exchange for helping unlicensed bitcoin exchange Coin.mx's operator take over Helping Other People Excel Federal Credit Union."

Georgia Dentist Sentenced To 18 Months For Medicaid Fraud.

The Atlanta Journal-Constitution (2/15, Sharpe, 1.41M) reports Dr. Oluwatoyin Solarin, a dentist in Georgia, was sentenced to 18 months imprisonment for Medicaid fraud. Solarin was convicted of filing false claims worth almost $1 million from her dental practice in DeKalb and Gwinnett counties.

Man Dubbed "Porn's New King" Sentenced To 11 Years For Defrauding Investors.

The AP (2/15, Neumeister) reports from New York that "a Los Angeles man once dubbed 'Porn's New King' was sentenced to over 11 years in prison Wednesday by a judge who said he lived the high life with luxury homes on both coasts as he defrauded dozens of investors of tens of millions

of dollars." Jason Galanis, 46, "insisted he has turned his life around before U.S. District Judge P. Kevin Castel imposed an 11-year, 3-month sentence, citing the loss of between $25 million and $65 million by 60 investors." Judge Castel said Galanis "had built his fortune with fraud 'either for the thrill of the game, being on top of the world in terms of the trappings of wealth, or for his own self-esteem and feelings of accomplishment.'"

Federal Agents Raid NYC's Friars Club In Possible Embezzlement Probe.

The AP (2/15, Hays) reports from New York that US Postal Service investigators "raided the legendary Friars Club after club members tipped off federal prosecutors to a possible embezzlement scheme at the place best known for celebrity roasts." The AP adds that "Postal Inspection Service spokeswoman Donna Harris confirmed Wednesday that agents served a search warrant earlier this week at the private wood-paneled club in midtown Manhattan." According to the AP, "some club members met during the fall over suspicions a higher-up was embezzling funds, said billionaire businessman John Catsimatidis, a former mayoral candidate and a Friar," and "concerns were strong enough that members decided they should report the alleged theft to the U.S. Attorney's office, he said."

US Charges Former BoNY Mellon Employee With Embezzlement.

Reuters (2/15) reports from New York that "a former Bank of New York Mellon Corp employee was arrested on Wednesday on charges that he embezzled $7.1 million, money he used to buy among other things an outdoor pool, home landscaping, vacations and a luxury car." Christopher Canale, "who worked for Bank of New York's Pershing LLC unit most recently as an accounts payable manager, was charged in a criminal complaint filed in Manhattan federal court."

Attorney: Feds Investigating Sexual Harassment Payments By Fox News.

The Los Angeles Times (2/15, Battaglio, 4.52M) reports that federal prosecutors are "exploring whether Fox News settlement payments for sexual harassment claims should have been reported to the shareholders of parent company 21st Century Fox." Fox News said in a statement issued on Wednesday "that it has been in discussions with" the Manhattan US Attorney's office "for months" in regard to the matter, "adding that no one in the company has been subpoenaed by federal prosecutors." According to the Times, "the information first surfaced during a court hearing in which Judd Burstein, the attorney for Fox News personality Andrea Tantaros, said another one of his clients had recently been subpoenaed to discuss the matter."

The New York Times (2/15, Steel, Koblin, Subscription Publication, 13.9M) reports that Burstein said in a text message to the Times that "he believed federal investigators were looking at whether Fox News structured sexual harassment settlement claims by paying them out in salaries, 'so as not to have to report them.'" Burstein "added that the prosecutors had identified themselves as being from a securities fraud division of the United States attorney's office in Manhattan." The Times adds that Burstein "made the remarks while he was arguing that Ms. Tantaros's case – she sued the network in August, accusing Fox News of retaliation after she complained about sexual harassment – should go forward in an open court." The Times notes that a judge "rejected that claim on Wednesday and ruled that her case would be resolved in arbitration."

The Washington Post (2/15, Wemple, 11.43M) reports in its "Erik Wemple" blog that Tantaros "claimed that Ailes made offensive comments about her and otherwise mistreated her, all with the complicity of his lieutenants." Fox News "responded to Tantaros's complaint by seeking to steer it into an arbitration proceeding under the supervision of the American Arbitration Association (AAA) – the better to keep it out of the sunshine of the civil justice system," and "the network also alleged that the real reason for Tantaros's fall from grace at Fox News was that she failed to comply with the network's book guidelines for 'Tied Up in Knots: How Getting What We Wanted Made Women Miserable.'"

Reuters (2/15, Wiessner) reports that "tt was not clear how the investigation could be tied to securities fraud," as "federal securities law requires companies to report legal settlements, including in sexual harassment cases, to the U.S. Securities and Exchange Commission."

The New York Daily News (2/15, Brown, 4.45M) reports that Burstein said in court, "I was

told by the U.S. attorney's office there is an ongoing criminal investigation, relating to these allegations, all of these allgations ... I believe I have a racketeering case here, and extortion." Reuters notes that "an attorney from Fox News said the network had not received a subpoena but would comply with one if it did."

USA Today (2/15, Snider, 5.28M) reports that Tantaros' sexual harassment suit "came a month after Gretchen Carlson, another former Fox News broadcaster, sued Ailes for sexual harassment, claiming he opted not to renew her contract after she refused to sleep with him." USA adds that "21st Century Fox settled the case, agreeing to pay Carlson $20 million," and Ailes, "who denied the allegations, left the company in July with a $40 million settlement. Fox also conducted an internal investigation." Fox News host Megyn Kelly, "who left the network in January for NBC, said Ailes had harassed her starting in 2005 in her book Settle for More. Fox, which is controlled by billionaire mogul Rupert Murdoch, has settled other claims, the network has confirmed." The Wall Street Journal (2/15, Hong, Flint, Subscription Publication, 6.37M) and Variety (2/15, 492K) also report.

CYBER DIVISION

Yahoo Warning Users Of "Potentially Malicious Activity" On Accounts Between 2015 And 2016.

The AP (2/15) reports, "Yahoo is warning users of potentially malicious activity on their accounts between 2015 and 2016, the latest development in the internet company's investigation of a mega-breach that exposed 1 billion users' data several years ago." Yahoo has confirmed it is notifying users of a potential compromise of their accounts, though it declined to state how many were affected. In a statement, the company "tied some of the potential compromises to what it has described as the 'state-sponsored actor' responsible for the theft of private data from more than 1 billion user accounts in 2013 and 2014."

The Guardian (UK) (2/15, 4.07M) reports the company "would not name the state." The Guardian adds, "Security experts have pointed to Russia and China as the usual suspects for these kinds of attacks, although some have questioned whether Yahoo would be a target."

Twitter Argues For Right To Disclose More Specific Details On NSLs.

The Washington Times (2/15, Blake, 272K) reports that attorneys for Twitter on Tuesday told a federal judge "that the Justice Department is violating the company's right to free speech by barring it from stating the specific number of surveillance requests it has received from the government." The lawyers, the Times says, "sounded off inside an Oakland courthouse...amid a years-long legal battle brought by Twitter in a bid to provide precise statistics regarding the number of national security letters its received." In 2014, Twitter sued the Justice Department over rules mandating companies disclose the number of NSLs they receive only in bands of 1000, beginning with 0-999. Twitter attorney Lee Rubin argued in court that reporting specific numbers could not harm national security. However, Justice Department attorney Julia Berman countered by saying that FBI officials believe possible adversaries could benefit from knowing more precise numbers.

Former AAG Carlin Warns Europe About Election Hacking.

Reuters (2/15, Volz) reports from San Francisco that former Assistant Attorney General John Carlin "said European countries must be willing to respond forcefully to efforts by Russia or others to use cyber attacks to meddle in their elections, saying the U.S. response fell short." Carlin, "who ran the national security division at the Justice Department and oversaw the pursuit of cyber criminals, said the United States did not do enough to deter the hacking and leaking of Democratic Party emails during the 2016 presidential campaign. 'What we did was too late,' Carlin said during a panel discussion on election hacking at the RSA cybersecurity conference. 'We weren't bringing deterrence at all to the table.'"

French President Requests Briefing On Measures To "Fend Off Cyber Interference" In Upcoming Election.

Bloomberg Politics (2/15, 201K) reports French President Francois Hollande has requested "a full briefing on what is being done to fend off cyber interference in the 2017 presidential race." The request "comes after independent candidate Emmanuel Macron reported repeated cyber-attacks on his campaign and blaming Russian interference," an accusation Kremlin spokesman Dmitry Peskov is quoted as calling "absurd."

Reuters (2/15) quotes from a statement from Hollande's office: "The President wants to see presented to him at the next council meeting some specific monitoring and protection measures, including in the cyber domain, to be taken during the election campaign."

The AP (2/15) reports Macron's head of digital campaigning, Mounir Mahjoubi, "told The Associated Press that his team identified thousands of hacking attempts originating from Ukraine in recent weeks" that "coincided with what he called a fake news operation targeting Macron in Russia-sponsored media in France." The AP adds, "Macron's leading rivals, Francois Fillon and Marine Le Pen, want to lift sanctions against Russia, while Macron has been less friendly toward Moscow."

Another Reuters (2/15) article reports, "France said on Wednesday it would not accept interference by Russia or any other state in its presidential election, and would retaliate if necessary." The Kremlin "said on Tuesday that allegations made by Macron's En Marche (Onwards!) movement were absurd."

In Presentation On Cybersecurity, US Army Depicted Hillary Clinton "As Insider Threat."

The Washington Times (2/15, Scarborough, 272K) reports that the US Army "depicted former Secretary of State Hillary Clinton as an insider threat in a Powerpoint presentation to soldiers on cyber security." A picture of Clinton was "depicted along with...Food Hood assassin Maj. Nidal Hassan, Navy Yard shooter Aaron Alexis, major leakers Chelsea Manning and Edward Snowden, and retired Army Gen. David Petraeus," who "provided classified logs to his biographer and girlfriend." The Times adds, "The insider threat lecture was delivered to soldiers at Fort Leonard Wood in Missouri." The report doesn't say when the lecture was given.

Young: Private Sector, Government Must Work Together To Address IoT Security Vulnerabilities.

Intel Security Group senior vice president and general manager Chris Young writes in the Christian Science Monitor (2/15, 387K), "All around us is proof that the newest persistent threat in cybersecurity – and perhaps the most pernicious – is data manipulation." Young argues that "the weaponization of data at the micro level is a serious challenge," and the "amorphous corporate boundary" between company and personal information assets "means enterprise security as we used to think about it...is as good as dead." Young adds, "Prime attack surfaces are now the personal car, the coffee shop or airport, and especially the home network, where many IoT devices are shockingly exposed to attack." Young says the "IoT-powered home is exactly where we now see the biggest opportunity...for greater data integrity." Young calls on private-sector competitors and the government to "work as a dream team, with urgency, to address today's alarming patchwork of small-bore digital vulnerabilities and inspire more confidence."

Cooper: Cybersecurity Executive Order Must Account For Workforce, White House Leadership.

Dr. Betsy Cooper of the UC Berkeley Center for Long-Term Cybersecurity writes in The Hill's (2/15, Cooper, Contributor, 1.25M) Congress Blog, "Since the first draft of the cyber [executive order] was leaked on Jan. 31, updated drafts and political grandstanding have caused the signing of this extremely important measure to be delayed twice – and have shifted focus away from important issues in the process." Cooper notes the first draft proposed a cybersecurity workforce development review "totally missing from the most recent version," a "disappointing" change. Cooper also says that "top technology positions remain unfilled," while appointments such as Rudy Giuliani as cyber advisor "fall completely outside traditional White House structures." Cooper argues, "The vacuum at the top...will make it difficult to develop a comprehensive cybersecurity strategy." Cooper concludes, "Unless the final version takes account of our need to grow both the cyber workforce and our White House leadership in this area, more remains to be done."

McCaul: "We Are Not Winning" Cybersecurity Fight.

eWeek (2/15, 668K) reports House Homeland Security Committee Chairman Michael McCaul "didn't mince words to describe threats to the country's cyber-security" in a keynote address at the RSA security conference in San Francisco. McCaul is quoted saying, "To be brutally honest, we are in the fight of our digital lives, and we are not winning," and he described threats from Russia, China, and terrorists. McCaul "said cyber-terrorism and other digital threats are particularly challenging because there has never been a weapon like it that is so adaptable and expensive to defend against." McCaul argues for deterrence, and "said the sanctions imposed on Russia for hacking in the U.S. election is a perfect example." McCaul "also urged companies and governments to do more to cooperate with each other on sharing information on security threats and intrusions."

Tibken: One Year After FBI, Apple Privacy Standoff, Issue Persists.

Shara Tibken writes for CNET News (2/15, Tibken, 762K) that a year after the FBI sought information from a San Bernardino shooter's phone, the issues at the core of the dispute between the FBI and Apple have yet to be resolved. Tibken writes that Apple and others continue to tighten security, privacy, and encryption measures and companies have had their own clashes with law enforcement – like requests for "access to data stored in [Microsoft and Google's] cloud services" and murder investigators seeking recordings from Amazon's Echo. Tibken says Trump's Administration is the "wildcard" in the situation given his projected tough stance.

Idaho Secretary Of State: DHS May Have Tried To Penetrate State Election Website.

The Idaho Statesman (2/15, 197K) reports Idaho Secretary of State Lawerence Denney says DHS may have attempted to penetrate Idaho's election website "around the Nov. 8 presidential election" without giving state officials advance notice. Denney is quoted saying, "I don't know what they penetrated, or what they tried, I just know their IP address showed up as hitting our website. ... I don't know what they were doing. It would have been nice if they had told us." Denney "said the Idaho incident was limited to the state's public election website, which doesn't contain any sensitive voter information." The Statesman adds, "A DHS spokesman said the department planned to study the Idaho incident specifically, but did not have an explanation Tuesday."

GAO Head: Federal Legacy Systems Pose Hindrance To Improved Agency Cybersecurity.

MeriTalk (2/15) reports, "The preponderance of legacy systems in the Federal government poses a major obstacle to improved agency cybersecurity practices, according to Gene Dodaro, Comptroller General of the United States and head of the Government Accountability Office." Dodaro is quoted saying before the House Oversight and Government Reform Committee, "There's a lot of legacy systems, old systems where they just can't keep up with patching things. ... Despite the breaches that have occurred most recently, there's more attention being given to this area but not enough."

US Steel Withdraws Claim Against Alleged Cybertheft Of Intellectual Property.

The Wall Street Journal (2/15, Mauldin, Subscription Publication, 6.37M) reports US Steel is withdrawing an intellectual property claim that Chinese hackers stole a recipe for high-tech steel. The company is cited saying it will continue to press claims on alleged antitrust violations. The Journal says the move demonstrates the challenges US firms face in fighting cyberespionage, and is a setback for a case trade lawyers hoped to be precedent-setting.

Russian Group Linked To Democratic Party Hack Reportedly Releases Macintosh Malware.

CNET News (2/15, 762K) reports, "The same Russian hackers who were linked to the hacking of the US Democratic National Committee have now turned their attention to Apple's Macintosh computers." CNET adds, "APT28 has released new Xagent malware that creates backdoors into Macs, letting the hackers steal browser passwords, grab screenshots and nab iPhone backups stored on the computer, according to Romanian security software company Bitdefender." Bitdefender is quoted saying, "Currently we don't know what are the targeted organizations, but

the links to the APT28 cybercrime group are obvious: The use of the same dropper/ downloader and similar command and control center URLs, as well as sine artifacts hardcoded in the binary files."

LAW ENFORCEMENT SERVICES

Lawmakers Seek To Require Warrants For Use Of "Stingrays."

USA Today (2/15, Kelly, 5.28M) reports, "A bipartisan group of House and Senate lawmakers introduced legislation Wednesday requiring police agencies to get a search warrant before they can deploy powerful cellphone surveillance technology known as 'stingrays' that sweep up information about the movements of innocent Americans while tracking suspected criminals." The legislation, known as the Geolocation Privacy and Surveillance (GPS) Act, would require warrants of all domestic law enforcement agencies that hope to track individuals via GPS technology. "It also aims to combat high-tech stalking by creating criminal penalties for secretly using an electronic device to track someone's movements." USA Today notes.

OTHER FBI NEWS

DNC Member Takes Aim At Comey With Resolution Condemning TV Show.

The Hill (2/15, Savranky, 1.25M) reports in its "Blog Briefing Room" blog that "A Democratic National Committee (DNC) member appears to be mocking FBI Director James Comey with a resolution admonishing the TV show 'Designated Survivor.'" The resolution, to be considered this month, "describes the show as focused on a fictional FBI director 'being blackmailed into confessing to a crime he did not commit.'" The resolution states, "The portrayal of this situation is unbelievable and could result in the undermining of faith in the FBI." The resolution then criticizes Comey, saying he "demonstrated in the recent 2016 election that he does not need to be blackmailed to engage in illegal partisan actions." The resolution, the International Business Times (2/15, Kreiter, 814K) reports, "targets Comey's actions 10 days before the Nov. 8 election in which he first announced the investigation into Democrat Hillary Clinton's private email server after investigators found some emails from her aide, Huma Abedin, on a computer she shared with her ex-husband Anthony Weiner."

Vanity Fair (2/15, 6.22M) and the Huffington Post (2/15, Linkins, 237K) also report on this story.

OTHER WASHINGTON NEWS

Coalition Of Civil Rights Groups Calls On Senators To Oppose Gorsuch.

The Washington Times (2/15, Swoyer, 272K) reports that more than 100 civil rights groups led by the Leadership Conference on Civil and Human Rights signed a letter to senators imploring them to oppose Supreme Court nominee Neil Gorsuch, "saying they feared he would work to cut off their access to the courts." The letter referred to "a 2005 National Review article where the federal circuit judge criticized 'American liberals' as having an 'addiction to the courtroom.'" The advocates said "those comments showed a 'hostility to the use of courts by discrimination victims.'"

McConnell: Gorsuch "Single Most Outstanding Circuit Judge In America." Senate Majority Leader McConnell said on MSNBC's Morning Joe  (2/15, 270K), "I think the Supreme Court nominee was superb. I think [President Trump] picked the single most outstanding circuit judge in America to be on Supreme Court." Asked if he will have to resort to the nuclear option to confirm Gorsuch, McConnell said, "That will depend on the Democrats. ... He'll be confirmed."

Senate Votes 57-43 To Overturn Rule Barring Gun Ownership By Mentally Impaired.

USA Today (2/15, Gaudiano, 5.28M) reports that the Senate voted 57-43 on Wednesday "to overturn a rule barring gun ownership for some who have been deemed mentally impaired, clearing the measure for President Trump's signature." The rule "required the Social Security Administration to send records of some beneficiaries to the National Instant Criminal Background

Check System after they've been deemed incapable of managing their financial affairs because of a disabling mental disorder, ranging from anxiety to schizophrenia." It was opposed by both Second Amendment advocates and disabled rights groups. The Washington Times (2/15, Sherfinski, 272K) reports that Democrats countered that the rule "was carefully tailored so that only people who were so incapacitated that they had someone else receive their payments for them would be considered." No Republican voted to retain the rule; Democratic Sens. Joe Donnelly, Heidi Heitkamp, Joe Manchin, Jon Tester, and Democratic-causing independent Sen. Angus King voted to overturn it.

In an editorial, the New York Times (2/15, Subscription Publication, 13.9M) says Republicans "have managed to act with lightning speed" to strike down the "sensible Obama administration rule." Trump is expected to sign the regressive measure "despite the Republican mantra that tighter control of mentally troubled individuals – not stronger gun control – is the better way to deal with the mass shootings and gun carnage that regularly afflict the nation." The Hill (2/15, Carney, 1.25M) also reports on this story.

AP Analysis: Trump White House "Beset By A Crush Of Crises."

The AP (2/15, Lemire) reports that President Trump's "White House is beset by a crush of crises. Divisions, dysfunction and high-profile exits have left the young administration nearly paralyzed and allies wondering how it will reboot." The AP says that "controversy has forced out both his top national security aide and his pick for labor secretary," and "Republicans have begun voicing their frustration and open anxiety that the Trump White House will derail their high hopes for legislative action." For example, Sen. John Thune (R-SD) "demanded Wednesday that the White House 'get past the launch stage,'" adding, "There are things we want to get done here, and we want to have a clear-eyed focus on our agenda, and this constant disruption and drumbeat with these questions that keep being raised is a distraction."

SOCOM Chief: US Government In "Unbelievable Turmoil." The CBS Evening News (2/15, story 5, 0:25, Pelley, 11.17M) reported that Gen. Raymond Thomas, head of US Special Operations Command, told a military conference this week that the US government "continues to be in unbelievable turmoil." ABC World News Tonight (2/15, lead story, 5:20, Muir, 14.63M) said Thomas added, "I hope they sort it out soon because we're a nation at war."

Conservative Talk Radio Remains In Trump's Corner. The New York Times (2/15, Tavernise, Subscription Publication, 13.9M) reports that President Trump has suffered through "a tough week" that saw "the resignation of his national security adviser and the revelation that his campaign aides and other associates had repeated contacts with Russian intelligence officials." However, "if his supporters on the right were beginning to doubt him, there was no sign of it on conservative talk radio, where Mr. Trump's contention that he was a victim of leaks and entrenched Washington insiders" was a hot topic. For example, The Times quotes Rush Limbaugh as saying on Wednesday, "There is no evidence for the primary assertion that is driving this entire attack on Trump," adding, "This attack is coming from the shadows of the deep state, where former Obama employees remain in the intelligence community."

Rove: Time Running Out For Trump Administration To Get Things Under Control. Karl Rove writes in his Wall Street Journal (2/15, Rove, Subscription Publication, 6.37M) column that the Trump Administration is off to a rocky start and time is running out for them to get things under control. Doing so, he argues, will require disciplined leadership from Trump.

Blumenthal Wants To "Clarify And Strengthen" Amendment On Removing Presidents. The AP (2/15, Jalonick) reports, "Perhaps in a bit of wishful thinking," Rep. Earl Blumenthal (D-OR) "says he plans to form a working group to 'clarify and strengthen' the 25th Amendment of the US Constitution, which lays out presidential succession and the steps the executive branch can take to remove a president from office." The Democrat "says he's initiating this effort in response to Republican Donald Trump's presidency, even though there have been no signs of an effort to remove him." Blumenthal, in a statement, said, "Like many people, I've noticed a renewed interest in the 25th Amendment as we've seen erratic behavior out of the White House."

GOP Former Ohio Judge: "Trump Must Be Impeached." In a Tuesday Cincinnati

Enquirer (2/14, 511K) op-ed that appeared (2/15, Painter, 5.28M) Wednesday on the website of USA Today, former Ohio Judge Mark P. Painter wrote, "I am a lifelong Republican. I voted for every Republican presidential candidate from 1968 to 2004. But I have watched what once was a sane, center-right party go off the rails, first to the extreme right, then to wherever [President] Trump is, which is in another universe. It's tough, but we must end this dangerous presidency. Trump must be impeached and removed with all haste."

Dionne: Trump "Unfit" To Be President. In his Washington Post (2/15, 11.43M), E.J. Dionne continues his steady drumbeat of criticism of Trump, asking, "What is this democratic nation to do when the man serving as president...plainly has no business being president of the United States? The Michael Flynn fiasco was the entirely predictable product of the indiscipline, deceit, incompetence and moral indifference that characterize Donald Trump's approach to leadership." Moreover, the President's "loyalties are now in doubt," says Dionne, calling for "a transparent investigation into what ties Trump has with Putin's Russia – and who on his campaign did what, and when, with Russian intelligence officials and diplomats." Dionne adds, "Isn't it rash to declare [Trump] unfit after so little time? The answer is no, because the Trump we are seeing now is fully consistent with the vindictive, self-involved and scattered man we saw during the 17 months of his campaign."

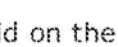
Emba: "Trump Brand Seems Less Attractive Than Ever." In a Washington Post (2/15, 11.43M) column, Christine Emba, who edits The Post's "In Theory" blog, says that "despite the fact that it now commands a presidential seal, the Trump brand seems less attractive than ever." Emba points out, for example, that "Nordstrom, Neiman Marcus and even discount retailers such as Kmart are dropping daughter Ivanka's fashion line." Moreover, says Emba, "The narrative beneath the Trump brand is crumbling. ... Trump built his brand on getting things done that no one else could. ... Winning, first and foremost." However, "what happens when a brand built on winning starts to lose?"

Maryland Lawmakers Approve Attorney General's Authority To Sue Trump. According to the Washington Post (2/15, Hicks, 11.43M), Maryland's General Assembly voted along party lines Wednesday to approve a blanket authorization for state Attorney General Brian Frosh to sue the federal government, which Republican Governor Larry Hogan cannot veto. The Post reports this is one of a series of measures Maryland Democrats have pushed forward in response to President Trump's policies, including setting aside funds to protect its residents from "harmful" federal actions and proposing a ban on local law enforcement's compliance with federal immigration laws.

INTERNATIONAL NEWS

US No Longer Advocating Two-State Solution To Israeli-Palestinian Conflict.

Media coverage reflected unfavorably on the President's remarks on Middle East peace during a joint press conference Wednesday with Israeli Prime Minister Benjamin Netanyahu, casting them as a break with US policy in the region. Outlets say the President backed away from US support for a two-state solution – a move that was immediately criticized by the Palestinians and the UN Secretary-General.

ABC World News Tonight  (2/15, story 4, 2:10, Muir, 14.63M) said the President made "controversial statements on the search for peace in the Middle East...breaking with longstanding US policy on a two-state solution." Margaret Brennan said on the CBS Evening News  (2/15, story 4, 1:30, Pelley, 11.17M) that the President "broke with two decades of US policy today, saying he would not insist on a two-state solution to the Israeli-Palestinian conflict." The Wall Street Journal (2/15, Paletta, Lee, Subscription Publication, 6.37M) quotes the President as saying, "I'm looking at two-state and one-state and I like the one that both parties like. I'm very happy with the one that both parties like. I can live with either one."

The Washington Times (2/15, Miller, 272K) calls the remarks a "jarring deviation from the longtime US position that the creation of a separate Palestinian state was fundamental to a Middle East peace deal." The AP (2/15, Salama) reports Trump is "charting a striking new course for the Middle East" by withholding "clear support for an independent Palestine," and the New York Times

(2/15, Baker, Landler, Subscription Publication, 13.9M) says the comments "were a striking departure from two decades of diplomatic orthodoxy, and they raised a host of thorny questions about the viability of his position." The Palestinians are "highly unlikely to accept anything short" of statehood, and "a single Israeli state encompassing the Palestinians" would become "either become undemocratic or no longer Jewish, given the faster growth rate of the Arab population." But the President "did not address these dynamics, preferring to focus on his confidence that he could" – in his own words – "make a deal" that "might be a better and better deal than people in this room even understand."

Not everyone agreed with this line of analysis. Sen. Jeff Flake said on CNN's The Lead (2/15, 320K), "My take is with regard to the two or one-state solution, President Trump seemed to be simply saying that they will accept whatever the parties negotiate and those parties are Israel and Palestinians. That's been the long-held position that the United States has had. So, I don't think that that's a break from the past."

Calling his remarks a "significant departure from past US policy," meanwhile, the Washington Post (2/15, A1, Gearan, Eglash, 11.43M) says Trump "confidently predicted that he can help broker an end to the decades-long Israeli-Palestinian conflict, and started the negotiations immediately." Speaking to reporters, Trump said, "I would like to see a deal be made. I think a deal will be made. I know that every president would like to. Most of them have not started until late, because they never thought it was possible, and it wasn't possible because they didn't do it." The Post notes he have "no timetable...but suggested it will come soon."

Reuters (2/15, Baker, Spetalnick) likewise says Trump "offered no new prescription for achieving an accord that has eluded so many of his predecessors." He also "dropp[ed] a bombshell on Netanyahu as they faced reporters," saying, "I'd like to see you pull back on settlements for a little bit." On NBC Nightly News (2/15, story 3, 2:35, Holt, 16.61M), Andrea Mitchell also said the President dropped a "bombshell...on Netanyahu," who "gave no commitments." Bloomberg Politics (2/15, Talev, 201K) too said Netanyahu was "noncommittal," and USA Today (2/15, Korte, Jackson, 5.28M) says he "downplayed the significance of the issue." AFP (2/15) says the Israeli leader, however, "hammered home his own prerequisites for peace," saying, "First, the Palestinians must recognize the Jewish state. They have to stop calling for Israel's destruction. Second, in any peace agreement, Israel must retain the overriding security control over the entire area west of the Jordan River."

A Los Angeles Times (2/15, 4.52M) editorial says the President "casually demolished a pillar of US foreign policy under both Democratic and Republican administrations," claiming "to know better." On its editorial page, the Washington Post (2/15, 11.43M) similarly says Trump "signaled a dangerous retreat from the Middle East policy that Republican as well as Democratic presidents have pursued for the past two decades." The Post says that "to his credit, Mr. Trump did seek to check Mr. Netanyahu in one area: settlements." If he "really wants to broker a deal," the Post argues that "he should start by pressing Mr. Netanyahu for such a commitment."

Responding to Trump's remarks, the Washington Post (2/15, Booth, 11.43M) reports, Palestinian officials "pleaded with the White House...not to abandon the two-state solution." The Palestinian leadership "appeared stunned" that an Administration official told reporters in Washington late Tuesday that the White House was open to a new approach that does not emphasize two states. The New York Times (2/15, Fisher, Subscription Publication, 13.9M) likewise says Palestinians "reacted with anger and bafflement" after Trump's remarks. Chief negotiator Saeb Erekat raised the specter of "apartheid" and called for "concrete measures in order to save the two-state solution."

Reuters (2/15) reports UN Secretary-General Antonio Guterres also warned against abandoning the idea of a two-state solution, saying there was "no alternative." During a visit to Cairo, the UN chief said, "There is no alternative solution for the situation between the Palestinians and Israelis, other than the solution of establishing two states, and we should do all that can be done to maintain this." An AP (2/15, Perry) analysis similarly says the "alternatives are few, and each comes with daunting and combustible complications, including for Israel itself."

Netanyahu: Trump Right Leader To Defeat Radical Islam. The Washington Times (2/15, Miller, 272K) reports that at yesterday's press conference, Netanyahu "said President Trump was the right leader to defeat radical Islamic terrorism." Said the Israeli leader, "Under your

leadership I believe we can reverse the rising tide of radical Islam." He also commended Trump for showing "great courage in confronting this threat head-on."

Trump Called Only On Conservative Outlets During Press Conference. Politico (2/15, Gold, 2.46M) reports in its "On Media" blog that the President on Wednesday "continued his streak of calling only on conservative-leaning outlets" during his press conferences with Netanyahu. Trump called on David Brody of the Christian Broadcasting Network and Katie Pavlich, the editor of TownHall.com. Politico says the result of his "selection of questioners was that some of the most urgent questions of the day continued to go unanswered," including former National Security Advisor Flynn's contacts with Russia.

David Nakamura of the Washington Post (2/15, 11.43M), meanwhile, considers the differences in news conferences between the previous and current presidents, writing that they used to be "a chance to hear from Professor Obama, the long-winded lecturer in chief who expounded on domestic politics and international relations with nuance, depth, range and, most of all, a lot of words." Under President Trump, "joint news conferences with foreign leaders are brisker affairs. He is not interested in filibustering answers to run out the clock, the way Obama did, but prefers racing through them in a mix of simplistic declarative sentences, ad-libs and non sequiturs."

First Lady Visits African American History Museum With Sara Netanyahu. The AP (2/15) reports that the First Lady visited the National Museum of African American History and Culture with Sara Netanyahu on Wednesday. They "were led on a tour by David Skorton, secretary of the Smithsonian, and Lonnie Bunch, the museum's founding director." The Hill (2/15, Shelbourne, 1.25M) reports that the two "reportedly spent several minutes on the last stop of the tour, which was in the room with a waterfall that features quotes on the wall from figures such as Nelson Mandela and poet Frances Harper."

The Daily Mail (2/15, Spargo, 4.59M) reports that before the museum visit, the First Lady "greeted her guests with a kiss and the group exchanged pleasantries while posing for some photos before going inside for the President and Prime Minister's news conference. Once inside, Melania sat next to Ivanka, who attended the early afternoon event with her husband, Jared Kushner." Us Weekly (2/15, Chen, 5.35M) reports that it was Melania Trump's "first official White House appearance" since the inauguration. Vogue (2/15, Barsamian, 3.53M) and Women's Wear Daily (2/15, Feitelberg, 67K) report that the First Lady wore an exclusive Karl Lagerfeld outfit.

CNN (2/15, Bennett, 29.79M) reports on its website that the First Lady "has interacted with Sara Netanyahu before, as recently as November, when the Prime Minister posted on his Facebook page details of a call between his wife and the then-first lady-elect."

Tillerson's Absence During Trump's Meetings With Foreign Leaders Noted. The New York Times (2/15, Harris, Subscription Publication, 13.9M) reports that Secretary of State Tillerson was "conspicuously absent" during Trump's meeting with Netanyahu. Tillerson, it notes, "also missed two other important occasions in Washington this week: a lunch with Russia's ambassador and Mr. Trump's meetings with the prime minister of Canada." Instead, Tillerson relied on acting Deputy Secretary Thomas A. Shannon Jr., "a holdover from the Obama administration, to be his stand-in for the meetings this week."

Pompeo, Abbas Hold Talks In West Bank. The CBS Evening News (2/15, story 4, 1:30, Pelley, 11.17M) reported CIA Director Pompeo "met secretly" with the Palestinians "for the first time." According to the AP (2/15, Laub), Pompeo and President Mahmoud Abbas "met secretly...in the West Bank" on Tuesday, Palestinian officials said. The White House and the CIA "declined comment" on the meeting.

McClatchy Analysis: Kushner To Fill Void Left By Flynn's Departure. McClatchy (2/15, Ordoñez, Hall, 74K) reports this week's "sudden resignation" of National Security Adviser Flynn has left "a leadership void on Middle East issues that President Donald Trump's son-in-law, Jared Kushner, looks poised to fill."

Former Ambassadors: Friedman "Unqualified" To Serve As Ambassador. The AP (2/15, Lardner) reports that five former US ambassadors to Israel said Wednesday that President Trump's nominee for the post, David Friedman, "is unqualified and are urging senators to carefully consider his nomination." In a letter sent to members of the Foreign Relations Committee, the former diplomats said Friedman has staked out "extreme, radical positions" and has derided the

two-state solution as an "illusory" fix. "We believe the committee should satisfy itself that Mr. Friedman has the balance and the temperament required to represent the United States as ambassador to Israel," they wrote. In an interview with NBC Nightly News (2/15, story 4, 2:10, Holt, 16.61M), founder of the Beit El settlement in the West Bank and Prime Minister Netanyahu's brother-in-law, Hagi Ben-Artzi, said, "There was no President who appointed an ambassador to Israel who is a real supporter of the settlements, never." NBC noted that Friedman has helped raise "millions" for Beit El.

Fatah Selects New Deputy Leader. Reuters (2/15, Sawafta, Al-Mughrabi) reports Palestinian President Mahmoud Abbas's Fatah party on Wednesday chose a deputy leader, "but it was unclear whether Mahmoud Al-Aloul would also be favorite to succeed him as president." Aloul, a "close Abbas confidant," is the first deputy leader appointed since Fatah's founding in the 1960s.

CNN Report: Pentagon May Recommend Deployment Of US Combat Troops In Syria.

CNN's Situation Room (2/15, 554K) reported the Pentagon could propose to send conventional US ground troops into northern Syria to "speed up the fight against ISIS." Barbara Starr said that "it is not a done deal yet, but what we do know is the Pentagon is looking at the idea." Starr noted that the ground troops would be on top of the special forces and trainers already stationed in Syria.

US, Allies To Hold Syria Talks Friday.

Reuters (2/15, Irish) reports that on the sidelines of G20 talks in Germany on Friday, the foreign ministers of "countries opposed to Syrian President Bashar al-Assad" will meet to "seek common ground ahead of UN-backed peace talks in Geneva next week." A "senior French diplomatic source" said, "It's urgent to meet to see whether all the like-minded countries are on the same page," adding that the talks between the US, France, Britain, Turkey and Saudi Arabia and others would be the first opportunity to "test" Secretary of State Tillerson's position on Syria.

Elsewhere on Wednesday, the AP (2/15, Issa) reports UN special envoy Staffan de Mistura said negotiating a political transition "will be the sole item on the agenda" for the upcoming talks in Geneva. De Mistura "emphatically rejected any change to the agenda," saying it would open a "Pandora's box."

Astana Talks Delayed, Delegations Downgraded. Reuters (2/15) reports that the start of Syria talks in Astana "has been delayed by a day after the late arrival of Syrian rebel negotiators, who have decided to only send a group technical experts after threatening to boycott the meeting, sources and the delegation said." UN special envoy Staffan de Mistura also "said he would not attend the talks and Turkey also sent a lower-level delegation than" it sent to an earlier round of talks last month.

New Rebel Offensive In Southern Syria Threatens Cease-Fire.

The Washington Post (2/15, Loveluck, 11.43M) reports that a cease-fire brokered by Turkey and Russia two months ago "is fraying along Syria's southern border as rebel forces launch their largest offensive in the area in more than a year." According to "monitors, activists and an aid group," fighting between opposition and pro-government forces "raged for a fourth day Wednesday in the southern city of Daraa, pushing the number of dead and wounded past 60." In what the Post calls "an unusual development for Syria's knotty conflict," the rebel offensive in Daraa "appeared to have been launched without international support."

US, Arab Allies Explore Military Coalition To Counter Iran.

The Wall Street Journal (2/15, Abi-Habib, Subscription Publication, 6.37M) reports the Trump Administration is in talks with Arab allies, including Saudi Arabia and the UAE, about forming a military alliance that would share intelligence with Israel to counter Iran. According to officials involved in the talks, the alliance would also include Egypt and Jordan, which have longstanding peace treaties with Israel. The AP (2/15), meanwhile, reports Iranian President Hassan Rouhani met with the leaders of Oman and Kuwait on Wednesday "as part of a two-state visit aimed at

repairing ties with Iran's Gulf Arab neighbors."

Mattis To NATO Allies: Pay More Or US Will "Moderate Its Commitment."

NBC Nightly News (2/15, story 5, 1:25, Holt, 16.61M) reported President Trump "is facing a series of early tests from a country led by a leader he has repeatedly praised" amid "several provocative actions by Russia involving the US in the air and at sea." The Russian aggression remains a "key concern" for NATO members, who were presented "an ultimatum" by Defense Secretary Mattis: "Pay up or America will 'moderate its commitment' to NATO." The AP (2/15, Baldor) also calls his remarks "an ultimatum to America's allies," but Reuters (2/15, Emmott, Stewart) says Mattis "stopped short of issuing an explicit ultimatum or say how the United States might moderate its support." The Washington Post (2/15, Birnbaum, 11.43M) calls Mattis' remarks "a harsh threat to countries that have been struggling with anemic growth and high unemployment."

In comments the New York Times (2/15, Cooper, Subscription Publication, 13.9M) says "give teeth to President Trump's expressed skepticism about the alliance," Mattis said, "Americans cannot care more for your children's future security than you do. I owe it to you to give you clarity on the political reality in the United States and to state the fair demand from my country's people in concrete terms." Politico (2/15, Herszenhorn, 2.46M) calls his remarks "a stark warning delivered on behalf of...Trump."

Mattis' comments came as Fox News' Special Report (2/15, 1.53M) reported that the "Pentagon and NATO are concerned" about reports Russia has deployed "nuclear capable cruise missiles in violation of a treaty between Moscow and Washington." The AP (2/15) reports NATO Secretary-General Jens Stoltenberg Wednesday the alliance "would be concerned" if the reports "prove true." Stoltenberg said "compliance with arms control agreements is of great importance and especially when it comes to treaties covering nuclear weapons." He warned that "any non-compliance of Russia with the INF Treaty would be a serious concern for the alliance."

Tillerson In Germany On His First Overseas Trip.

The AP (2/15, Lee) reports Secretary of State Tillerson "has his work cut out for him" on his first overseas trip as America's top diplomat this week, expected to "face a blizzard of questions about the Trump administration's foreign policy from nervous Asian and European allies" at a meeting of G20 foreign ministers in Germany. The Secretary, adds the AP, "will be playing defense amid the chaos and turmoil caused by the firing of national security adviser Michael Flynn" and will hold his first face-to-face talks with Russian Foreign Minister Sergey Lavrov.

The Washington Post (2/15, Morello, 11.43M) says that with the Administration's "foreign policy overtures...mostly being conducted from the White House," Tillerson's participation at the G20 meeting "is in some aspects his introductory foray into the world of diplomacy." A "senior State Department official" said Tillerson will be in "listening mode" during multilateral meetings on the conflicts in Syria and Yemen. During his meeting with Lavrov, the official said the Secretary will discuss Syria and "insist that Russia stop supporting separatists in eastern Ukraine and live up to other commitments it made in the Minsk agreements."

Reuters (2/15, Wroughton) reports that while "there is no shortage of global challenges...senior US officials cast Tillerson's two-day trip as a 'listening tour,' conceding that this may frustrate some of his counterparts." Said one "US official" who spoke anonymously, "I think he is mostly going on a listening tour," and "if our (guy) says, 'Well, I am just here to listen,' that's going to be dispiriting."

The AP (2/15, Jordans) reports that "all eyes [will be] on the new US Secretary of State for clues about the direction Washington will take over the next four years." During the two-day talks, US allies "are seeking reassurances from...Tillerson that the administration...won't ditch a decade of close cooperation among G20 nations on climate change, international development and the global economy." Germany, Bloomberg Politics (2/15, Donahue, 201K) reports, "fixed climate change as a key topic" for the talks, "setting up for a clash" with Tillerson on the issue.

Another Reuters (2/15, Rampton, Barkin) reports says Vice President Pence will also head to Europe this week "to meet with allies seeking clarity on the Trump administration's foreign policy

strategy and its stance toward Russia" after Flynn's resignation, which was greeted in "some European capitals...with relief." Reuters cautions that Pence "may be unable to lay out many details about Trump's policies given the turbulence on the foreign policy team, but he could provide insight into White House views ahead of a NATO summit in May that Trump will attend."

German Official: Trump Undermines Joint Position Towards Russia. Reuters (2/15, Nienaber) reports Germany's "point man on Russia," Gernot Erler, has accused President Trump of "undermining the joint position of Western countries towards the Kremlin by creating uncertainty about his approach." In an interview with newspaper Mannheimer Morgen, Erler said, "Washington is undermining the ability to act of Western politics. Donald Trump radiates a great sense of uncertainty."

Dunford To Meet With Russian Counterpart.

The New York Times (2/15, Gordon, Subscription Publication, 13.9M) reports Joint Chiefs Chairman Gen. Joseph Dunford "will try to reopen a military dialogue with his Russian counterpart on Thursday amid tensions over Russia's harassment of American warships, stepped-up fighting in eastern Ukraine and accusations that Moscow has violated a landmark arms control accord." The meeting between Dunford and Gen. Valery V. Gerasimov, chief of the Russian general staff, will take place in Azerbaijan and will be "the first face-to-face meeting between military chiefs from Washington and Moscow since 2014." According to Politico (2/15, Herb, 2.46M), Dunford has been seeking a meeting with Gerasimov "for months."

AP Analysis: Russians "Patient" For Thaw With Trump. The AP (2/15, Isachenkov) reports that as questions over the Trump Administration's contacts with Russia "roil US politics, the Kremlin is taking a decidedly measured approach, carefully weighing what it says to avoid jeopardizing a chance for better relations." The AP says this "patience is evident in Russian state media, helping to temper public expectations" of Trump.

Fighting Escalates In Eastern Ukraine.

The Los Angeles Times (2/15, Ayres, 4.52M) reports that the escalation of fighting elsewhere in Ukraine in recent weeks has reached the industrial city of Mariupol, "a key component in southeast Ukraine's struggling economy." Ukraine's nearly three-year battle against Russian-backed separatists in the east "erupted into the worst fighting in two years in late January," but "exactly why the fighting intensified recently remains unclear."

Fox News Analysis: "Trump Effect" Sparks Anti-Immigrant Push In European Elections.

Fox News' Special Report  (2/15, 1.53M) reported that the "so-called Trump effect is playing a part in a trio of elections for American allies in Europe," starting in the Netherlands, where "the party of the anti-immigrants leads in some polls." In France, far-right candidate Marine Le Pen is a "projected leader." German Chancellor Angela Merkel's reelection bid "could be hurt by a new anti-immigrant party." Meanwhile, in Holland, one candidate "doesn't just want a Muslim ban. He wants to send some back" and "monitor mosques."

Trump Calls On Venezuela To Release Jailed Opposition Leader.

Reuters (2/16, Walsh) reports President Trump on Wednesday called on Venezuela to release opposition leader Leopoldo Lopez, who was sentenced last year to nearly 14 years in prison on charges of inciting anti-government protests in 2014. "Venezuela should allow Leopoldo Lopez, a political prisoner & husband of @liliantintori (just met w/ @marcorubio) out of prison immediately," Trump tweeted. Reuters notes the President met earlier yesterday with Lopez's wife, Lilian Tintori, and Sen. Marco Rubio. The Washington Post (2/15, Phillip, 11.43M) reports that in a series of tweets, Tintori thanked Trump for "standing with the Venezuelan people & our aspirations to restore democracy to our country."

A separate Reuters (2/15) report says Trump and Argentine President Mauricio Macri shared their "concern" over Venezuela in a Wednesday phone call, Macri's spokesman said. The two leaders "spoke broadly about Latin America and on 'Venezuela in particular' in the five-minute-long call, the statement said."

According to a third Reuters (2/15, Gupta) report, President Nicolas Maduro said earlier Wednesday that he wanted to avoid confrontation with Trump. "I don't want problems with the Trump administration," Maduro said in a speech. "We want respectful relations with the new administration."

Venezuela Suspends Spanish-Language CNN. Reuters (2/15, Gupta) reports Venezuela suspended the broadcast of CNN's Spanish-language service from the nation's airwaves on Wednesday, "accusing it of distorting the truth in coverage." The US-based "CNN en Espanol" was unavailable on some cable providers "minutes after a statement by telecommunications regulator Conatel announcing the suspension" over charges the network "defame[s] and distort[s] the truth...inciting aggression against the sovereignty of Venezuela and its institutions."

Tillerson, Kelly To Visit Mexico Next Week.

The AP (2/15) reports Mexico said Wednesday that Secretary of State Tillerson and DHS Secretary Kelly will visit next week. The Foreign Ministry said in a statement that the two secretaries will be in Mexico City on Jan. 23 for talks with Mexican officials aimed at promoting "a respectful, close relationship" between the two countries. The AP notes that the US "has not yet confirmed the visits." Reuters (2/15) similarly says the officials will "continue the dialogue agreed upon" during a phone call last month between President Trump and President Enrique Pena Nieto.

Malaysia Arrests Two Suspects In Killing Of Kim Jong-Un's Half-Brother.

ABC World News Tonight (2/15, story 8, 0:25, Muir, 14.63M) reported on the arrest in Kuala Lumpur of a female suspect in the apparent assassination of Kim Jong-Nam, the exiled half-brother of North Korean leader Kim Jong-Un. Police in Malaysia have given "no official motive for his murder." NBC Nightly News (2/15, story 7, 0:20, Holt, 16.61M) reported the unidentified suspect is "a woman with a Vietnamese passport," and another woman "is still on the run," but the AP (2/15, Ng) reports a second woman was arrested Thursday by Malaysian police. On Wednesday, an autopsy to determine the cause of Kim Jong-Nam's death was begun, but a Malaysian government official "said North Korea objected to the procedure because they wanted the body back." The official said the autopsy was still continuing despite the objections.

The Wall Street Journal (2/15, Jun, Gale, Otto, Malaysia, Subscription Publication, 6.37M) reports South Korean intelligence chief Lee Byung-ho told lawmakers Wednesday that Kim Jong-Un issued a "longstanding" assassination order to kill his half-brother after seizing power in 2011. The Washington Post (2/15, A1, Fifield, 11.43M) says Monday's assassination suggests that Kim "will stop at nothing to keep power." The Post quotes Lee as saying of the assassination order, "It was a command that had to be pulled off no matter what," adding that North Korea's spy agency had "consistently been preparing for the killing, and it just turned out to have been accomplished this time."

Burma Says Retired Army Officer Paid For Human Rights Lawyer's Murder.

The New York Times (2/15, Moe, Subscription Publication, 13.9M) reports the office of Burma's civilian president released a statement Wednesday announcing Aung Win Khine, a 45-year-old retired lieutenant colonel, is suspected of having paid 100 million kyat (about $71,500) to the murderer of human rights lawyer U Ko Ni. With Khine at large, the president's office has published his photograph and requested people share information about his whereabouts.

South Africa Considers $260-Per-Month Minimum Wage.

The New York Times (2/15, Onishi, Subscription Publication, 13.9M) reports South Africa is considering implementing a minimum wage that "would maximize benefits to the poor and minimize any possible" disincentives to work, with Deputy President Cyril Ramaphosa endorsing a government panel's recommendation last week setting a May 2018 deadline for the new wage to go into effect. The proposed minimum of $260 per month is just below the median income and working poverty line, but critics say it is too high and will result in fewer jobs. The Times notes disparity in income along racial lines and features stories of many who struggle to support their

families.

Police Whistleblower Scandal Puts Irish Cabinet In Crisis.

According to the New York Times (2/15, O'Shea, Subscription Publication, 13.9M), a decade-long Irish police scandal involving accusations of retaliation against a whistle-blower has resulted in a political crisis for Irish Prime Minister Enda Kenny. Last week, two Irish news media outlets reported the country's child protection agency had created a file containing a false accusation of child abuse against the whistle-blower, Sgt. Maurice McCabe. The outlets also said this was not the first time McCabe had been wrongly accused. Kenny's critics claim he failed to resolve the "mess" in 2014 and that he supported the police chief and justice minister for too long. Kenny was expected to survive Sinn Fein's Wednesday no-confidence motion, but the Times says his government's coalition "had little appetite" for new elections.

THE BIG PICTURE

Headlines From Today's Front Pages.

Wall Street Journal:
Spies Keep Trump In Dark On Intelligence In Sign Of Mistrust
Andy Puzder, Donald Trump's Labor Pick, Withdraws
Trump Drops Push For Two-State Solution In Mideast
Data Signal Solid Momentum For US Economy

New York Times:
Trump, Meeting With Netanyahu, Backs Away From Palestinian State
White House Plans To Have Trump Ally Review Intelligence Agencies
After Election, Trump's Professed Love For Leaks Quickly Faded
Andrew Puzder Withdraws From Consideration As Labor Secretary
White House Proposes New Rules To Steady Insurance Markets Under Health Law
Legacy Of Rio Olympics So Far Is Series Of Unkept Promises

Washington Post:
The Lurid Tale Of A North Korean Family Feud
Career Pivot Is Ultimate Test Of Self-reinvention
Labor Nominee Is Trump's First Cabinet Defeat
Congress Reasserts Itself Amid Flynn Saga
Trump Pulls Back From Two-State Plan

Financial Times:
Iran Calls For Truce In Yemen
Trump Levels Dirty Tricks Charge Against US Intelligence
Hizbollah Boosted By Syria Battleground Successes
Anger In Berlin Over GM Plans To Sell Opel To Peugeot
Washington Times:
Trump Spy Clash Spooks Intelligence Allies Abroad
Trump Hits US Intel For Classified Leaks, Causing Flynn's Downfall
Immigrant Group Discourages Illegals From Signing Up For Obama's Deportation Amnesty
Russian Military Provocations Testing New Administration
Trump Brings "Art Of The Deal" To Middle East Peace Negotiations
Puzder Out As Labor Secretary Pick; First Trump Nominee To Stumble

Story Lineup From Last Night's Network News:
ABC: Trump-Russia Controversy; Russia Controversy Investigation; Labor Secretary Nominee Withdraws; Israeli Prime Minister Visit; Oroville Dam Emergency; American Airlines Emergency Landing; Immigration Crackdown; Kim Jung-Nam Assassination; Yosemite Sight; Sriracha Hot

Sauce.
CBS: Trump-Russia Controversy; Russia Controversy Investigation; Intelligence Leaks; Israeli Prime Minister Visit; SPEC-OPS General Comment; Labor Secretary Nominee Withdraws; Anti-Trump Protesters; Rising Traffic Death; Health-Autism Detection; Obamacare Under Fire; Climate Change.
NBC: Labor Secretary Nominee Withdraws; Trump-Russia Controversy; Israeli Prime Minister Visit; Israel West Bank; Russian Military Aggression; Chicago Shooting Child Death; Kim Jung-Nam Assassination; Health-Autism Detection; Immigration Protest; Boy Doll; Dog Show; High School Team Mascot.

Network TV At A Glance:
Trump-Russia Controversy – 11 minutes, 20 seconds
Israeli Prime Minister Visit – 6 minutes, 15 seconds
Russia Controversy Investigation – 5 minutes, 30 seconds
Labor Secretary Nominee Withdraws – 4 minutes, 35 seconds
Health-Autism Detection – 2 minutes, 20 seconds
Kim Jung-Nam Assassination – 45 seconds

Story Lineup From This Morning's Radio News Broadcasts:
ABC: Labor Secretary Nominee Withdraws; Flynn Controversy; Immigration Crackdown.
CBS: Flynn Controversy; Israeli Prime Minister Visit; Labor Secretary Nominee Withdraws; Boeing Unionization Fails; Oroville Dam Emergency.
FOX: Flynn Controversy; Labor Secretary Nominee Withdraws; Israeli Prime Minister Visit.
NPR: Israeli Prime Minister Visit; Labor Secretary Nominee Withdraws; Gun Control; Oroville Dam Emergency; Food Expiration Label; Kim Jung-Nam Assassination; Indonesia Earthquake.

WASHINGTON'S SCHEDULE

Today's Events In Washington.

White House:
PRESIDENT TRUMP — Participates in a Congressional listening session; speaks with President Beji Caid Essebsi of Tunisia by telephone; meets with the Attorney General, Jeff Sessions; signs H.J. Res. 38.
VICE PRESIDENT PENCE — Hosts a breakfast meeting with Israeli Prime Minister Benjamin Netanyahu; joins the President to participate in a Congressional listening session; joins the President as he signs H.J. Res. 38; hosts an African American economic opportunity listening session.
US Senate: 9:30 AM Senate Armed Services Committee hearing on 'reshaping the military' – Hearing on 'Reshaping the U.S. Military', with testimony from RAND Corporation Senior Defense Research Analyst David Ochmanek; The Telemus Group Principal James Thomas; American Enterprise Institute Marilyn Ware Center for Security Studies Co-Director Thomas Donnelly; and Center for Strategic and Budgetary Assessments Bryan Clark Location: Rm G50, Dirksen Senate Office Bldg, Washington, DC http://armed-services.senate.gov/

10:00 AM Senate HELP Committee considers Andrew Puzder to be labor secretary – Nominations hearing considers Andrew Puzder to be Secretary of Labor * Then-President-elect Donald Trump announced the nomination of the businessman in December Location: Rm 430, Dirksen Senate Office Bldg, Washington, DC http://help.senate.gov/

10:00 AM LULAC Advocacy Day on Capitol Hill – League of United Latin American Citizens Advocacy Day on Capitol Hill, as part of the Emerge Latino Conference, with meetings with legislators and the Capitol Hill Power Luncheon Location: U.S. Capitol, Washington, DC www.lulac.org https://twitter.com/LULAC

10:00 AM Senate Finance Committee considers Seema Verma to be CMS administrator – Nominations hearing considers Seema Verma to be Centers for Medicare & Medicaid Services Administrator * Then-President-elect Donald Trump announced the nomination of the health policy consultant in November Location: Rm 215, Dirksen Senate Office Bldg, Washington, DC

http://finance.senate.gov

10:30 AM Nominations hearing considers David Friedman to be U.S. Ambassador to Israel Location: Rm 419, Dirksen Senate Office Bldg, Washington, DC http://foreign.senate.gov/

10:30 AM Senate Transportation subcommittee hearing on improving the TSA – Aviation Operations, Safety, and Security Subcommittee hearing on 'Stakeholder Perspectives on Improving TSA for the Security of the Traveling Public', with testimony from Cargo Airline Association President Stephen Alterman; Airlines for America Senior Vice President of Legislative and Regulatory Policy Sharon Pinkerton; Denver International Airport CEO Kim Day; and Analogic Vice President of Global Business Development and Government Relations Mark Laustra Location: Rm 253, Russell Senate Office Bldg, Washington, DC http://commerce.senate.gov

12:00 PM Dem Sen. Bob Casey meets SCOTUS nominee Neil Gorsuch – Democratic Sen. Bob Casey meets U.S. Supreme Court nominee Neil Gorsuch to discuss his background and nomination Location: Rm 393 Russell Senate Office Bldg, Washington, DC http://casey.senate.gov/ https://twitter.com/SenBobCasey

2:45 PM Garry Kasparov testifies to Senate Foreign Relations subcommittee hearing on democracy and human rights – Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues Subcommittee hearing on 'Democracy and Human Rights: The Case for U.S. Leadership', with testimony from Human Rights Foundation Chairman Garry Kasparov; National Endowment for Democracy President Carl Gershman; International Republican Institute President Mark Green; National Democratic Institute President Kenneth Wollack; human rights activist Dr Halah Eldoseri; and Cuban artist and human rights activist El Sexto (aka Danilo Maldonado Machado) Location: Rm 419, Dirksen Senate Office Bldg, Washington, DC http://foreign.senate.gov/

3:45 PM Republican Sen. Chuck Grassley meets Iowa Secretary of State Paul Pate Location: U.S. Capitol, Washington, DC http://grassley.senate.gov/public/ https://twitter.com/ChuckGrassley

US House: 9:00 AM House Armed Services subcommittee hearing on fifth generation tactical aircraft – Tactical Air and Land Forces Subcommittee hearing on 'Military Services 5th Generation Tactical Aircraft Challenges and F-35 Joint Strike Fighter Program Update', with testimony from U.S. Air Force Deputy Chief of Staff for Strategic Plans, Programs, Requirements Lt. Gen. Jerry Harris, Jr., and F-35 Joint Program Office Program Executive Officer Lt. Gen. Chris Bogdan; U.S. Navy Director of Air Warfare Rear Adm. Chip Miller III; and U.S. Marine Corps Deputy Commandant For Aviation Lt. Gen. Jon Davis Location: Rm 2212, Rayburn House Office Bldg, Washington, DC www.armedservices.house.gov https://twitter.com/HASCRepublicans

9:30 AM House Appropriations subcommittee 'Members' Day' hearing – Military Construction, Veterans Affairs and Related Agencies Subcommittee 'Members' Day' hearing, with testimony from bipartisan Reps. Amata Radewagen, Emanuel Cleaver, Frank LoBiondo, Colleen Hanabusa, and Roger Williams Location: HT-2, U.S. Capitol, Washington, DC http://appropriations.house.gov/ https://twitter.com/HouseAppropsGOP

10:00 AM Senate Rules and Administration business meeting – Organizational business meeting to consider committee rules, an original resolution authorizing expenditures by the Committee during the 115th Congress, and the omnibus budget resolution for Senate Committees. Location: 301 Russell

10:00 AM House Homeland Security subcommittee hearing on threats from cartels – Border and Maritime Security Subcommittee hearing on 'A Dangerous and Sophisticated Adversary: The Threat to the Homeland Posed by Cartel Operations', with testimony from U.S. Coast Guard Deputy Commandant for Operations Vice Adm. Charles Ray; Department of Homeland Security Homeland Security Investigations Assistant Director for Investigative Programs Matt Allen, and Joint Task Force-West Commander Paul Beeson; and Principal Deputy Assistant Secretary of State for International Narcotics and Law Enforcement Affairs Luis Arreaga Location: CVC 210, U.S. Capitol, Washington, DC homeland.house.gov https://twitter.com/HouseHomeland

10:00 AM House Agriculture Committee Business Meeting, hearing on food stamps – Business Meeting, to consider 'H.R. XX, The Pesticide Registration Enhancement Act of 2017' and 'H.R. 953, Reducing Regulatory Burdens Act of 2017' * Immediately followed by hearing on 'Pros and Cons of Restricting SNAP Purchases' Location: Rm 1300, Longworth House Office Bldg, Washington, DC http://agriculture.house.gov/

10:00 AM LULAC Advocacy Day on Capitol Hill – League of United Latin American Citizens Advocacy Day on Capitol Hill, as part of the Emerge Latino Conference, with meetings with legislators and the Capitol Hill Power Luncheon Location: U.S. Capitol, Washington, DC www.lulac.org https://twitter.com/LULAC

10:00 AM House Space Committee hearing on NASA – Hearing on 'NASA: Past, Present, and Future', with testimony from former astronaut / former Sen. Harrison Schmitt; former astronaut Thomas Stafford; former NASA Chief Scientist Dr Ellen Stofan; and former Goddard Spaceflight Center Director Tom Young Location: Rm 2318, Rayburn House Office Bldg, Washington, DC http://science.house.gov https://twitter.com/HouseScience

10:00 AM House Energy subcommittee hearing on modernizing environmental laws – Environment Subcommittee hearing on 'Modernizing Environmental Laws: Challenges and Opportunities for Expanding Infrastructure and Promoting Development and Manufacturing', with testimony from National Association of Manufacturers Vice President for Energy and Resources Policy Ross Eisenberg; George Washington University Law School Professor Emily Hammond (on behalf of Center for Progressive Reform); Water You fighting For? founder Melissa Mays; New Bradford, MA, Mayor Jonathan Mitchell; U.S. Chamber of Commerce Vice President for Small Business Policy Thomas Sullivan; and Pennsylvania Chamber of Business and Industry Director of Government Affairs Kevin Sunday Location: Rm 2123, Rayburn House Office Bldg, Washington, DC http://energycommerce.house.gov/ https://twitter.com/HouseCommerce

10:00 AM House Foreign Affairs Committee hearing on Iran – Hearing on 'Iran on Notice', with testimony from The Rapidan Group Managing Director Scott Modell; The Washington Institute for Near East Policy Fellow Katherine Bauer; Institute for Science and International Security founder and President David Albright; and The Atlantic Contributing Editor Dr Andrew Exum * Earlier this month, then-National Security Adviser Michael Flynn – in his first public statement since taking office – responded to an Iranian missile test by saying the U.S. was 'officially putting Iran on notice' Location: Rm 2172, Rayburn House Office Bldg, Washington, DC http://www.hcfa.house.gov https://twitter.com/HFACrepublicans

10:00 AM House Workforce subcommittee hearing on federal wage and hour policies – Workforce Protections Subcommittee hearing on 'Federal Wage and Hour Policies in the Twenty-First Century Economy', with testimony from College and University Professional Association for Human Resources President and CEO Andy Brantley; Rhea Lana's Franchise Systems President Rhea Lana Riner (on behalf of International Franchise Association); The Century Foundation Senior Fellow Andrew Stettner; and FiveL Company sole proprietor Christine Walters (on behalf of Society for Human Resource Management) Location: Rm 2175, Rayburn House Office Bldg, Washington, DC http://edworkforce.house.gov/ https://twitter.com/EdWorkforce

10:00 AM House Financial Services subcommittee hearing on the U.S.-EU covered agreement – Housing and Insurance Subcommittee hearing on 'Assessing the U.S.-EU Covered Agreement', with testimony from Wisconsin Commissioner of Insurance Ted Nickel (on behalf of National Association of Insurance Commissioners); National Association of Mutual Insurance Companies President and CEO Charles Chamness; American Insurance Association President and CEO Leigh Ann Pusey; and former Federal Insurance Office Director Michael McRaith Location: Rm 2128, Rayburn House Office Bldg, Washington, DC http://financialservices.house.gov https://twitter.com/FinancialCmte

10:00 AM House Judiciary subcommittee hearing on the Competitive Health Insurance Reform Act – Regulatory Reform, Commercial and Antitrust Law Subcommittee hearing on 'H.R. 372, the Competitive Health Insurance Reform Act of 2017', with testimony from Republican Reps. Paul Gosar and Austin Scott; American Enterprise Institute Resident Fellow Thomas Miller; David A. Balto Law Offices Principal David Balto; Property Casualty Insurers Association of America Vice President for Policy Robert Woody; and Consumer Union Senior Policy Counsel George Slover Location: Rm 2141, Rayburn House Office Bldg, Washington, DC http://judiciary.house.gov/ https://twitter.com/HouseJudiciary

10:45 AM House Administration Committee hearing on committee funding concludes – Hearing concludes on 'Committee Funding for the 115th Congress', with testimony from bipartisan Reps. Mike Conaway, Collin Peterson, Mac Thornberry, Adam Smith, Diane Black, John Yarmuth, Virginia Foxx, Bobby Scott, Greg Walden, Frank Pallone, Susan Brooks, Linda Sanchez, Jeb

Hensarling, Maxine Waters, Ed Royce, Eliot Engel, Michael McCaul, Bennie Thompson, Devin Nunes, Adam Schiff, Bob Goodlatte, John Conyers, Rob Bishop, Raul Grijalva, Jason Chaffetz, Elijah Cummings, Pete Sessions, Louise Slaughter, Lamar Smith, Eddie Bernice Johnson, Steven Chabot, Nydia Velazquez, Bill Shuster, Peter DeFazio, Phil Roe, Tim Walz, Kevin Brady, and Richard Neal * Began yesterday Location: Rm 1310, Longworth House Office Bldg, Washington, DC http://cha.house.gov/ https://twitter.com/HouseAdmnGOP

11:00 AM House Small Business subcommittee hearing on the 'state of the small business economy' – Economic Growth, Tax and Capital Access Subcommittee hearing on 'State of the Small Business Economy', with testimony from American Enterprise Institute Resident Scholar Dr Stan Veuger; Ewing Marion Kauffman Foundation Vice President for Entrepreneurship Victor Hwang; NFIB Research Foundation Director of Research and Policy Analysis Holly Wade; and Manufacture NY CEO and founder Bob Bland Location: Rm 2360, Rayburn House Office Bldg, Washington, DC http://smallbusiness.house.gov/ https://twitter.com/SmallBizGOP

11:30 AM House Speaker Ryan to Hold Weekly Press Briefing – House Speaker Paul Ryan (R-WI) will hold his weekly press briefing. For questions regarding location or directions to the studio, please contact House Radio-TV Gallery staff at 202-225-5214. Location: Capitol Visitor Center HVC Studio A, HVC 114 www.speaker.gov https://twitter.com/SpeakerRyan

11:30 AM Bipartisan congressmen discuss resolution exonerating USMC company – Republican Rep. Walter Jones and Democratic Reps. Seth Moulton and Ruben Gallego hold press conference on 'H. Res. 21' – a resolution stating that the U.S. Marine Corps commandant should issue a public document certifying that members of Fox Company of the Marine Special Operations Command were not at fault in the 4 Mar 2007 firefight with enemy forces in Bati Kot District, Afghanistan. Other speakers include Maj. (Ret.) Fred Galvin, Lt. Col. (Ret.) Steve Morgan, and attorney Raymond Toney Location: House Triangle, Washington, DC jones.house.gov https://twitter.com/repwalterjones

12:00 PM House expected to vote on resolution reversing regulation to protect access to family planning and preventive services – House of Representatives meets for legislative business, with agenda expected to include completion of consideration of 'H.J.Res. 43 – Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients' and 'H.J.Res. 69 – Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to 'Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska' * Title X is the only federal program focused solely on providing family planning and related preventive services Location: Washington, DC http://www.house.gov/

12:30 PM House Veterans' Affairs / Oversight subcommittees joint hearing on union activities on official time at VA – House Committee on Veterans' Affairs Economic Opportunity Subcommittee and House Committee on Oversight and Government Reform Government Operations Subcommittee joint hearing on 'The Use of Official Time for Union Activities at the Department of Veterans Affairs', with testimony from Government Accountability Office Assistant Director of Education, Workforce, and Income Security Mary Crenshaw; VA Acting Executive Director of Labor-Management Relations Kim McLeod; Competitive Enterprise Institute Policy Analyst Trey Kovacs; and American Federation of Government Employees National President J. David Cox Location: Rm 2154, Rayburn House Office Bldg, Washington, DC http://veterans.house.gov/ https://twitter.com/HouseVetAffairs

2:00 PM EESI co-hosts briefing on electric transmission infrastructure – 'Electric Transmission Infrastructure 101: The High-Voltage Grid: Its Operations, Challenges, and Benefits' WIRES / House Grid Innovation Caucus / National Electrical Manufacturers Association / Environmental and Energy Study Institute (EESI) briefing, on the modernization of the nation's network of high-voltage transmission. Speakers include bipartisan Reps. Jerry McNerney and Bob Latta, Smart Wires' Adriann McCoy, Midcontinent ISO's Clair Moeller, Southwest Power Pool's Mike Ross, and PJM Interconnection's Craig Glazer Location: Rm 385, Russell Senate Office Bldg, Washington, DC www.eesi.org/ https://twitter.com/eesionline #eesitalk

2:00 PM House Homeland Security subcommittee hearing on DHS management – Oversight

and Management Efficiency Subcommittee hearing on 'Watchdog Recommendations: A Better Way Ahead to Manage the Department of Homeland Security', with testimony from DHS Inspector General John Roth; and Government Accountability Office Director of Homeland Security and Justice Issues Rebecca Gambler Location: CVC 210, U.S. Capitol, Washington, DC homeland.house.gov https://twitter.com/HouseHomeland

2:00 PM House Judiciary subcommittee hearing on religious liberty – Subcommittee on the Constitution and Civil Justice hearing on 'The State of Religious Liberty in America', with testimony from Christian Legal Society Center for Law and Religious Freedom Director Kim Colby; Becket Senior Counsel Hannah Smith; rabbi David Saperstein; and Alliance Defending Freedom Center for Academic Freedom Senior Counsel Casey Mattox Location: Rm 2141, Rayburn House Office Bldg, Washington, DC http://judiciary.house.gov/ https://twitter.com/HouseJudiciary

2:00 PM Helsinki Commission film screening and discussion on Roma in Romania – Helsinki Commission, with the State Department and the Embassy of Romania, hosts screening of 'Aferim!' ('Bravo!') – the first Romanian film on the enslavement of Roma – followed by a panel discussion and remarks on the topic featuring Romani activist Dr Margareta Matache, State Department Office of Central European Affairs Director Dereck Hogan, and Embassy of Romania Deputy Chief of Mission Cristian Gaginsky Location: Rm 122, Cannon House Office Bldg, Washington, DC http://www.csce.gov

Other: 8:15 AM Annual Tax Policy & Practice Symposium – Annual Tax Policy & Practice Symposium, with speakers including House Ways and Means Committee Chairman Rep. Kevin Brady, American Action Forum President Douglas Holtz-Eakin, and EY Global Chairman and CEO Mark Weinberger Location: The Ritz-Carlton, Washington DC, 1150 22nd St NW, Washington, DC http://www.tcpi.org/

8:30 AM Families USA 22nd annual Health Action conference – Families USA 22nd annual Health Action conference. Opening day speakers include Democrats Sens. Al Franken, Chris Van Hollen, and Debbie Stabenow, and Rep. Robin Kelly, North Carolina NAACP President Rev. William Barber, Enroll America President Anne Filipic, and former CMS Acting Administrator Andy Slavitt Location: Hyatt Regency Washington on Capitol Hill, 400 New Jersey Ave NW, Washington, DC http://www.familiesusa.org/ https://twitter.com/FamiliesUSA #HA2017

11:35 AM New Jersey Chamber of Commerce Walk to Washington event – New Jersey Chamber of Commerce 80th Annual Walk to Washington & Congressional Dinner, with New Jersey Governor Chris Christie, Democrats Sen. Bob Menendez and Cory Booker, and Republican Rep. Chris Smith Location: Marriott Wardman Park Hotel, Washington, DC www.njchamber.com https://twitter.com/njchamber #chambertrain

6:30 PM World Affairs Council Embassy Series event with delegation of the EU to the U.S. – World Affairs Council Embassy Series event with European Union Delegation to the U.S. Head Amb. David O'Sullivan Location: 3900 Spring of Freedom Ln NW, Washington, DC http://www.worldaffairsdc.org https://twitter.com/wac_dc

Education Secretary DeVos addresses Community College National Legislative Summit – Community College National Legislative Summit. Final day speakers include Secretary of Education Betsy DeVos Location: Marriott Wardman Park Hotel, Washington, DC http://www.acct.org/ https://twitter.com/CCTrustees

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Friday, February 17, 2017 9:29 AM
To:	James B. Comey
Subject:	FW: FBI Public Affairs News Briefing Friday, February 17, 2017

From: Bulletin Intelligence [mailto[redacted]
Sent: Friday, February 17, 2017 7:07 AM
To:[redacted]
Subject: FBI Public Affairs News Briefing Friday, February 17, 2017

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FBI News Briefing



TO: THE DIRECTOR AND SENIOR STAFF

DATE: FRIDAY, FEBRUARY 17, 2017 7:00 AM EST

Holiday Message

In observance of the Washington's Birthday holiday, we will not publish on Monday, February 20, 2017. Service will resume on Tuesday, February 21, 2017. We wish our readers a safe and happy holiday.

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LEADING THE NEWS

Trump Says He Has Directed Sessions To Investigate Leaks.

USA Today (2/16, Johnson, 5.28M) reports that President Trump said "in the midst of a meandering and combative White House news conference" that he has directed Attorney General Sessions "to investigate alleged leaks of classified information," which "immediately revived concerns previously voiced by Democratic lawmakers that Sessions could not assert his independence as the nation's chief law enforcement officer." Senate Minority Leader Schumer has called on Sessions to recuse himself, and Senate Judiciary Committee ranking Democrat Dianne Feinstein "asked that Sessions limit contacts between the White House and the Justice Department." The New York Times (2/16, Savage, Lichtblau, Subscription Publication, 13.9M) writes that while "no law forbids a president from making a criminal referral to the Justice Department," it's "unusual for a president to direct the agency to open a criminal investigation into his perceived opponents or to talk publicly about having done so."

Congressmen Say Trump "Fumed" About Leaks In Meeting. Politico (2/16, Cheney, Bade, 2.46M) reports that the President "fumed about intelligence community leaks during a meeting at the White House with his earliest supporters in Congress," according to Reps. Lou Barletta Mike Kelly (R-PA) and Mike Kelly (R-PA), who were among the 11 lawmakers at the meeting. Kelly said Trump "vented" that Flynn's departure "is 'not the issue' compared to the leaks that made those revelations public," and Barletta said Trump "'talked a lot' about the leaks."

Nunes: Leakers "Probably" People From Obama Administration. The Washington Times (2/16, Sherfinski, 272K) reports that House Intelligence Chairman Devin Nunes said Wednesday evening that "most of the recent intel leaks are likely originating from people who worked in the Obama administration." He said on Fox News' Hannity, "It's totally unacceptable for anyone within government to be doing this. I think most of this is probably from people who were in the old Administration, but there still could be some people that have burrowed in and are providing classified information to the media."

Officials Say Flynn Denied Discussing Sanctions With Russian Ambassador In FBI Interview. The Washington Post (2/16, A1, Horwitz, Entous, 11.43M) reports that Flynn denied to FBI agents in a January 24 interview "that he had discussed U.S. sanctions against Russia" with Ambassador Sergey Kislyak before President Trump took office, "contradicting the contents of intercepted communications collected by intelligence agencies," according to current and former officials. The Post says Flynn may be "in legal jeopardy" since "lying to the FBI is a felony offense."

Meanwhile, CNN (2/16, Perez, 29.79M) reports online that the FBI is not expected to seek charges against Flynn because authorities do not believe he intentionally sought to mislead them. "Flynn initially told investigators sanctions were not discussed. But FBI agents challenged him, asking if he was certain that was his answer. He said he didn't remember," CNN says, citing law enforcement officials.

ABC World News Tonight (2/16, story 2, 2:25, Muir, 14.63M) reported that while "Justice Department attorneys are intensely reviewing why former National Security Advisor Michael Flynn made misleading statements to the White House about his conversation with Russia's ambassador to the US and whether he broke any laws in the process," Trump "defend[ed] the national security adviser he just fired." On the CBS Evening News (2/16, story 5, 2:25, Pelley, 11.17M), John Dickerson said, "The Michael Flynn episode is about what penalty there is for not telling the truth in the Trump Administration. And today we got about the fourth explanation from the President on what his relationship was with Michael Flynn."

On the CBS Evening News (2/16, story 2, 2:35, Pelley, 11.17M), Jeff Pegues reported that Trump "was asked by three reporters if any of his campaign staffers were in regular contact with Russian operatives during the election. He denied any connections to the Kremlin and dismissed the investigation." Trump: "Russia is a ruse. I have nothing to do with Russia. Haven't made a phone call to Russia in years."

The Hill (2/16, Hensch, 1.25M), Reuters (2/16), The Hill (2/16, Williams, 1.25M), and the New York Daily News (2/16, Slattery, 4.45M) discuss the Post and CNN's coverage of Flynn's remarks to investigators.

ODNI Denies Allegations That IC Withholding Intel From Trump. A video on the CBS News (2/16, 4.4M) website says a Wall Street Journal report alleges that intelligence officials have withheld intelligence from Trump because of their "deep mistrust" for Trump and his Administration. Fox News Insider (2/16, 3K) said Fox News chief intelligence correspondent Catherine Herridge reported that former National Security Adviser Mike Flynn wanted Trump to review raw data, which Herridge said "which may explain the blocks reported by the Wall Street Journal." However, she noted that "the nation's spy chief is pushing back against the explosive report." According to Politico (2/16, Nelson, 2.46M), the ODNI released a statement denying the allegations, saying, "Any suggestion that the U.S. Intelligence Community is withholding information and not providing the best possible intelligence to the President and his national security team is not true."

In addition, the AP (2/16, Salama, Riechmann) reports that CIA Director Pompeo called the allegations "dead wrong" on Thursday and said his agency "does not, has not, and will never hide intelligence from the president, period. We are not aware of any instance when that has occurred." He also claimed that the accusations damage the "integrity of thousands of professional intelligence officers."

Harward Turns Down Offer To Become NSA. Reuters (2/16, Beech) reports that retired Vice Adm. Robert Harward has turned down Trump's offer to be named national security adviser. USA Today (2/16, Cummings, 5.28M) reports that Harward told the AP that he turned down the job for personal reasons, but CBS reported that Trump "insisted that Deputy National Security Adviser K.T. McFarland be allowed to stay on, and Harward refused to retain the former Fox News analyst and Flynn hire." The New York Times (2/16, Davis, Schmitt, Subscription Publication, 13.9M) says White House officials "had scrambled to head off the refusal, asserting as late as Thursday evening" that Harward "was still in the running."

NYTimes Analysis: US Does Not Yet Have A "Deep State," But Is Heading That Way. The New York Times (2/16, Taub, Fisher, Subscription Publication, 13.9M) says in an analysis that the leaks are leading some to compare the US to countries "like Egypt, Turkey and Pakistan, where shadowy networks within government bureaucracies, often referred to as 'deep states,' undermine and coerce elected governments." Experts say the US is not yet "seeing the rise of its own deep state...but the echoes are real – and disturbing."

Time Analysis: White House Returns To "Reality-Show Ways" Amid "Chaos." Philip Elliott of TIME (2/16, 6.98M) looks "Inside Donald Trump's White House Chaos," writing that while Trump "mastered the art of disruption" as a presidential candidate, "disruption in government – the rulemaker breaking the rules – turns out to be more costly." Facing crises and protests, "the White House has fallen back on its reality-show ways, distracted by the internecine drama of senior aides who spend their days mixing government business with jockeying for position and favor with the boss."

In her Wall Street Journal (2/16, Subscription Publication, 6.37M) column, Peggy Noonan

pleads with Trump to bring in more conventional staff members to balance out his own unconventional style and that of much of his inner circle. However, in the Washington Post (2/16, 11.43M), contributing columnist Hugh Hewitt warns against hyperbole, writing that every Administration stumbles in its first days, and that "judgments about Trump's presidency based on his first month in the Oval Office are by definition premature."

Leonhardt: Comey, McCain Face "Test" Over Flynn. In his column for the New York Times (2/16, Subscription Publication, 13.9M), David Leonhardt argues that the investigation of Flynn presents FBI Director Comey and Sen. John McCain with a "character test." The men, says Leonhardt, disappointed those "alarmed by Donald Trump's rise" in 2016 and are now in the unique position of being able to compel Flynn to testify. "Because Republicans control both houses of Congress, only they really have the power to address the situation, which is as alarming as any political situation in a long time," Leonhardt says.

Weiner: Comey At Helm Of "Delicate," Possibly "Dangerous" Probe Into Flynn. In an op-ed for Reuters (2/16, Weiner), author Tim Weiner argues that Comey is overseeing "one of the most delicate, and potentially the most dangerous, counterintelligence cases in the 108-year history of the FBI." The case, says Weiner, is complicated by the fact that Comey will sometimes need the approval of Attorney General Sessions, "a leading figure in the Trump campaign." Though much of the Flynn probe will likely take place in secret, "there are no secrets that time will not reveal," Weiner concludes.

COUNTER-TERRORISM

Man Linked To San Bernardino Terrorists Pleads Guilty To Conspiracy Charges.

The Inland Valley (CA) Daily Bulletin (2/16, Rokos, 94K) reports that California man Enrique Marquez pleaded guilty Thursday "to conspiring to support terrorists and lying on documents signed during the purchase the rifles used to kill 14 people and wound 22 others" in the San Bernardino terrorist attack. Marquez faces up to 25 years behind bars. The 25-year-old will be sentenced under a plea agreement that will allow him to escape conviction on some of the charges originally filed against him. "As part of the agreement, charges of marriage fraud and misuse of visas and permits will be dropped at sentencing," the Daily Bulletin says, noting that Marquez was engaged in a sham marriage to a Russian woman. Marquez can also "be fined up to $250,000 for each of the counts," the newspaper says. The AP (2/16) reports that the families of some of those killed by the San Bernardino terrorists expressed discontent at the length of the maximum sentence possible for Marquez. "U.S. Attorney Eileen M. Decker said she understands...but explained that she is bound by the law and there is no evidence that Marquez participated in or had advance knowledge of the San Bernardino killings," the AP says. Reuters (2/16, Gorman) reports that Marquez is set to be sentenced on Aug. 21. The Pasadena (CA) Star-News (2/16, 71K) posts the Daily Bulletin's coverage to its website.

FBI: South Carolina Man Sought To Carry Out Attack Styled After Charleston Church Massacre.

Reuters (2/16, Skinner) report that the FBI this week said it had arrested Benjamin McDowell, a South Carolina man who had hoped to carry out an attack similar to Charleston church shooter Dylann Roof. McDowell was arrested after allegedly illegally purchasing a gun from an undercover FBI agent. "I seen what Dylann Roof did, and in my heart I reckon I got a little bit of hatred. ... I want to do that," McDowell allegedly told the undercover agent last month. McDowell, who is connected to the White Supremacy Extremists hate group, asked the FBI agent to buy the firearm for him, which he could not legally own due to a felony conviction.

The AP (2/16, Collins) reports that the FBI said it had provided McDowell with a .40-caliber Glock and ammunition for $109. Though McDowell had threatened a synagogue on Facebook, the FBI said, he told the undercover agent he did not have a specific target in mind and might just shoot at a group of black people. "I got the heart to do that s---, but I don't have the good training," McDowell said, according to the undercover operative. "Authorities began investigating McDowell in December" after he threatened the synagogue, the AP says.

The Charleston (SC) Post and Courier (2/16, Smith, 300K) reports, "McDowell's frustrations

apparently boiled over" around the time of Dylann Roof's hate crimes trial. "He posted a message on Facebook on Jan. 5 griping about supremacists who liked to post pictures of Vikings and swords but lacked 'the heart to fight for Yaweh like dylann roof,'" the Post and Courier says, citing the complaint. "The post appeared a day after the penalty phase of Roof's trial began in Charleston." The NBC News (2/16, 2.67M) website reports that McDowell, "who had connected with white power gangs while serving time in prison," has an extensive criminal history, including "malicious injury to animals, assault, violent second-degree burglary...and a third-degree burglary."

ABC World News Tonight  (2/16, story 8, 0:30, Muir, 14.63M), the Daily Beast (2/16, 1.11M), and the Rock Hill (SC) Herald (2/16, KULMALA, ROLDÁN, 85K) report similarly. The Houston (TX) Chronicle (2/16, Collins, 1.91M) posts the AP's coverage to its website.

Tennessee Man Convicted Of Planning Attack On New York Muslim Community.

The AP (2/16) reports that a federal jury on Thursday convicted Tennessee man Robert Doggart of planning an attack on a New York Muslim community. "Media outlets report that 65-year-old Robert Doggart was found guilty of solicitation to commit a civil rights violation, solicitation to commit arson of a building and making a threat in interstate commerce," the AP says. Doggart, prosecutors said, amassed a collection of weapons and told others about his plans to attack Islamberg, a Muslim community in New York. The prosecution showed jurors one of Doggart's weapons and played for them recordings of a series of conversations he had with an informant. "Doggart's attorneys argued that he never had a consistent plan in place, he was entrapped by a confidential informant and he only wanted to conduct reconnaissance on Islamberg," the AP says. Reuters (2/16) quotes Acting Assistant Attorney General Tom Wheeler as saying, "The defendant sought out others to join him in a violent attack on a community of men, women, and children because of their religion." Doggart, prosecutors said, had planned to raise a militia to help him attack Islamberg. The Guardian (UK) (2/16, 4.07M) posts the AP's coverage to its website.

Man Arrested In Los Angeles After "Unexploded Devices" Found In Denver Hotel.

The Denver Post (2/16, Paul, 778K) reports a man "was arrested Thursday in Los Angeles after unexploded devices were found at the Sheraton Denver Downtown Hotel." Adam Hayat, who is due in court Friday, was reportedly "found with knives after apparently flying to Los Angeles. He was arrested near the airport," the Post says. "A Denver Police Department spokesman referred questions about the case to the FBI."

ADL: US Deaths Linked To Domestic Islamic Extremism The Highest In Decades.

The Washington Times (2/16, Noble, 272K) reports that last year's Orlando nightclub shootings "propelled the annual number of deaths linked to domestic extremist-related attacks to their highest level in decades and made Islamist extremism the deadliest ideology for the first time in 30 years." That Times adds that according to a new report from the Anti-Defamation League, "the preliminary tally of homegrown extremist-related deaths in the U.S. shows that 69 people died in such attacks last year, the most since the 1995 Oklahoma City bombing." According to the Times, Omar Mateen's "pledge of allegiance to the Islamic State and al Qaeda during the Pulse nightclub massacre led to classification of the attack, which killed 49 people, as domestic Islamic extremism – setting 2016's figures far afield from prior years."

Netanyahu: Trump And I Agree On Threat From Radical Islam.

On Fox News' Hannity  (2/16, 535K), Israeli Prime Minister Benjamin Netanyahu described his meeting with President Trump as "historical" and a "meeting of the minds and a meeting of the hearts." Netanyahu added that "radical Islam has two fountainheads" – "radical Sunnis led by ISIS" and "radical Shiites led by Iran." Netanyahu added, "In my conversation yesterday with President Trump, he sees the things in the same way. That opens up opportunities. No question about it."

COUNTER-INTELLIGENCE

Chinese National Convicted Of Stealing Engineered Rice From US Company.

Reuters (2/16, Beech) reports, "A federal jury on Thursday convicted a Chinese scientist in Kansas of conspiring to steal samples of a variety of genetically engineered rice seeds from a U.S. research facility, the U.S. Justice Department said, the latest attempt at agricultural theft linked to China." Weiqiang Zhang was convicted of multiple counts, include conspiracy to steal trade secrets. Zhang stole hundreds of rice seeds from Kansas-based company Ventria Bioscience Inc, where he worked as a rice breeder. "In Zhang's case, employees of a crop research institute in China visited him in 2013 in Kansas. U.S. customs officers found seeds belonging to Ventria in the luggage of Zhang's visitors as they prepared to leave the United States for China," Reuters says, citing authorities.

Tech Groups Gear Up For Fight Over FISA Surveillance Extension.

IDG News Service (2/16, Gross) reports that "a controversial provision in U.S. law that gives the National Security Agency broad authority to spy on people overseas expires at the end of the year, and six major tech trade groups are gearing up for a fight over an extension." Section 702 of the Foreign Intelligence Surveillance Act "expires on Dec. 31, and Congress almost certain to extend it in some form." According to IDG, "the tech trade groups, including BSA, the Consumer Technology Association, and the Computer and Communications Industry Association, are asking lawmakers to build in new privacy protections for internet users. 'It is critical that Congress takes a balanced yet focused approach with respect to Section 702,' the groups said in a letter sent to top lawmakers Wednesday. 'We urge your committees to ensure that any reauthorization includes meaningful safeguards for internet users' privacy and civil liberties.'"

CRIMINAL INVESTIGATIONS

Florida Man Charged With Making Bombs In Plot To Blow Up Target Stores.

The Orlando (FL) Sentinel (2/16, Hayes, 684K) reports that a Florida man made at least 10 bombs in hopes of blowing up East Coast Target stores in a scheme to buy cheap stock. Mark Charles Barnett has been charged with "possession of a destructive device affecting commerce by a previously convicted felon." According to a federal complaint, Barnett had hoped to disguise the explosive devices as food items and plant them at stores along the Eastern seaboard from New York to Florida in hopes that the plot would cause Target's stock to fall before rebounding. "He paid a man $10,000 to place the bombs on shelves," the Sentinel says, citing the complaint. The man alerted authorities. WTTG-TV's Washington (2/16, 67K) website quotes US Attorney A. Lee Bentley III as saying, "An explosives expert determined that [the devices] were capable of causing property damage, serious injury, or death to nearby persons upon detonation." The ATF, FBI, and Florida authorities investigated the case.

FBI Interviewing US Gymnastics Team Members Over Sexual Abuse Allegations.

Citing persons familiar with the matter, the Wall Street Journal (2/16, O'Brien, Radnofsky, Subscription Publication, 6.37M) reports that multiple top US women's national gymnastics team members have been interviewed by the FBI regarding allegations of sexual abuse by former team doctor Larry Nassar. The doctor served as volunteer trainer and physician for the US national team for nearly 30 years and now faces charges in the state of Michigan and several civil lawsuits alleging sexual misconduct. Federal prosecutors charged Nassar with possession of child pornography in December. According to sources, Nassar could soon face federal charges related to the sexual abuse of gymnastics team members. After learning of Nassar's alleged misconduct, USA Gymnastics did not report the allegations for at least five weeks, and the FBI did not open a formal probe for another nine months after being alerted, the Journal says.

The Washington Post (2/16, Maese, Hobson, 11.43M) reports that some have accused USA Gymnastics of failing to act quickly enough to stop Nassar. "They're actually acting like they're responsible for him being caught," said attorney John Manly, who represents dozens of gymnasts alleging abuse. "Nothing could be further from the truth. They delayed this. ... The fact that they're still acting like they don't have any culpability for this and still being secretive and duplicitous about it is abhorrent." For his part, Nassar denies allegations of wrongdoing. USA Today (2/16, Alesia, 5.28M) reports that in a statement, USA Gymnastics "said the FBI assured the organization that it handled the matter correctly." USA Today (2/16, 5.28M) posts a timeline to its

website of how USA Gymnastics says it responded to the allegations.

San Antonio School Board Member Charged With Taking Bribes.

The AP (2/16) reports that San Antonio, Texas school board member Olga Hernandez "has been indicted in a public corruption probe involving alleged bribes from insurers seeking district contracts." The 66-year-old, who took office in 2006, faces charges of conspiracy to commit wire fraud and honest services wire fraud. According to authorities, Hernandez accepted jewelry, cash, and trips in exchange for her vote in favor of certain insurance contracts. "Prosecutors say Hernandez conspired with two insurance representatives who've since pleaded guilty to conspiracy-related counts," the AP says. The San Antonio Express-News (2/16, Contreras, 844K) and the WTAW-AM College Station, TX (2/16, 428) website report similarly.

US Charges Navy Commander In "Fat Leonard" Corruption Scandal.

The Washington Post (2/16, Gibbons-Neff, 11.43M) reports that US Navy Cmdr. Mario Herrera "was arrested Thursday and charged with accepting prostitutes, luxury travel, elaborate dinners and $1,800 in steaks from Leonard Glenn Francis, the defense contractor at the root of a massive corruption scandal that has hit the Navy." Herrera, 48, "is the 12th Navy official, including one admiral, to be charged in connection with the scandal." He was arrested in San Antonio "and is scheduled to appear in federal court in San Diego, according to a news release from the office of U.S. attorney for the Southern District of California."

The San Diego Union-Tribune (2/16, Moran, 496K) reports that Herrera "was charged with accepting gifts, travel, expensive meals and the services of prostitutes from Francis' company, Glenn Defense Marine Asia," and "in return, prosecutors said he provided Francis with classified information on ship schedules for the Seventh Fleet and used his position in the Navy to steer ships to visit ports that Francis' company controlled." The Union-Tribune adds that "the charges against Herrera echo what has become a familiar litany of corruption and misconduct by Navy personnel that was orchestrated over more than a decade by Francis, whose extroverted personality and plus-sized stature earned him the nickname 'Fat Leonard' among officers in the Seventh Fleet."

The AP (2/16) reports that "according to the complaint, Herrera and other U.S. Navy 7th Fleet officers who helped Francis in exchange for the perks called themselves the 'Band of Brothers' and the 'Wolf Pack.'" Federal prosecutors "say Glenn Defense Marine Asia bilked the Navy out of $35 million by overcharging for his company's services that supplied Navy ships in the Pacific with food, water, fuel and other necessities." CNN (2/16, Crawford, Kupperman, 29.79M) and KNSD-TV San Diego (2/16, Kaur, 216K) run similar reports on their websites.

Chaffetz Asks Sessions To Charge Ex-Clinton Aide In Email Probe.

The AP (2/16, Daly)reports that House Oversight Chairman Jason Chaffetz, "who has refused Democratic requests to investigate possible conflicts of interest involving President Donald Trump, is seeking criminal charges against a former State Department employee who helped set up Hillary Clinton's private email server." The AP says Chaffetz on Thursday sent a letter to Attorney General Jeff Sessions "asking him to convene a grand jury or charge Bryan Pagliano, the computer specialist who helped establish Clinton's server while she was secretary of state. Pagliano did not comply with two subpoenas ordering him to appear before the oversight panel. The GOP-led committee later voted to hold him in contempt of Congress."

The Washington Post (2/16, 11.43M) and the New York Daily News (2/16, 4.45M) post the AP's coverage to their websites.

Florida Airport Shooting Suspect Is Mentally Competent, Defense Attorneys Say.

The AP (2/16) reports that defense attorneys for Esteban Santiago, the Alaska man accused of killing five people in a mass shooting at Fort Lauderdale-Hollywood International Airport last month, say their client is mentally competent to stand trial. "Santiago, 26, was treated briefly before the shooting at an Anchorage, Alaska, psychiatric facility after showing up at an FBI office and telling agents he was hearing voices and was under CIA mind control," the AP says. Defense

attorney Hector Dopico, however, said his client understands the charges against him and can help in his defense. "Trial is currently scheduled to begin Oct. 2 in Miami," the AP says.

Michigan Art Dealer Sentenced For Selling Forged Art.

The AP (2/16, Neumeister) reports that Michigan art dealer Eric Spoutz was sentenced Thursday to three years in prison for selling forgeries he claimed to be by renowned American artists. "Prosecutors say Spoutz used forged receipts, bills of sale and letters from deceased attorneys and other individuals to convince buyers that he had inherited or bought dozens of works by the artists and that they were authentic," the AP says. "This was a career that was founded on fraud," said Assistant US Attorney Andrew Adams. Spoutz, he said, did not stop selling forgeries until a year after he was approached by the FBI. Spoutz, US Attorney Preet Bharara said, "used the full palette of deception to complete his decade-long work of fraud, swindling art collectors out of more than a million dollars." The Detroit Free Press (2/16, 1.01M) posts the AP's coverage to its website.

Judge Dismisses One Of Three Charges Against Bundy Attorney.

The Oregonian (2/16, Bernstein, 894K) reports that US District Judge John C. Coughenour on Thursday "dropped one of three criminal charges against Marcus Mumford, Ammon Bundy's lawyer, and said he will decide – not a jury – on the other two charges." Judge Coughenour "dismissed a charge that accused Mumford of creating a disturbance by impeding the official duties of government officers because it encompassed the same conduct alleged in the second count, failing to comply with official signs that prohibit the disruption of federal officers' official work." Mumford's attorney, Michael Levine "has argued that the deputy U.S. marshals engaged in 'outrageous' government misconduct and lacked authority to wrestle Mumford to the ground and stun him with a Taser gun while he was arguing on behalf of Bundy in a federal courtroom last fall."

Palm Springs, California Mayor Accused Of Taking Bribes For Decisions Favorable To Developers.

The Palm Springs (CA) Desert Sun (2/16, 71K) reports, "For two years while serving as mayor of Palm Springs, Steve Pougnet accepted bribes from local real-estate developers in exchange for favorable decisions from behind the City Council dais, prosecutors alleged in a criminal complaint listing 21 felony charges against him." Businessmen John Wessman and Richard Meaney were also charged. Pougnet was allegedly "paid $375,000 between September 2012 and September 2014 through a scheme in which Wessman paid Meaney who then directed money to Pougnet."

Another Palm Springs (CA) Desert Sun (2/16, 71K) article says the case "delivers on a frequent promise by first-term District Attorney Mike Hestrin, who pledged an increased focus on government integrity when he took office two years ago." Local and federal law enforcement, including the FBI, worked on the case.

A third Palm Springs (CA) Desert Sun (2/16, 71K) article identifies Meaney as "a real estate developer and personal friend of Steve Pougnet."

The Memphis (TN) Commercial Appeal (2/16, 229K) identifies Wessman as a "real estate developer behind two boutique hotels in Memphis."

Ohio Street Gang Members Accused In Multi-State Electronics Theft Ring.

The AP (2/16) reports that eight reputed members of an "Ohio street gang have been charged in federal court for their involvement in the thefts of $500,000 worth of cellphones and electronic devices from stores and shopping malls in nine states outside of Ohio, an FBI spokeswoman said Thursday." The FBI and Cleveland Police Department arrested three Heartless Felon gang members this week. Four were already behind bars for other crimes, and one remains a fugitive. According to authorities, the gang members would pry open locked cabinets and drawers at closed mall kiosks or stores and steal cell phones. NJ News (2/16, 952K)reports similarly.

Texas Man Sentenced To Ten Years In Prison For Possessing Child Pornography.

The Dallas Morning News (2/16, Farmer, 1.12M) reports that "a Denton County man was sentenced Wednesday to 10 years in federal prison after he admitted he owned a computer containing more

than 20,000 images and videos of child pornography." David M. Kruse, 63, of The Colony "pleaded guilty in October to possession of child pornography." The News adds that "in August 2015, federal agents obtained a search warrant for a computer Kruse owned," and "they spoke to Kruse, who said it was his computer." The agents "later found the tens of thousands of files, some 'depicting prepubescent minors and sadistic or masochistic conduct,' according to the U.S. Department of Justice."

Texas Man Sentenced To 50 Years For Child Pornography Offenses.

The Dallas Morning News (2/16, Ramirez, 1.12M) reports that Pedro Jose Meza, 35, of Forth Worth, TX "has been sentenced to 50 years in federal prison for child pornography offenses." Meza "had pleaded guilty last July to charges of production and distribution of child pornography." The News adds that "according to court documents, Meza in June 2014 persuaded a six-year-old girl to engage in sexually explicit acts for the purposes of producing a visual depiction of the conduct," and that "the offense took place at a Fort Worth home Meza was living in with the child and her mother." According to the News, "a separate offense occurred in October 2015 when Meza used the internet and the Kik messaging application to distribute a 1½-minute video of an adult male engaging in sexual intercourse with a prepubescent female."

Eleventh Circuit Rules Florida Doctors May Discuss Guns With Patients.

The New York Times (2/16, Alvarez, Subscription Publication, 13.9M) reports that the 11th Circuit Court of Appeals "cleared the way" on Thursday "for Florida doctors to talk to their patients about gun safety, overturning a 2011 law that pitted medical providers against the state's powerful gun lobby." In a 10-to-1 ruling, the full court "concluded that doctors could not be threatened with losing their license for asking patients if they owned guns and for discussing gun safety because to do so would violate their free speech. 'Florida does not have carte blanche to restrict the speech of doctors and medical professionals on a certain subject without satisfying the demands of heightened scrutiny,' the majority wrote in its decision." The Times adds that "the medical community argued that questions about gun storage were crucial to public health because of the relationship between firearms and both the suicide rate and the gun-related deaths of children."

Gun Control Nonprofit Head: Bill To Repeal Gun Rules "Made America Dangerous Again."

In a Washington Post (2/16, 11.43M) op-ed, Everytown for Gun Safety President John Feinblatt argues that the legislators who voted to repeal the rule enforcing existing laws that prevent those with severe mental illnesses from obtaining guns have "made America dangerous again." Despite claims by some that mental illness is the real issue, many who voted to "fundamentally downgrade the system" have re-opened a loophole that allows the mentally ill to buy guns. Feinblatt anticipates the gun lobby will reduce public safety by promoting measures that further enable the proliferation of guns and decrease government regulation of concealed-carry permits and silencers.

FINANCIAL CRIME & CORPORATE SCANDALS

US Charges Pennsylvania Man With Filing False Bankruptcy Petitions.

The Harrisburg (PA) Patriot-News (2/16, 523K) reports that Michael J. Jackson, of Hershey, PA "was indicted by a grand jury on charges he filed false bankruptcy petitions to try to defraud creditors and postpone sheriff sale of his house." Jackson, 57, "was indicted Wednesday by a federal grand jury on wire and bankruptcy fraud, false bankruptcy oaths and claims, and aggravated identity theft charges." US Attorney Bruce D. Brandler said Jackson "is accused of a scheme to defraud his creditors, bankruptcy court and his wife between 2009 and 2017." Jackson "filed seven Chapter 13 and 11 bankruptcy petitions, five of which were under his name and two under his wife's name without her knowledge or consent, Brandler said."

FBI, IRS Raid Texas State Senator's Law Office.

The Dallas Morning News (2/16, Pruner, 1.12M) reports that the FBI and IRS on Thursday raided the law office of Texas state Sen. Carlos Uresti. "The raid is focused on Uresti's involvement with

the now-bankrupt FourWinds LLC, a San Antonio oil company that traded frac sand, a material used in the hydraulic fracturing production of oil. The company was accused of defrauding investors and declared bankruptcy in 2015," the Morning News says. Uresti held many positions at the company and also helped solicit investors. "The former CEO of the defunct company, Stan Bates, allegedly used investors' money for lavish personal expenses including exotic cars," the Morning News says. Breitbart (2/16, Price, 2.02M) reports that the FBI confirmed its participation in the raid. The San Antonio Express-News (2/16, Contreras, Danne, 844K) reports similarly.

FBI Reportedly Seeking Possible Accomplices To Embezzling Lobbyist.

Citing sources, the Wall Street Journal (2/16, Mullins, Barrett, Subscription Publication, 6.37M) reports that the FBI is investigating connections between a prominent Washington media strategist and Evan Morris, a deceased lobbyist accused of stealing from his employers to finance a lavish lifestyle. The FBI is reportedly assessing whether media strategist James Courtovich or his associates had knowingly helped Morris to hide the payment of kickbacks. According to people familiar with the matter, Morris gave millions of dollars worth of business to companies linked to Courtovich. The companies also sent millions of dollars to Morris' bank account.

CYBER DIVISION

FBI's Smith: Bureau Working To Develop Predictive Policing Technology.

FedScoop (2/16, Bing) reports that during a panel discussion at the 2017 RSA conference, FBI Assistant Director Scott Smith said the bureau's cybercrime unit is working on predictive policing technology. "It's where we are moving, and hope to go when you talk about predicting as opposed to proactive and reactive. Reactive is consistently where we have been, proactive means we're really trying to get ahead of it. But predictive is where we want to be. And that's where I know FBI Cyber Division is strongly moving towards as we speak," Smith said. According to FedScoop, "Predictive policing is a broad term used to describe law enforcement's ability to forecast criminal activity. In cyberspace, such technology could feasibly help officers pinpoint a data breach or other illegal internet activity before it happens."

Florida Man Among Three Sentenced For Hacking, Spamming Scheme.

NJ News (2/16, 952K) reports from Newark that "a Florida man who hijacked a company's Web site and used other methods to unlawfully inundate countless email inboxes with spam was sentenced Tuesday to 48 months in prison, U.S. Attorney for New Jersey Paul Fishman said." Timothy Livingston, 31, of Boca Raton, FL "racked up $1.3 million in illegal profits via his company, A Whole Lot of Nothing LLC." Beginning in 2011, Livingston "operated the business, which specialized in sending out mass emails advertising lawful companies, including insurance firms," but "Livingston's clientele also included illegal businesses, including online pharmacies that sold drugs without prescriptions."

Reuters (2/16) reports that Livingston was one of three men who have been sentenced "for their roles in a wide-ranging hacking and spamming scheme that targeted personal information of 60 million people, including Comcast Corp customers, prosecutors said on Thursday." Tomasz Chmielarz, 34, and Devin McArthur, 28, "were each sentenced on Thursday to two years of probation and ordered to pay restitution of $64,529, $7,070, respectively," and Chmielarz "must also pay a $3,000 fine, prosecutors said." Prosecutors said Chmielarz and Livingston "hacked into email accounts and seized control of corporate mail servers to further their spam campaigns, and created software that exploited vulnerabilities in a several corporate websites." The North Jersey (NJ) Media Group (2/16, Ortiz, 95K) and the Palm Beach (FL) Post (2/16, Elmore, 306K) also report.

No Senior Trump Administration Officials In Attendance At RSA.

USA Today (2/16, Weise, 5.28M) reports that Trump Administration officials have "stayed away" from the RSA conference, "one of the nation's largest computer security conferences." USA Today contrasts this with the Obama Administration, which "was very engaged at RSA, in keynotes and

panels." Forty-one government speakers were present at this year's RSA, but "no senior level speakers from the Trump administration." Former DHS deputy undersecretary for cybersecurity Bruce McConnell is quoted saying, "It's disappointing not to see a greater administration presence here." RSA "said that at the time its program was finalized, many of the new administration's appointments were not selected," and many who were invited "were unable to speak at this year's conference, RSA said in a statement to USA TODAY." USA Today adds, "One reason the lack of participation has been noted is that the Trump administration was widely expected to release its executive order on cybersecurity during RSA."

The Intercept (2/16) reports that RSA panels on cybersecurity policy "worked off of leaked drafts of an executive order abandoned by President Donald Trump's administration." The Intercept adds, "Rudy Giuliani serves as White House cyber security adviser, though he has said little publicly on the topic since being appointed."

Cybersecurity Companies "Steering Clear" Of "Feud" Between President, Silicon Valley. The Hill (2/16, Chalfant, 1.25M) reports, "Cybersecurity companies are steering clear of the growing feud between President Trump and Silicon Valley, underscoring their willingness to continue to do business with the federal government." Cybersecurity businesses "say they shouldn't be lumped in with the tech executives fighting Trump's agenda," including his immigration policies. The Hill says representatives of several cybersecurity companies "said they are eager to partner with the federal government, regardless of who's in power."

Carlin: Cybersecurity Must "Remain At The Top" Of US Government Priorities. Former Assistant Attorney General for the DOJ National Security Division John P. Carlin writes in MarketWatch (2/16, 767K) that the President has "vowed to make cybersecurity a top priority of his new administration," and "as other priorities compete for this administration's focus and attention, cybersecurity must remain at the top. Our national security will depend on it." Carlin says the government must continue "employing a 'whole-government' approach" to cybersecurity, rather than treating it as just an intelligence matter. Carlin also says, "We need to make public as much as possible about hacks" in order to "credibly demonstrate it can attribute cyberattacks," and to "smash the myth" of cyberattacks being a cost-less crime for the perpetrators. Carlin adds that "the U.S. must continue to strengthen relationships with the private sector and encourage sharing both ways," and the country "must acknowledge a new truth: There is no wall high or deep enough that can prevent a cyberattack."

RSA Attendees Offer "Best Cybersecurity Tips."

PC World (2/16, 293K) features the "best cybersecurity tips" from experts at the RSA conference. Dell SecureWorks malware research director Joe Stewart is cited advising two-factor authentication to protect Internet accounts, "especially email," while CrowdStrike vice president of technology strategy Mike Sentonas advises businesses to "first think about what assets they're trying to protect from cyber threats, as opposed to blindly buying the latest security products." Veracode chief technology officer Chris Wysopal says people should expect software and Internet services to be compromised, and adds that vendors should earn the trust of consumers and businesses.

Ukrainian Hacking Forum Administrator Sentenced For Using Botnet To Steal Data.

Reuters (2/16, Raymond) reports Sergey Vovnenko, "a Ukrainian who administered two online hacking forums," was sentenced to 41 months in prison Thursday "for using more than 13,000 computers to steal log-in and credit card data, U.S. prosecutors said." Reuters adds, "Prosecutors said that from 2010 to 2012 Vovnenko, 31, engaged in a scheme to hack into computers belonging to individuals and companies, steal user names and passwords for bank accounts and other online services and steal debit and credit card numbers." The AP (2/16) reports similarly.

New York Unveils "First Of Its Kind" Cybersecurity Regulation.

The Hill (2/16, Chalfant, 1.25M) reports New York state Governor Andrew Cuomo announced a regulation on Thursday "intended to protect the financial services industry and its consumers from cyberattacks." Cuomo "describ[ed] it as the first of its kind in the nation," and it "will require banks, insurance companies, and other entities regulated by the state's Department of Financial Services to establish cybersecurity programs to protect consumers' sensitive data and secure the

financial services industry." The Hill says the regulation takes effect in March. Reuters (2/16) reports similarly.

EU Officials Seek Reassurance That Immigration Order Won't Impact Privacy Shield.

Reuters (2/16, Fioretti) reports European Union "data privacy watchdogs will seek assurances from U.S. authorities that a move by U.S. President Donald Trump to crack down on illegal immigration will not undermine a transatlantic pact protecting the privacy of Europeans' data." The order "directs U.S. agencies to 'exclude persons who are not United States citizens or lawful permanent residents from the protections of the Privacy Act regarding personally identifiable information.'" The exemption "of foreigners from the U.S. law governing how federal agencies collect and use information about people has stoked worries across the Atlantic about the new administration's approach to privacy and its impact on cross-border data flows."

Shackelford: Cybersecurity Should Be Recognized As Human Right.

Law and ethics professor Scott Shackelford writes in the New York Observer (2/16, 518K) that "having access to the internet is increasingly considered to be an emerging human right," and "the next step to help ensure some measure of cyber peace online may be for cybersecurity to be recognized as a human right, too." Shackelford argues that calls for standardizing the encryption of private communications "are signaling what could be early phases of declaring cybersecurity to be a human right that governments, companies and individuals should work to protect." While Vinton Cerf, a "father of the internet," argues that technology is "a means through which rights can be exercised" rather than a right in itself, Shackelford says, "Cerf's argument may, in fact, strengthen the case for cybersecurity as a human right – ensuring that technology enables people to exercise their rights to privacy and free communication."

LAW ENFORCEMENT SERVICES

ACLU Official: Trump's Effort To Protect Cops Not Based On Facts.

In an op-ed for USA Today (2/16, 5.28M), Jeffery Robinson, an American Civil Liberties Union deputy legal director and the director of the Center for Justice, writes that President Trump "put an executive order into effect last week to, in his words, 'stop crime and crimes of violence against law enforcement officers,'" but "when the facts about police, violence and victims are considered – real facts, not alternative facts – the math doesn't work." According to Robinson, "officer deaths have dropped overall since the 1970s, with the number of officers killed on duty falling roughly by half during that time, according to the National Law Enforcement Officers Memorial Fund." Robinson argues that Trump should instead "pay attention to the mounting number of people of color being killed by police."

OTHER FBI NEWS

Six White House Aides Dismissed For Failing To Obtain Security Clearance.

According to Politico (2/16, Palmeri, 2.46M), six White House aides were dismissed Thursday morning due to failing the to obtain a security clearance based on the SF86 questionnaire, said "sources familiar with the matter." Among those "walked out of the building by security" were Caroline Wiles, President Trump's director of scheduling. "Two sources close to Wiles" indicate Wiles will find another position in the Department of the Treasury. Wiles, the Tampa Bay (FL) Times (2/16, 785K) reports, formerly served as an aide to Florida Gov. Rick Scott.

OTHER WASHINGTON NEWS

Senate Judiciary Committee To Begin Gorsuch Hearings March 20.

The Washington Post (2/16, Sullivan, 11.43M) reports that the Senate Judiciary Committee announced Thursday that it will begin hearings on the nomination of Judge Neil Gorsuch to the Supreme Court on March 20. A tweet from the committee read, "Chairman @ChuckGrassley:

@SenJudiciary Committee to begin hearing on the nomination of Judge Neil Gorsuch for #SCOTUS on March 20th." The hearings "are expected to span several days and draw intense public scrutiny." The New York Times (2/16, Pérez-Peña, Subscription Publication, 13.9M) says Democrats are "angry that Republicans refused to allow President Barack Obama to fill the seat over the last 11 months of his presidency," and "have vowed tough questioning" of Gorsuch. While Gorsuch has "strong legal credentials, some Democrats are likely to oppose him, with many people on the left demanding that they push back against Mr. Trump in any way they can."

In an op-ed for USA Today (2/16, 5.28M), Senate Judiciary Chairman Charles Grassley criticizes Senate Democrats for "signal[ing] plans to block any nomination made by the newly-elected president even before he announced his nomination" after "criticizing Republicans for taking a principled position about a lame duck president that was advocated by Democrats for decades." Arguing that there should not be "one set of rules for Republicans and another set of rules for Democrats," Grassley writes, "We won't abide by such a double standard."

Trump: New Version Of Travel Ban Executive Order Coming Next Week.

Reuters (2/16, Rascoe) reports that during his Thursday news conference, President Trump said that he "will issue a new version next week of his executive order banning citizens of seven mostly Muslim countries and all refugees" from traveling to the US some time next week. The President "once again blasted federal courts that blocked the implementation of his travel ban," but said the new order will address the concerns raised by the Ninth Circuit Court of Appeals. Trump said, "The new order is going to be very much tailored to what I consider to be a very bad decision." The Los Angeles Times (2/16, Dolan, Kaleem, 4.52M) says Trump "did not clarify details of what would be in the new order," and McClatchy (2/16, Ordoñez, 74K) similarly says that Trump "didn't give much information on what the new order would be."

The New York Times (2/16, Liptak, Subscription Publication, 13.9M) reports the Justice Department told the appeals court on Thursday "that it would not seek a rehearing of a decision that shut down President Trump's targeted travel ban. Instead, the administration will start from scratch." In a brief, the DOJ said, "Rather than continuing this litigation, the president intends in the near future to rescind the order and replace it with a new, substantially revised executive order to eliminate what the panel erroneously thought were constitutional concerns." The Washington Post (2/16, Zapotosky, 11.43M) reports that Washington State Attorney General Bob Ferguson, who sued over the ban, "wrote on Twitter that the Justice Department filing, in particular, 'recognizes the obvious – the President's current Exec Order violates the Constitution.'"

The Los Angeles Times (2/16, Dolan, 4.52M) reports that the Ninth Circuit said late Thursday that it will "take no further action on President Trump's travel ban while the administration prepares new, more limited restrictions."

ABC World News Tonight (2/16, story 5, 0:15, Muir, 14.63M) and the CBS Evening News (2/16, story 3, 0:15, Pelley, 11.17M) each had very brief items on the President's statement. Fox News Special Report (2/16, 1.53M) said Trump will unveil "a new executive order on extreme vetting," but John Roberts said "the real question is will it pass legal muster? The first one certainly did not." The Wall Street Journal (2/16, Kendall, Subscription Publication, 6.37M) and the Washington Times (2/16, Noble, 272K) also have reports.

Trump Says He Will "Show Great Heart" In Dealing With Dreamers. During his press conference Thursday, President Trump said he will "show great heart" in dealing with so-called Dreamers, "saying they are among the toughest decisions he has to make as he tries to formulate his immigration policy," the Washington Times (2/16, Dinan, 272K) reports. Referring to penalties that call for "expulsion of those who entered the country illegally," Trump said, "I find it very very hard doing what the law says to do."

The AP (2/16, Colvin) says Trump "spoke in unusually personal terms" about the issue. In what the AP describes as "a rare admission of uncertainty," Trump said, "We're going to show great heart. DACA is a very, very difficult subject for me, I will tell you. To me, it's one of the most difficult subjects I have...because you have these incredible kids, in many cases."

The Los Angeles Times (2/16, Bennett, Memoli, 4.52M) says Trump "wavered" on "whether he will stop shielding from deportation people who were brought to the US illegally as children."

While "an executive order has already been drafted to end" the DACA program, with Trump "showing less willingness to sign such an order, advisers have begun to explore alternatives," suggesting that "the White House is hesitant to publicly target a well-organized group of immigrants who have prominent public backing."

Fox News (2/16, 11.07M) notes that while Trump has said he will deal with Dreamers "with heart," he also said he has a lot of politicians to convince. In separate coverage, the AP (2/16, Colvin) reports President Trump has not yet said whether Dreamers will be allowed to remain in the country, though he had "previously suggested those covered by the program would be safe from immediate deportation."

However, "Democrats were immediately skeptical" of Trump's statements, The Hill (2/16, Lillis, Bernal, 1.25M) adds. The chairman of the Congressional Hispanic Caucus, Rep. Tony Cardenas, said, "I have absolutely no reason to believe anything that comes out of his mouth or anything that he tweets."

Politico (2/16, McCaskill, 2.46M) provide similar coverage.

Ten Key Questions About DACA Program Examined. CNN (2/16, Almasy, Shoichet, 29.79M) examines what it says are 10 key questions about the DACA program, which it says are critical to consider while President Trump weighs what to do with the program. They include questions about which immigrants are allowed to participate in the program, what protections the program affords these immigrants, and what the current standing is of the program.

Media Analyses: Trump's Performance At News Conference Unseemly, Unprecedented.

Media coverage characterizes President Trump's Thursday press conference as an "angry," "defensive," "rambling" "spectacle" that was unprecedented in modern-day politics. The overwhelmingly negative reporting takes issue with Trump's criticism of the media, and provides little coverage of Trump's recap of the early days of his Administration and stated successes. However, analysts also predicted Trump's return to his campaign-style interaction with the press was likely to play well with his supporters. NBC Nightly News  (2/16, lead story, 5:30, Holt, 16.61M), for example, reported in its lead story that the left has written about the press conference as a "meltdown," while the right has "heralded" it as "the trashing of the media in an epic news conference." At any rate, NBC added, people from all political viewpoints likely agree that it "was pretty much unlike anything we've heard from behind a presidential podium." Indicative of the overall tenor of much of the coverage, USA Today (2/16, Wolf, 5.28M) refers to "one of the wildest presidential press conferences on record" – one that included "a rambling, defensive and at times angry performance by the leader of the free world." During the "spectacle for the ages," USA Today adds, Trump "lashed out at the media, Hillary Clinton, the intelligence community, judges and Democrats – among many others."

Politico (2/16, Dawsey, 2.46M) says that "after stewing in anger during four rocky weeks" as President, the press conference "appeared to be a cathartic moment" for Trump, who aides say "has found running the government harder than expected." However, Politico says Trump "seemed to be in his element" on Thursday. Trump, according to the AP (2/16, Lemire), "bullied reporters, dismissed facts and then cracked a few caustic jokes." The AP says that "combination" made Trump "irresistible cable TV fodder" during the campaign. Bloomberg Politics (2/16, Sink, 201K) says Trump "appeared to satisfy his itch to duke it out with a press corps he feels has treated him unfairly since his inauguration." Bloomberg adds that Trump's supporters "no doubt ate it up" and possibly saw that the President "seemed to enjoy his banter with reporters, so much so that he could barely pry himself away from the cameras." Bloomberg quotes Trump as saying that he is "actually having a very good time." Trump added, "Don't forget, that's the way I won. Remember, I used to give you a news conference every time I made a speech? Which was like every day." Reuters (2/16, Holland) similarly reports the President's "message" during the press conference "appeared aimed at the same voters who elected him" and "feel Washington has left them behind and who like his image as an outsider trying to shake up the establishment."

The Washington Times (2/16, Miller, Boyer, 272K) reports Trump said the "level of dishonest" in the media "is out of control" as news organizations are siding with special interests rather than average Americans. The media, Trump said, is "trying to attack our administration because they know we are following through on pledges that we made, and they're not happy about it." The New

York Post (2/16, Halper, 3.82M), with a front page that the Drudge Report shows as having a picture of Trump dressed as a circus ringmaster with the headline "Wildest Show On Earth" – says Trump indicated he was using the press conference to take his message "straight to the people." The Huffington Post (2/16, Wilkie, 237K) reports that Trump said this was necessary because "many of our nation's reporters and folks will not tell you the truth and will not treat the wonderful people of our country with the respect they deserve." Trump added that "much of the media" based in the District of Columbia, New York, and Los Angeles "in particular" do not speak for average Americans, "but for the special interests and for those profiting off a very, very obviously broken system." However, the New York Times (2/16, Baker, Subscription Publication, 13.9M) reports that despite his criticism of the media, Trump at "one point plaintively pleaded for understanding." Trump said "the tone" of cable news commentary about him "is such hatred," adding, "I'm really not a bad person."

The Wall Street Journal (2/16, Subscription Publication, 6.37M) editorializes that Trump provided a clear and coherent message that was far from a bad performance. The New York Times (2/16, Subscription Publication, 13.9M) editorializes that Trump "needed the press to play the punching bag that so delighted his political base," while Chris Cillizza says in a Washington Post (2/16, 11.43M) analysis that Trump "understands" that the media "represent everything" his supporters "dislike about American society." Cillizza indicates that Trump's supporters view the media as made up of "Ivy-League-educated coastal elites who look down their noses at the average person, dismissing them and their views as stupid and ill-informed." In a Washington Times (2/16, 272K) column, Charles Hunt says Trump "is an agent of total disruption, bordering on chaos – everything American voters would like to see set upon Washington." Hunt adds that Trump – who is not "a politician," is not "polished by public relations experts," and "doesn't always speak with complete precision" – "always gets his point across." Trump, Hunt continues, "wants to shake things up" and Americans "stand behind him." On Fox News' Hannity  (2/16, 535K), Sean Hannity called Trump's press conference "a historic beatdown of the alt-left propaganda media and they had it coming. ... It is very refreshing to see a commander in chief who will fight back against the all the dishonesty, all the smears, and set the record straight with you, the American people." The hashtag #TrumpPressConference was trending on Twitter throughout the day Thursday and Thursday night. Tweets were largely – but not universally – negative toward Trump.

Meanwhile, a New York Times (2/16, Shear, Haberman, Thrush, Subscription Publication, 13.9M) analysis says it is "unlikely" that Trump's press conference "will divert much long-term attention from questions" that his Administration has faced. Chuck Todd said on NBC Nightly News  (2/16, story 2, 1:10, Holt, 16.61M) that while the press conference likely played well with Trump's base, it "did nothing to somehow cause" concerned lawmakers "to be less uneasy." Howard Kurtz said on Fox News Special Report  (2/16, 1.53M) that "the other news he made today was drowned out by his assault on the media which doesn't help him pass his legislative agenda, the thing that would actually ensure he gets more positive press." However, Chris Wallace said on Fox News' O'Reilly Factor  (2/16, 767K) that "this was a determined effort by this President, who is by far the best spokesman in his administration, for his administration, to seize the narrative." Wallace added, "This is a President saying, 'I am in charge, I know what I'm doing. I am not going to bend to Washington. Washington is going to have to get used to me.'"

The Washington Post (2/16, Parker, Wagner, 11.43M) reports that Trump "alternated between claims that he had 'inherited a mess' and the assertion that his fledgling administration 'is running like a fine-tuned machine.'" The Post adds that Trump "seemed to acknowledge the widespread reports of turbulence and upheaval emanating out of his West Wing." Trump said, according to The Hill (2/16, Fabian, 1.25M), "I turn on the TV, open the newspapers and I see stories of chaos. Chaos. Yet it is the exact opposite." The CBS Evening News  (2/16, lead story, 4:15, Pelley, 11.17M) showed Trump adding, "This administration is running like a fine-tuned machine." The Los Angeles Times (2/16, Bierman, Memoli, Lauter, 4.52M) reports that Trump "countered that all of his early setbacks were the fault of others, the product of 'fake news' reporting or both." Trump said, "I inherited a mess," adding, "It's a mess at home and abroad."

McClatchy (2/16, Kumar, Ordoñez, 74K) reports that Trump "boasted of his successes despite

a series of setbacks" – including an appellate court ruling of his immigration executive order, the resignation of former National Security Adviser Flynn, the withdrawal of former Labor Secretary nominee Andrew Puzder, and leaks from the White House and federal agencies. Roll Call (2/16, Bennett, 63K) says Trump "hammered Democrats at several points, saying 'the only thing they can do is delay because they screwed things up royally.'" According to Roll Call, Trump "used the criticism as a way to pivot to a list of first-month actions he said he took to reverse Democratic policies" and uphold "a promise I made to the American people." The Wall Street Journal (2/16, Lee, Paletta, Subscription Publication, 6.37M) quotes Trump as saying, "There has never been a presidency that's done so much in such a short period of time" and "we have not even started the big work yet." Jonathan Karl reported on ABC World News Tonight  (2/16, lead story, 4:45, Muir, 14.63M) that Trump "pointed to the soaring stock market, his executive orders cutting regulations and the smooth roll-out of his Supreme Court nominee."

Media Considers Truthfulness Of Trump's Statements. A New York Times (2/16, Fandos, Subscription Publication, 13.9M) analysis says that while Trump accused the media of dishonesty, he "uttered several falsehoods of his own." The Times highlights "some of the most important," which include: winning the most electoral college votes since former President Ronald Reagan; the US Court of Appeals for the Ninth Circuit is "in chaos"; and that he inherited an economy that was a "mess."

The CBS Evening News  (2/16, story 6, 1:35, Pelley, 11.17M) reported that while Trump received 304 electoral votes, former President Obama won 365 and former President George H.W. Bush had 426. The AP (2/16, Boak, Woodward) reports that "economic stats and territorial losses of Islamic State insurgents don't support [Trump's] assertions about the problems handed to him on those fronts." The AP says that "by almost every economic measure," Obama "inherited a far worse situation" in 2009 than Trump took over. The AP adds that ISIS "began to lose ground before Trump took office."

The Washington Post (2/16, 11.43M) reports that "there's a fair amount of truth" to Trump's statement that "drugs are becoming cheaper than candy bars." Drugs, the Post says, "are often incredibly inexpensive, particularly per dose." The Post cites a 2015 Baltimore Sun report that said "peewee" capsules of heroin sold for about six dollars per dose in West Baltimore and opiate painkillers "can sometimes be even cheaper" at "the per-pill level." Moreover, another Washington Post (2/16, 11.43M) piece says that while "it is true that some drug in some quantity might be less expensive than some candy bar at some size," the "cheapest drug is going to be more expensive than a relatively pricey candy bar." The Post provides examples of drug prices that it identified by searching on Quora.

Cummings: Trump Made Up "Story About Me." The Washington Post (2/16, Portnoy, 11.43M) reports that Rep. Elijah Cummings (D-MD) denied Trump's claim that the lawmaker would not meet with the President despite repeated requests from the White House. Trump, during the press conference, "speculated that Cummings may have been dissuaded from coming to the White House for political reasons." Cummings said in a statement, "I have no idea why President Trump would make up a story about me like he did today. Of course, Senator Schumer never told me to skip a meeting with the President."

WPost Analysis: Trump's Comment To Black Reporter "Crystallized The Unusual Nature" Of Presidency. The Washington Post (2/16, Bump, 11.43M) reports "few moments crystallized the unusual nature" of Trump's Administration as "effectively as an exchange" with April Ryan of American Urban Radio Networks. When Ryan stood up to ask Trump if he would include the Congressional Black Caucus in discussions about urban policy, the Post says, Trump responded by asking the reporter if she "want[s] to set up the meeting." Trump added, "Are they friends of yours? Set up a meeting."

ABC World News Tonight  (2/16, story 4, 1:50, Muir, 14.63M) reported Trump's response left "members of the Congressional Black Caucus in shock." Rep. Emanuel Cleaver (D-MO) said that Trump made an "assumption" that "because there was a black woman in the room," she "had a unique connection with the Congressional Black Caucus." Cummings said on CNN's Situation Room  (2/16, 554K) that Trump likely "saw an African-American woman connected with the Congressional Black Caucus and said maybe they're friends." Cummings said that "every time

[Trump] talks...about the inner city, he has negative things to say." Cummings added, "I wish he could walk into some of the areas that I live in and where people are doing extremely well, taking very good care of their families, and he needs to have a bigger picture of the African-American communities and our cities."

Durbin Says Press Conference Was "Hard To Follow." Senate Minority Whip Durbin said on CNN's The Lead  (2/16, 320K) that Trump's press conference was "hard to follow. There were so many different things he said. It clearly was a spur-of-the-moment decision. And what I think frankly we should reflect on is we're dealing with some extremely serious questions." Durbin added, "The President would have been well-advised to sit down for five minutes with his legal counsel before that press conference and get a few things straight before he made these statements."

Media Analyses: Trump-CNN Conflict Reaches New Stage. The New York Post (2/16, Atkinson, 3.82M) reports that both Trump and CNN "took a blowtorch to the blowup" between the two sides during the press conference. The Post says Trump "made it personal" when he told White House correspondent Jim Acosta to "ask [CNN Worldwide President] Jeff Zucker how he got his job, OK?" The Post says "it was not immediately known what Trump meant." Politico (2/16, Weprin, 2.46M) says Zucker on Thursday said that Trump's comments about CNN being fake news are a "badge of honor" and the network's coverage of the Administration has increased employee morale.

Kushner Complained To Time Warner Executive About CNN Coverage. The Wall Street Journal (2/16, Hagey, Paletta, Subscription Publication, 6.37M) reports senior adviser Jared Kushner met with Time Warner executive Gary Ginsberg in recent weeks and expressed the Administration's concerns about CNN's coverage, according to a White House official. Kushner, the Journal says, complained about unfair and slanted coverage against the President.

Fox News' Smith Blasts Trump's Performance. USA Today (2/16, Cummings, 5.28M) reports Fox News anchor Shepard Smith "is under fire for criticizing" Trump's interaction with Acosta and refusing to answer questions about ties to Russia. Smith on Thursday said that Trump "keeps repeating ridiculous, throwaway lines that are not true at all and sort of avoiding this issue of Russia as if we're some kind of fools for asking the question." Smith added, "We have a right to know. You call us fake news and put us down like children for asking questions on behalf of the American people."

O'Reilly: Trump Did Not Understand "How Extensive The Problem Really Is." In his "Talking Points Memo" segment on Fox News' O'Reilly Factor  (2/16, 767K), Bill O'Reilly said, "When President Trump first mentioned draining the swamp in Washington, I don't believe he understood how extensive the problem really is. For eight years of President Obama, there are many people working in the federal government who like the former President and who despise Mr. Trump. Eliminating all of them and stopping the leaks, pretty much be impossible. Also don't trying to get fairness out of the anti-Trump press is impossible as well. So, the Trump Administration has its hands full."

Powers: Trump "Probably A Little Frustrated" With Spicer. Kirsten Powers said on CNN's Anderson Cooper 360  (2/16, 686K) that from Trump's perspective, the press conference "shows he's probably a little frustrated with Sean Spicer," and "this is how he would like press conferences to be handled."

Podesta: Trump Is Trying To "Disorient Public Perceptions" Of News. In a Washington Post (2/16, 11.43M) op-ed, former Hillary Clinton campaign chairman John Podesta says Trump's "fake-news pivot isn't subtle" as he "benefited from fake news stories during the campaign" and has President "has constantly used the epithet against mainstream media outlets that dare criticize him." Trump, according to Podesta, "is deploying a strategy, used by autocrats, designed to completely disorient public perception." Podesta says that Trump "seeks nothing less than to undermine the public's belief that any news can be trusted" and that "any news is true."

NYTimes Criticizes Trump's Answer To Anti-Semitism Question. A New York Times (2/16, Subscription Publication, 13.9M) editorial criticizes the President's answer to a question about the rise of anti-Semitic incidents in the US, saying that "as is so often the case, he began with a focus on himself and skirted the issue." He then "once again...exploited the Jewish members of his family to bolster his credibility," before deriding the question as "very insulting."

INTERNATIONAL NEWS

Trump: Hopes For Russian Reset May Have Been Dashed By "Horrible Fake Reporting."

USA Today (2/16, Dorell, 5.28M) reports President Trump said Thursday during a White House press conference that his hopes for a reset of US-Russia relations may have been dashed by "false reporting" by the news media about alleged connections between his staff and Russian officials. "It would be great if we could get along with Russia," Trump told reporters. "But it's possible I won't be able to get along with (Russian President Vladimir) Putin." The reason: "The false reporting by the media, by you people, false, horrible fake reporting, makes it much harder to make a deal with Russia." In its lead story, NBC Nightly News  (2/16, lead story, 5:30, Holt, 16.61M) reported Trump "insisted the negative headlines could hurt chances for a Russian reset," and ABC World News Tonight  (2/16, lead story, 4:45, Muir, 14.63M) said in its lead story that the President called reports of his advisers' contacts with Russians "fake."

Trump, the Wall Street Journal (2/16, A1, Hodge, Lubold, Barnes, Subscription Publication, 6.37M) reports, also suggested that a series of recent military provocations from Russia were likely signs Putin had concluded he couldn't reset ties with the Administration in the current political environment. In its lead story, the CBS Evening News  (2/16, lead story, 4:15, Pelley, 11.17M) said that when asked if Russia is testing him, Trump replied, "No, I don't think so. I think Putin probably assumes that he can't make a deal with me anymore because politically it would be unpopular for a politician to make a deal."

ABC World News Tonight  (2/16, story 3, 2:00, Muir, 14.63M) reported when asked about the "series of provocative military moves" by Russia, the President called the incidents "not good." When asked about a US response, the President said, "I'm not going to tell you anything about what response I do. I don't talk about military response." The New York Times (2/16, Hauser, Subscription Publication, 13.9M) reports Trump said his critics probably think "the greatest thing I could do is shoot that ship that's 30 miles offshore right out of the water." He ruled that out.

Charles Krauthammer said on Fox News Special Report  (2/16, 1.53M), "When he says the greatest thing I could do is shoot that ship out of the water, I kind of sat up because that means initiating World War III. What's revealing about this is that Trump's response to this idea is to think about what the reaction would be, rather than the intrinsic merits of starting a third world war."

Former CIA Director Leon Panetta said on CNN's Situation Room  (2/16, 554K) that Trump "really does need to understand that Russia is an adversary and will do everything it can to undermine" the US. He added that while Trump is trying to establish a relationship with Russia, "you cannot establish a relationship with Putin...from weakness." Panetta said that Putin thinks he has the upper hand, which is "why it's important for the President of the United States to draw those lines and to work with NATO...to make clear that there are lines that cannot be crossed."

House Armed Services Chairman Mac Thornberry similarly told CNN's Situation Room  (2/16, 554K) that if "you don't stand up to provocation and aggression, it will get worse. And that's true whether we're talking about Russia, China, Iran, North Korea, or terrorists."

Tillerson, Mattis Signal No Quick Changes To US-Russia Ties.

The AP (2/16, Baldor, Lee) reports that during separate visits to Europe on Thursday, Secretary of State Tillerson and Defense Secretary Mattis "signaled...there will be no change soon in US-Russian relations, putting the onus on Moscow to prove itself if it wants closer cooperation with Washington." At a NATO meeting in Brussels, Mattis "made clear the United States isn't ready to collaborate militarily" with Moscow against ISIS or other threats, and after meeting with Russian Foreign Minister Sergey Lavrov in Germany, Tillerson "said Moscow first must help stop violence in Ukraine." The AP says their remarks "appeared to put the brakes on a rapid transformation in US-Russian ties."

NBC Nightly News  (2/16, story 3, 1:40, Holt, 16.61M) similarly reported said Mattis

made "it clear that cooperation is not imminent," while Tillerson adopted a "tough tone on Russia" over its involvement in Ukraine, saying, "We expect Russia honor its commitment and work to deescalate the violence in the Ukraine." Likewise, Reuters (2/16, Stewart, Emmott) says their remarks are "perhaps the strongest indication yet from the Trump administration that prospects for any significant cooperation between the US and Russian militaries against Islamic State in Syria is unlikely anytime soon."

The Wall Street Journal (2/16, A1, Hodge, Paletta, Barnes, Subscription Publication, 6.37M) reports in a front-page story that Mattis rejected renewed military collaboration with Russia just hours after President Vladimir Putin called on NATO and other nations to work with Russia in Syria and elsewhere. "It's in everyone's interest to resume dialogue with the intelligence agencies of the US and other members of NATO," Putin said.

Calling Thursday "a landmark day" for Tillerson, meanwhile, the Washington Post (2/16, Morello, 11.43M) says the "centerpiece...was his one-hour meeting" with Lavrov, and "when it was over, Tillerson came out and read aloud a five-sentence statement." Tillerson said they discussed a "range of issues," but "the only one he mentioned specifically was the ongoing violence in eastern Ukraine." Fox News Special Report  (2/16, 1.53M) reported that during "his first overseas trip," Tillerson "outlined what he expects from the relationship with Russia." Tillerson was shown saying the US "will consider working with Russia when we can find areas of practical cooperation that will benefit the American people. Where we do not see eye-to-eye, the United States will stand up with the interests and values of America and her allies."

A USA Today (2/16, 5.28M) editorial says that while Trump "appears convinced that Russian assistance would speed up the defeat of ISIS," an alliance with Russia "would be a Faustian arrangement where the US would be drawn into an association with Russia's murderous partner, Syrian President Bashar Assad." Daniel DePetris, a fellow at Defense Priorities, writes in an accompanying USA Today (2/16, 5.28M) op-ed that the US and Russia should work together, but acknowledges that it won't "be easy." He argues that "refusing to explore the option misses an opportunity, and it would leave the US in the risky position of introducing more adversity into a relationship with a country that is still a major power."

Bloomberg News (2/16, Wadhams, Donahue, Arkhipov, 2.41M), meanwhile, says "all eyes were on...Tillerson's meeting with his Russian counterpart...and as first encounters go, it was awkward." Bloomberg says that while "protocol dictates the two would shake hands, exchange platitudes in front of the clicking cameras, and perhaps take an impromptu question before retiring for a private chat," journalists "got a swift signal to exit the room" when Tillerson began to speak. Reuters (2/16, Shalal) similarly notes that reporters were "ushered out when Tillerson began to speak."

Pentagon To Present Trump Option Of Sending Ground Troops To Syria.

Two senior US defense officials told NBC Nightly News  (2/16, story 3, 1:40, Holt, 16.61M) that President Trump is set to be presented with the option of deploying "possibly hundreds" of ground troops to Syria to join Special Forces already there. Under the plan, US helicopters and artillery would also be sent.

Dunford To Visit Turkey For Talks On Raqqa.

The AP (2/16) reports Turkish Defense Minister Fikri Isik said Thursday that Joint Chiefs Chairman Gen. Joseph Dunford will arrive in Ankara on Friday for talks on a possible joint operation to recapture Raqqa. Isik told reporters in Brussels that Dunford's visit would help Washington assess whether Turkey and the US could act jointly.

Astana Talks End With No Agreement.

The AP (2/16, Issa) reports Syrian government officials met face-to-face with rebels "for the second time in three weeks" in Kazakhstan on Thursday, "as diplomats stepped up efforts to lay the groundwork for UN-brokered peace talks next week" in Geneva. However, Reuters (2/16, Auyezov) reports Thursday's talks ended "with no joint communique, usually the minimum outcome of any diplomatic negotiation, and saw opposing Syrian groups exchanging angry tirades

at each other and the brokers."

ISIS Executes "Scores" Of US-Backed Syrian Rebels.

The Washington Post (2/16, Loveluck, 11.43M) reports ISIS-linked militants in western Syria have executed "scores of rebel fighters as part of an intensifying battle with what remains of the country's armed opposition, a monitoring group said." The militants, "an offshoot of the Jund al-Aqsa group, killed more than 150 rebels" in the village of Khan Sheikhoun in Idlib province, the SITE Intelligence Group reported Wednesday. Most of the purported victims were believed to be part of the US-backed Jaish al-Nasr group, but the report "could not be independently verified."

At Least 45 Killed In Baghdad Market Bombing Claimed By ISIS.

ABC World News Tonight  (2/16, story 7, 0:25, Muir, 14.63M) reported that "at least 51 people were killed and more than 60 wounded" Thursday in a bombing at a Baghdad car market. ISIS has claimed responsibility for the attack, which the Washington Post (2/16, Salim, 11.43M) calls "the deadliest in a series of recent attacks in the Iraqi capital blamed on" the militant group. The attack was "at least the third bombing in the capital in as many days, and it appeared to be aimed at diverting the government as it prepares an offensive to drive the Islamic State from the northern city of Mosul." The New York Times (2/16, Zucchino, Subscription Publication, 13.9M) likewise says the attack "came as Iraqi security forces, backed by American military advisers and Special Operations forces, prepared to assault an Islamic State stronghold in Mosul." In response, Prime Minister Haider al-Abadi "convened an emergency meeting with top military and security officials Thursday night to discuss efforts to combat terrorist attacks."

ISIS Bombing Kills 75 At Pakistani Shrine.

ABC World News Tonight  (2/16, story 7, 0:25, Muir, 14.63M) reported in Karachi, Pakistan on Thursday, an ISIS suicide bomber attacked "a famous religious shrine, killing at least 75 worshipers and 200 wounded." The AP (2/16, Jawad, Ahmed) says the attack was the deadliest in the country "in more than two years." ISIS claimed responsibility for the attack in a statement circulated by its Aamaq news agency, saying it had targeted a "Shiite gathering."

The Washington Post (2/16, Constable, Mehdi, 11.43M) says the bombing at the Lal Shahbaz Qalandar shrine "followed three successive days of violence that claimed 25 lives in all four provinces of Pakistan and two tribal areas." Just a day earlier, Pakistan "lodged a formal complaint with next-door Afghanistan, alleging that the Islamic State-linked militants were operating from sanctuaries across the border." The New York Times (2/16, Masood, Subscription Publication, 13.9M) reports that a spokesman for the armed forces, Maj. Gen. Asif Ghafoor, announced on Twitter after the attack that Pakistan was closing its border with Afghanistan "effective immediately," and the Los Angeles Times (2/16, Ali, Sahi, 4.52M) reports Prime Minister Nawaz Sharif "said in a statement that Thursday's bombing was an attack on the whole of Pakistan."

Britain: "No Doubt" US Committed To Working With Allies.

Reuters (2/16) reports Britain said Thursday after talks between Foreign Secretary Boris Johnson and Secretary of State Tillerson that it had "absolutely no doubt" that the US was committed to working closely with its allies to tackle crises around the world. "There was absolutely no doubt that the US remains as committed as ever to working closely with us, and other likeminded partners, to face up to aggression and tackle tough problems around the world," a Foreign Office spokesman said in a statement.

The two met on the sidelines of a G20 meeting in Germany, where the AP (2/16, Jordans) reports envoys met "to discuss current conflicts and ways to prevent future crises, against a backdrop of uncertainty among allies and adversaries over the direction of US foreign policy." German Foreign Minister Sigmar Gabriel "rebuffed" President Trump's stated goal of putting "America first," saying, "Security in the world can't be achieved without justice and a better life for everybody." Bloomberg Politics (2/16, Donahue, 201K) reports State Department officials "stressed that Tillerson is using his initial trip both to engage with the G20 and to introduce himself to key

allies."

Tillerson Staying At Sanatorium During G20. According to Bloomberg Politics (2/16, Donahue, 201K), Tillerson was "forced to stay at a sanatorium in a German village known for its hot springs, 30 minutes from where other world leaders gathered," because Bonn's hotels "were all booked by the time he confirmed his attendance" at this week's meeting.

Lithuania Confident Of US Commitment To NATO.

In an interview with the AP (2/16, Cook), Lithuanian Defense Minister Raimundas Karoblis said Thursday he is confident that all NATO allies, including the US, will help protect his country from Russia. Karoblis said he had no doubts about "the solidarity from any NATO country, including the United States." Noting that Defense Secretary Mattis warned NATO allies this week to boost defense spending to two percent of economic output, Karoblis said Lithuania is on target to meet the spending benchmark next year.

Also noting Mattis' call this week, the Washington Post (2/16, Faiola, 11.43M) reports that ahead of a major security conference in Munich this week, Chancellor Angela Merkel "and her defense minister both acknowledged the need for Germany to ramp up military spending as the Trump administration increases pressure on European allies to pull more of their weight." Yet the Post says the comments by Merkel and Defense Minister Ursula von der Leyen "remained vague enough to suggest that Germany, even as it moves to reverse decades of defense cuts, may not move as fast as some hope."

Meanwhile, Reuters (2/16, Rinke) reports European Commission President Jean-Claude Juncker "said on Thursday that Europe must not cave in to US demands to raise military spending, arguing that development and humanitarian aid could also count as security." Said Junker, "I don't like our American friends narrowing down this concept of security to the military."

In an interview with Bloomberg Politics (2/16, Ummelas, 201K), Estonian Defense Minister Margus Tsahkna said Russia is testing NATO's willingness to respond to provocation, demonstrating the need for the members to increase spending on defense. "When we look at Russia's behavior after the US elections, they have slowly been increasing tensions, and their behavior has become more aggressive, including on violating international law," Tsahkna said. "The limits are really being tested now. I hope this won't open new conflict areas. That's why NATO has to be prepared."

NYTimes Analysis: Pro-Russian "Ukrainian Team" Scuttled Dutch Trade Pact.

The New York Times (2/16, Higgins, Subscription Publication, 13.9M) reports Harry van Bommel, a "left-wing member of the Dutch Parliament, had persuasive allies in convincing voters that they should reject a trade pact with Ukraine" last April – a special "Ukrainian team" of "gleefully contrarian group of émigrés whose sympathies lay with Russia." According to the Times, they "attended public meetings, appeared on television and used social media to denounce Ukraine's pro-Western government as a bloodthirsty kleptocracy, unworthy of Dutch support." However, they were "actually from Russia, or from Russian-speaking regions of Ukraine, and parroted the Kremlin line."

Haley: US Still Supports Two-State Solution.

Reuters (2/16, Parker) reports Ambassador Haley said Thursday that the US still supports a two-state solution to the Israeli-Palestinian conflict, just one day after President Trump "suggested he is open to new ways to achieve peace." Speaking to reporters at the UN, Haley said, "First of all, the two-state solution is what we support. Anybody that wants to say the United States does not support the two-state solution – that would be an error." She added that the US is "thinking out of the box as well: which is what does it take to bring these two sides to the table? What do we need to have them agree on?" The New York Times (2/16, Sengupta, Subscription Publication, 13.9M) reports Haley "said nothing about what that approach would be, nor did she go any further in revealing a coherent picture of United States policy on the conflict." The AP (2/16, Lederer) says Haley's comments were "far more forceful in support of a two-state solution than...Trump's," and Bloomberg Politics (2/16, Foroohar, 201K) reports that while they "weren't in conflict with Trump's remarks...they added to confusion about Mideast policy in the new US administration."

Meanwhile, Reuters (2/16, Irish) reports French Foreign Minister Jean-Marc Ayrault said

Thursday that his nation considers the US position "confused and worrying." Speaking after talks with Secretary of State Tillerson in Germany, Ayrault said, "I found that there was a bit more precision (on foreign policy) even if I found that on the Israeli-Palestinian dossier it was very confused and worrying."

In Israel on Thursday, Reuters (2/16, Heller) reports Prime Minister Benjamin Netanyahu's "far-right political allies hailed" the "shift in US support for a Palestinian state," but the Washington Post (2/16, Booth, Gearan, 11.43M) reports that there is debate among Israelis about "exactly what the new American leader meant." Many "saw a new day," while "others felt uneasy." And some "thought the president didn't seem to know what he was talking about and was just throwing out words and phrases." The New York Times (2/16, Kershner, Subscription Publication, 13.9M) likewise says both Israelis and Palestinians are "feverishly debating what might come next, still confused about American policy" after Haley reasserted that the Administration "absolutely" supported two states. Another New York Times (2/16, Landler, Subscription Publication, 13.9M) piece says the President "has just as readily reversed himself, sowing confusion among allies and adversaries and raising questions about how seriously to take any of his pronouncements."

The Los Angeles Times (2/16, Mitnick, King, 4.52M) reports that in Ramallah, few now "believe that the new US administration will help advance the cause of Palestinian statehood, and that doubt is echoed across much of the Arab world."

Tillerson Denies Suggesting US Wants To Scrap Iran Deal.

Reuters (2/16) reports Secretary of State Tillerson "said on Thursday he did not suggest to French Foreign Minister Jean-Marc Ayrault that Washington planned to scrap the Iranian nuclear agreement." Asked about a report which cited Ayrault as saying the French had the impression that Washington wanted to get rid of the deal, Tillerson told reporters, "I didn't leave any such impression."

After Talks With Tillerson, Saudis Voice Optimism About US Relations.

The AP (2/16, Lee) reports that after talks Thursday with Secretary of State Tillerson, Saudi Foreign Minister Adel al-Jubeir said his country expects to have a productive relationship with the Trump Administration and is optimistic about US-Saudi cooperation. "We look forward to working with the Trump administration on all issues," al-Jubeir said. "We are very, very optimistic about our ability to resolve issues in the region." The AP notes that during a meeting on Yemen with Jubeir and the foreign ministers of Britain, Oman and the UAE, Tillerson "did not respond to a reporter's question about the Trump administration's proposed travel ban for citizens of seven mainly Muslim nations." In fact, the AP says he "made no substantive remarks in the presence of reporters."

Saudi-Led Coalition Strike Hits Yemeni Funeral, Killing 10. Reuters (2/16) reports a Saudi-led coalition airstrike on Thursday hit a house north of Sanaa where residents said a crowd of mourners was gathered, "killing nine women and a child and injuring dozens." The Saudi-led coalition said it was investigating reports of civilian casualties. The AP (2/16) reports Jamie McGoldrick, the UN humanitarian coordinator in Yemen, said he was "saddened and appalled" by the attack, noting that "it is not the first time that a funeral gathering is struck by airstrikes, nor is it the first time that women and children are killed in civilian premises such as hospitals, schools and private homes."

Tillerson Condemns North Korean Missile Test.

Bloomberg News (2/16, Wadhams, 2.41M) reports Secretary of State Tillerson vowed that North Korea's violations of UN Security Council resolutions will bring an "even stronger international response." In a statement issued jointly with the foreign ministers of Japan and South Korea after talk on the sidelines of the G20 meeting in Bonn, Tillerson condemned "in the strongest terms" a Feb. 12 ballistic missile test and noting the North's "flagrant disregard" for UN Security Council resolutions.

Third Suspect Arrested In Killing Of North Korean Leader's Half-Brother. The AP (2/16, Ng) reports Malaysian authorities announced the arrest of a third suspect Thursday in the death of North Korean leader Kim Jong-Un's half-brother, Kim Jong-Nam, on Monday. Three suspects – two women and a man – were arrested separately. The women were identified using

surveillance videos from Kuala Lumpur International Airport, where Kim Jong-Nam "suddenly fell ill." Police said they had detained a Malaysian man "believed to be the boyfriend" of one of the female suspects. According to the Washington Post (2/16, Fifield, 11.43M), "South Korea's often-unreliable intelligence service and some analysts in China" believe Kim Jong-Un is "suspect No. 1 in the apparent assassination," but "many questions remain. Why would Kim Jong Un want to kill a half brother who...had shown no political ambitions?" NBC Nightly News  (2/16, story 7, 1:55, Holt, 16.61M) similarly reported that "speculation raising that Kim Jong-Un himself ordered the execution of Kim Jong-Nam."

Trump: Rubio And I Have "Very Similar Views On Cuba."

The Miami Herald (2/16, Torres, 856K) reports the President said during yesterday's White House press conference that he shares Sen. Marco Rubio's views on Cuba. "We had dinner with Senator Rubio and his wife, who was by the way, lovely, and we had a very good discussion about Cuba, because we have very similar views on Cuba," Trump told journalists.

Mexican Populist Rises Amid Anti-Trump Sentiment.

The Washington Post (2/16, Partlow, 11.43M) reports that the "outrage" in Mexico over President Trump's proposals to build a border wall and renegotiate NAFTA has "elevated a longtime politician who has unnerved the country's business community with his nationalist views and leftist rhetoric." Political opponents have compared Andrés Manuel López Obrador, widely known as AMLO, with the late Hugo Chávez. The Post says "while that may be an exaggeration," López Obrador "can bring thousands into the streets on command" and his critics "worry that his penchant for stubborn resistance could provoke confrontation with the United States, while his fans see him as a defender of the common man."

WPost Analysis: Trump Has Led To "Unexpected Surge" Of Left In Germany.

The Washington Post (2/16, Faiola, 11.43M) reports that the "unconventional administration of President Trump may be causing consternation among American liberals," but in Germany, "Trump's rise is helping fuel an unexpected surge of the left." The Social Democrats (SPD) have "bounced back under the charismatic Martin Schulz, the former head of the European Parliament who took over as party chairman last month and is now staging a surprisingly strong bid to unseat Chancellor Angela Merkel."

Merkel Testifies Before Panel On Alleged US Eavesdropping. The AP (2/16, Moulson) reports German Chancellor Angela Merkel told lawmakers that "she stands by her 2013 complaint that 'spying among friends' is unacceptable as she testified Thursday to a committee examining alleged US surveillance...as well as questionable activities by German intelligence – which she said she heard about only much later." Merkel stressed the importance and difficulty of "finding the right balance between freedom and security."

Bild Apologizes For False Report On Sexual Assaults By Migrants. The New York Times (2/16, Eddy, Subscription Publication, 13.9M) reports Germany's Bild newspapers has "emphatically" apologized to its readers for an article that said a "mob" of Arab men had sexually assaulted women on New Year's Eve in a Frankfurt restaurant, "after the police said that an investigation had failed to turn up any evidence." The Times says the accusations "carried echoes of genuine attacks on New Year's Eve a year earlier."

Trudeau Seeks Closer Ties With EU.

The New York Times (2/16, Kanter, Subscription Publication, 13.9M) reports Justin Trudeau because the first sitting Canadian prime minister to address the European Parliament on Thursday, declaring that "the whole world benefits from a strong EU." The Times says his address underscores Canada's close ties with the EU, "even as Britain prepares to leave...and as President Trump celebrates the fracturing of the 28-nation bloc." His speech came a day after the European Parliament ratified "a landmark trade deal that many economists and other observers see as a counterweight to the protectionist policies supported by Mr. Trump."

Samsung Heir Arrested On Bribery Charges.

The New York Times (2/16, Sang-Hun, Subscription Publication, 13.9M) reports that the "de facto leader" of Samsung, Lee Jae-yong, was arrested Friday on bribery charges, in a "dramatic turn in South Korea's decades-old struggle to end collusive ties between the government and powerful family-controlled conglomerates." Lee is accused of paying $36 million in bribes to President Park Geun-hye's secretive confidante, Choi Soon-sil, in exchange for political favors from Park, including government support for a merger of two Samsung affiliates in 2015.

Strassel: Trump Must Back Out Of Paris Deal To Avoid Overstep By Judiciary.

Kimberley Strassel writes in a Wall Street Journal (2/16, Subscription Publication, 6.37M) column that President Trump needs to follow through on his campaign promise to roll back former President Obama's climate change prevention policy by withdrawing from the Paris climate accord. Strassel writes that some in the White House are reluctant to cause international uproar or think leaving is unnecessary because the deal is not binding. In response, she warns that the judiciary could require the EPA to execute the provisions of the Paris deal, as she notes the numerous lawsuits that have cropped up in response to Trump's policies.

Indonesia Pollster: Religious Sentiment Holds Sway Over Jakarta Governor Election.

The New York Times (2/16, Cochrane, Subscription Publication, 13.9M) reports unofficial estimates from independent polling agencies indicate that Jakarta governor candidates Basuki Tjahaja Purnama and Anies Baswedan will faceoff in an April runoff. The results of the Wednesday election favor Basuki, a Chinese Christian, at 43 percent of the vote over Anies, a Javanese Muslim. Before a September scandal led to charges of blasphemy, however, Basuki, the current governor, polled at 52 percent. The director of an Indonesian polling company indicates that "Religious sentiment played a significant role and undermined the performance of [Basuki] in this election."

US Treasury: Venezuelan VP Involved In Narcotics Rackets.

According to the New York Times (2/16, Casey, Herrero, Subscription Publication, 13.9M), the Department of the Treasury imposed sanctions on Venezuelan Vice President Tareck El Aissami Thursday for his involvement in narcotics rackets extending from Colombia to Mexico. The Treasury's Office of Foreign Assets Control says he "facilitated shipments" by exerting influence at a Venezuelan air base and "oversaw or partially owned narcotics shipments of over 1,000 kilograms." Venezuelan President Nicolas Maduro "vigorously defended" El Aissami as an "enemy of the narcotics rackets" this week on national television, says the Times, but during El Aissami's tenure as interior and justice minister, violent crime rates grew rapidly, according to organizations focused on crime research.

THE BIG PICTURE

Headlines From Today's Front Pages.

Wall Street Journal:
Trump Lets Loose Against Critics
Trump Administration Backs Off Talk Of Closer Russia Ties
With $15 Left In The Bank, A Baby Boomer Makes Peace With Less
Fund's $600 Million Lost Week Captivates Traders

New York Times:
'I Inherited A Mess,' Trump Says, Defending His Performance
In 77 Chaotic Minutes, Trump Defends 'Fine-Tuned Machine'
GOP's Grand Visions For Congress Now Look Like A Mirage
EPA Workers Try To Block Pruitt In Show Of Defiance
Fake News, Fake Ukrainians: How A Group Of Russians Tilted A Dutch Vote
Is 2-State Solution Dead? In Israel, A Debate Over What's Next

Washington Post:
Trump Travels Come At High Cost
Flynn TOLD FBI He Did Not Discuss Sanctions
Trump Defends Month In Office
Mistakes By DC Lab Force Retesting For Zika
The Trump Effect In Germany: A Resurgent Left

Financial Times:
US Officials Set Conditions On Russia Thaw
French Bond Trading Soars On Fear Of Populist Wave
Kim Jong Nam Assassination Hits Beijing Authority
Norway Plans Shake-up Of $900bn Oil Fund

Washington Times:
Trump Blasts 'Out Of Control' Media For Ignoring Early Successes
Feds Say Border Fence Has Been Cut 9,200 Times Since 2010
President Trump Orders Justice Probe Of Intel Leaks, Says Flynn Was 'Just Doing His Job'
Islamic Extremism Deadliest Ideology In U.S. For First Time In 30 Years
Post-9/11 Veterans Seek New Purpose By Joining Left-Wing Protest Movements
DNC Leaders Unhappy With Aggressive Tactics To Elect Ellison As Chairman

Story Lineup From Last Night's Network News:
ABC: Trump News Conference; Flynn Investigation; Russian Military Aggression; Trump-Black Caucus; Trump-New Immigration Order; Immigrant Protest; Middle East Bombings; Foiled Synagogue Attack; Teenager Hikers Murdered; Severe Weather; Washington State Explosion; Stroller Recall; Phone Plans Competition; National Zoo Panda Farewell.
CBS: Trump News Conference; Trump-Russia Investigation; Trump-New Immigration Order; Presidential Orders; Flynn Controversy-Expert Opinion; Trump-Electoral Victory Comment; Immigrant Protest; Immigrant Taking Sanctuary; Trump-Coal Mine Stream Order; Detroit Philanthropist Billionaire Dies.
NBC: Trump News Conference; News Conference-Congress Reaction; US Syria Deployment; Immigrant Protest; Wall Street Surge; Food Expiration Label Change; Kim Jung-Nam Assassination; Stroller Recall; Documentary Planet Earth Sequel.

Network TV At A Glance:
Trump News Conference – 14 minutes, 30 seconds
Trump-Russia Investigation – 5 minutes
Immigrant Protest – 4 minutes, 45 seconds
Trump-New Immigration Order – 30 seconds

Story Lineup From This Morning's Radio News Broadcasts:
ABC: National Security Advisor Pick Withdraws; Labor Secretary Nominee; Trump News Conference; Foiled Synagogue Attack; Bill Cosby Lawsuit; Airport Incident.
CBS: Trump News Conference; Cabinet Confirmation; Severe Weather-West Coast; Orovill Dam Situation; Severe Weather-East Coast; Flu Season; Airport Smugglers.
FOX: Trump News Conference; Tillerson-Russia Meeting; Police Violence Protest; Immigrant Protest.
NPR: Immigration Order-Legal Challenge; National Security Advisor Pick Withdraws; Defense Secretary-NATO Speech; Wall Street News.

WASHINGTON'S SCHEDULE

Today's Events In Washington.

White House:
PRESIDENT TRUMP — Meets with Dennis Mullenburg, CEO of the Boeing Company; arrives in West

Palm Beach, Florida.
VICE PRESIDENT PENCE — Arrive in Munich on Air Force Two for the weekend's Munich Security Conference.
US Senate: Congress breaks for Presidents Day recess – Congress breaks for Presidents Day District Work Period (aka State Work Period) * No votes in the House of Representatives today
US House: 10:00 AM Ahmadiyya Muslim Community USA annual 'Day on the Hill' – Ahmadiyya Muslim Community USA annual 'Day on the Hill', focusing on efforts to combat violent extremism, protect vulnerable religious minorities, empower American Muslims, and promote the 'True Islam' grassroots campaign to combat 'the perverse ideology of extremists and better protect national security'. Speakers include Democratic Reps. Jim McGovern and Pete Aguilar Location: Rm 121, Cannon House Office Bldg., Washington, DC www.ahmadiyya.us https://twitter.com/Islam_Press #MuslimAlly

Congress breaks for Presidents Day recess – Congress breaks for Presidents Day District Work Period (aka State Work Period) * No votes in the House of Representatives today
Other: No scheduled events

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James B. Comey

From:	James B. Comey
Sent:	Monday, February 20, 2017 10:12 AM
To:	McCabe, Andrew G. (DO) (FBI)
Subject:	RE: U.S. inquiries into Russian election hacking include three FBI probes | Reuters

Thanks.

-

-------- Original message --------
From: "McCabe, Andrew G. (DO) (FBI)" [redacted] b7E
Date: 2/20/17 10:04 AM (GMT-05:00)
To: "James B. Comey" [redacted], "Rybicki, James E. (DO) (FBI)" <[redacted],
"Kortan, Michael P. (DO) (FBI)" [redacted], "Bowdich, David L. (DO) (FBI)"
[redacted]
Subject: Fwd: U.S. inquiries into Russian election hacking include three FBI probes | Reuters

FYI Reuters article identifies three offices allegedly working Russia hack issues. Seems to be relying on same spurious sources from NYC article last week.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From: [redacted] b6 b7C b7E
Date: 2/20/17 10:02 AM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" <[redacted]
Subject: U.S. inquiries into Russian election hacking include three FBI probes | Reuters

http://mobile.reuters.com/article/idUSKBN15X0QE

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Tuesday, February 21, 2017 7:09 AM
To:	James B. Comey
Subject:	FW: FBI Public Affairs News Briefing Tuesday, February 21, 2017

From: Bulletin Intelligence [mailto:[redacted]
Sent: Tuesday, February 21, 2017 7:07 AM
To: [redacted]
Subject: FBI Public Affairs News Briefing Tuesday, February 21, 2017

Mobile version and searchable archives available at [redacted] b7E

FBI News Briefing

TO: THE DIRECTOR AND SENIOR STAFF

DATE: TUESDAY, FEBRUARY 21, 2017 7:00 AM EST

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- CAIR Seeks Federal Investigation Of Anti-Muslim Meeting In North Carolina.
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- FBI Still Probing Minnesota Mall Stabbing Spree.
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- Eleven Travelers Pass JFK Security Checkpoint Without Being Screened.

- Dwyer: Rahman's Death Will Not Still The Danger Of His Voice.
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- Continued Coverage: Florida Man Charged In Plot To Blow Up Target Stores.
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- Texas Election Officials Say Hundreds May Have Voted Improperly.
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- Hauenschild: National Security Concerns Should Not Be "Trump Card" In NSL Discussion.
- Trump Consulting With Tech Firms Ahead Of Issuing Cybersecurity Order.
- Armed Services Realizing Need For "Organic" Cyberoffense Capability.
- Former, Current Government Officials: No Cause For Alarm Over US Cybersecurity Under Trump Administration.
- Hempfield: Autonomous Vehicles' "Real-Time Alert Infrastructure" Could Be Used To Resolve Cyberthreats.
- White House Officials Downloaded Messaging App With "Security Concerns."
- Hackers Found To Have Inserted Russian Into Malware In Attempt At "False Flag."
- Mitchell: Russia Controversy Overshadowing Other Cyber Policy Issues.

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- Democrats Say Gorsuch Refusing To Address His Views On Key Questions.

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- US Military Advisers Fighting Alongside Iraqi Troops In Western Mosul.
- Roadside Bomb Kills Four Russian Servicemen In Syria.
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- France's Le Pen Discusses Syria, Terrorism With Lebanese Leaders.
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- Haley Says Security Council Meeting Showed "Anti-Israel" Bias.
- Turnbull: Conversations With Trump "Constructive, Frank, And Forthright."
- Norway Joins International Effort To Replace US Funding For Family Planning, Abortions.
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- British Lawmakers Debate Whether UK Should Rescind Trump's State Visit Invitation.
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- Russian Ambassador To UN Dies Of Apparent Heart Attack.
- Montenegro Special Prosecutor Accuses Russia Of Plotting Election-Day Coup.
- European Finance Ministers Agree To Start Greece Bailout Talks.
- EU Moves To Combat Fake News.
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- Famine Declaration Issued For Northern South Sudan.
- Gerson Calls On Administration Officials To Restore American Exceptionalism.
- Scholar: Trump Largely Following Established Foreign Policy.
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- Malaysians Rally In Support Of Islamic Law's Integration Into Legal System.
- Avian Virus Infections Surge In China.
- French Presidential Candidate Campaigns Without Party Alignment.
- Wilders Loses Momentum Ahead Of Dutch Presidential Election.
- London Mayor, EU Target High Air Pollution Levels.
- Spanish Protesters Urge Government To Accept More Refugees.
- Greek Workers Turn To Shadow Economy In Wake Of Increased Taxes.
- NYTimes A1: Russian Region's "Vodka Tragedy" Highlights Nation's Growing Poverty.
- State Department Demands Release Of Venezuelan Political Prisoners.

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- Headlines From Today's Front Pages.

WASHINGTON'S SCHEDULE

- Today's Events In Washington.

LEADING THE NEWS

Comey Briefs Senators On Flynn, Russia Investigation.

Politico (2/17, Wright, 2.46M) reported FBI Director Comey briefed Senators over President Trump's ties to Russia during "a closed-door meeting on Friday...amid an uproar on Capitol Hill over alleged contacts between Trump aides and Moscow." Sen. Mark Warner, the ranking member of the Senate Intelligence Committee, "said as he left the meeting he was confident the intelligence panel would have access to the documents it needs to carry out its investigation of the issue," although he and other members of the committee "declined to comment specifically on what was discussed in the meeting." The Hill (2/17, Williams, 1.25M) reported Committee Chairman Richard Burr described the meeting as "just a normal classified briefing" and refused to comment further.

Rep. Joaquin Castro told CNN The Situation Room  (2/17, 5:10 p.m. EDT, 10:31, Keilar, 554K) "both the House and the Senate want to have full and fair investigations into the connection between Russia and the hacking of the 2016 presidential election." He explained, "Of course, anyone who is on the House or Senate intelligence committee is often very careful about what information they divulge" because of "a criminal penalty that you can be subject to if you divulge classified information." Castro said "a full investigation" should also address "the relationship between anybody in the Trump campaign and Russia, the government, and Russian intelligence agencies," and "it's also fair to consider the leaks." Rep. Walter Jones, The Hill (2/17, Uchill, 1.25M)

reported, has now become "the first House Republican to co-sponsor a bill calling for an independent investigation of foreign interference in the 2016 presidential election."

CNN The Situation Room's (2/17, 5:35 p.m. EDT, 34:35, Keilar, 554K) senior political reporter Nia-Malika Henderson said "something substantive could certainly come out of" the congressional investigation. Democratic lawmakers "want more of an independent counsel, something like a select committee," but Senate Majority Leader McConnell appears "reluctant to do that, wanting this to go through the Senate Intelligence Committee" and focus on "the leaks rather than the substance of the leaks." The Hill (2/17, Bolton, 1.25M) reports McConnell told reporters on Friday that "he had 'no idea' whether President Trump's campaign advisers were in touch with Russian officials last year" and his spokesman, Don Stewart, "later clarified that McConnell thought he was asked whether he knew of any contacts between Trump and Russian officials."

Meanwhile, Politico (2/17, Conway, 2.46M) reported White House Chief of Staff Priebus "held the party line on...reports about scrutiny into the Trump campaign's relationship with Russia as exaggerated without saying, definitively, that none of the president's associates contacted the country before the election." During an interview with Fox News, Priebus "insisted...he had spoken with high-level intelligence officials who told him that the Times story about the campaign contact with Russia was 'grossly overstated and inaccurate.'" Priebus added, "I wouldn't come on your show and say something like that if I didn't have a green light and approval to say it."

Law Enforcement Officials Predict No Charges Against Flynn. Law enforcement sources told the CBS Evening News (2/17, story 2, 2:15, Pelley, 11.17M) that Flynn will not likely face charges "in connection to his discussions of US sanctions with the Russian ambassador to the US." Correspondent Jeff Pegues said "investigators say that despite misleading the Vice President, there is not enough evidence to charge him with lying to the FBI," and he "has also not been cleared in the broader investigation into whether he and others in the Trump campaign were in regular contact with Russian officials during the election."

Russians Contradicted Administration's Statements On Contact With Trump Campaign. Highlighting previously reported statements by Russian officials, the New York Times (2/20, Rosenberg, Subscription Publication, 13.9M) reports that the Administration's "denial" that it did not have contact with Russia during the presidential campaign "stands at odds with statements by Russian officials" who have at least two times "acknowledged contacts with aides to Mr. Trump before the election." The Times says Russian Deputy Foreign Minister Sergei Ryabkov said two days after the election that his government maintained contacts with Trump's "immediate entourage" during the campaign. The Times adds that Russian Ambassador Sergey Kislyak told the Washington Post that he communicated with former National Security Adviser Flynn frequently during the campaign.

White House Asked To Preserve Documents Tied To Russia Probe. NBC Nightly News (2/19, story 2, 1:35, O'Donnell, 16.61M) reported the Senate Intelligence Committee has asked the White House to "preserve any documents, any emails that may be useful in their investigation" of Russian interference in the 2016 election. The AP (2/19, Riechmann, Sullivan) reports the committee sent "formal requests to more than a dozen organizations, agencies and individuals" – including the White House – "asking them to preserve all materials related" to their investigation. The request came the same day committee members received a classified briefing from FBI Director Comey.

Klobuchar, Menendez Back Investigation Of Russia Connections. The Minneapolis Star Tribune (2/19, Sherry, 1.27M) reported that Sen. Amy Klobuchar said in an interview that she will "leverage what she said are strong alliances with her Republican colleagues to push for an independent investigation into possible ties" between the Trump Administration and Russia. She asked, "Why did all of this happen? Why was the Trump campaign so focused on placating Russia and making them happy when they have been ruthless to our allies and ruthless trying to attack us?"

On CNN's State of the Union (2/19, Sciutto, 420K), Sen. Robert Menendez said he backed a bipartisan commission, saying, "The only question for me is the Intelligence Committee in and of itself alone the appropriate entity, particularly since much what have they will do will be

in secret, and I think that there elements of the whole Russia scandal that deserve to be in public view."

On NBC's Meet The Press, Sen. John McCain said, "There are so many questions out there that we first of all need to understand the parameters of what's happened here. And so I would hold off and wait and see what happens. ... There's probably going to be some more shoes to drop."

Nunes Says Obama Administration Holdovers Responsible For Leaks. The Washington Times (2/19, Miller, 272K) reported that House Intelligence Chairman Devin Nunes said on CBS' Face The Nation "that Obama administration holdovers are illegally leaking information to the news media in an effort to damage President Trump." Politico (2/19, Trudo, 2.46M) reported that Nunes also said, "If Gen. Flynn was talking about Obama's pettiness that he did right after Christmas, kicking out a few Russian diplomats and telling the Russians not to overreact, and if the FBI used the Logan Act, I think we have much bigger problems here than Michael Flynn."

Trump Associates Developed Plan To Lift Russia Sanctions. According to the New York Times (2/19, Twohey, Shane, Subscription Publication, 13.9M), one week before Gen. Mike Flynn resigned as national security adviser, "a sealed proposal was hand-delivered to his office, outlining a way for President Trump to lift sanctions against Russia." The Times says the plan was developed by Michael D. Cohen, Trump's personal lawyer; Felix H. Sater, "a business associate who helped Mr. Trump scout deals in Russia"; and Andrii V. Artemenko, a Ukrainian lawmaker. While the plan contains plans to secure a peace deal between Russian and Ukraine, Artemenko "claims to have evidence — 'names of companies, wire transfers' — showing corruption" by Ukrainian President Petro Poroshenko "that could help oust him." According to the Times, it is "unclear if the White House will take the proposal seriously," but the "diplomatic freelancing has infuriated Ukrainian officials." It also notes that Cohen is "one of several Trump associates under scrutiny in an FBI counterintelligence examination of links with Russia, according to law enforcement officials." In an appearance on Fox News' Special Report (2/20, 1.53M), Deputy Assistant to the President Dr. Sebastian Gorka said he was skeptical of the Times' report. "I'm not familiar with the plan. Given the source of the report I have to have a little bit of skepticism because I think there's a fake news phenomenon," Gorka said.

Putin Reportedly Orders Report On Trump's Psychological Makeup. According to the New York Post (2/20, Fredericks, 3.82M), an NBC news report indicated that Russian President Vladimir Putin "ordered up a dossier on President Trump's psychological makeup" in preparation for their first meeting. The analysis, the Post says, "so far peg the president as someone not afraid to take risks but who can also be naive about people and issues he doesn't understand." Former Russian Deputy Foreign Minister Andrei Fedorov told NBC that Trump "doesn't understand fully who is Mr. Putin – he is a tough guy."

McMullin: Congress Should "Demand" Sessions Investigate Trump, Flynn Over Russia Ties. In a New York Times (2/17, McMullin, Subscription Publication, 13.9M) op-ed, former independent presidential candidate Evan McMullin urged Congressional Republican leaders to hold President Trump accountable over his and Flynn's Russian connections. He argues they "should demand that Attorney General Jeff Sessions appoint an independent special counsel to investigate Russia's assault on American democracy and Mr. Trump's possible collusion with the Kremlin." At a minimum, he said "they must establish a bipartisan special select committee with subpoena power in the House or the Senate for the same purpose."

Mukasey Criticizes Leaks Of Classified Information. In a Wall Street Journal (2/20, Mukasey, Subscription Publication, 6.37M) op-ed, former attorney general Michael Mukasey criticizes the leaking of classified information that resulted in the resignation of NSA Mike Flynn. Mukasey says the damage from such leaks can be equal to or greater than that done by outright espionage.

FBI Conducting Three Separate Probes Into Alleged Russian Election Hacking.

Five current and former US officials told Reuters (2/18, Menn) the Federal Bureau of Investigation is conducting three separate investigations into Russia's alleged hacking of the presidential election. The bureau's Pittsburgh field office, which frequently conducts cyber security probes, is

attempting to identify the people who breached the Democratic National Committee's computer systems in 2015 and 2016. Its investigation has progressed the furthest, but Justice Department officials do not believe they have enough evidence for an indictment. The FBI's San Francisco office is attempting to identify the people behind the "Guccifer 2" moniker that posted emails seized from Hillary Clinton's campaign manager John Podesta. Additional counterterrorism agents are pursuing leads provided by informants and foreign communications intercepts. The officials "also corroborated a Tuesday New York Times report that Americans with ties to Trump or his campaign had repeated contacts with current and former Russian intelligence officers before the November election."

Trump's Former Advisers React To Accusations Of Election Hacking Involvement. President Trump's former adviser on Russia, Carter Page, told McClatchy (2/17, Stone, 74K) on Friday that he urged the Justice Department in a letter sent on Sunday to launch an investigation into Hillary Clinton. In the letter, Page accused Clinton's campaign and political allies "of the severe election fraud in the form of disinformation, suppression of dissent, hate crimes and other extensive abuses." Trump's former adviser and longtime confidant, Roger Stone, also told McClatchy that he encourages a Justice Department investigation and "would relish the opportunity to testify in public before Congress" to address their suspicions about his alleged ties to Russia. He added, "Any fair, unbiased investigation would be fine with me. I don't believe the president or I have anything to fear." Both Page and Stone "are believed to be among a handful of Trump loyalists under scrutiny."

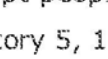
Trump Associates Say They Have Not Been Contacted By FBI. The Daily Caller (2/20, Ross, 898K) says that despite media reports naming Trump associates Michael Cohen, Roger Stone, Paul Manafort, and Carter Page as "persons of interest in an FBI investigation of links to Russia," they "all say they have not been contacted or interviewed by federal investigators." According to former FBI official Ron Hosko, the fact the FBI has not contacted the men could mean that the media reported falsely, that the FBI does not have enough information to advance the investigation, or that agents are still compiling evidence prior to conducting interviews.

Russian Foreign Minister Asks For Factual Basis Behind Hacking Allegation. Bloomberg Politics (2/18, Wadhams, Arkhipov, 201K) reported Russian Foreign Minister Sergei Lavrov rejected accusations that Russian hackers interfered in the US presidential election. On Saturday at the Munich Security Summit, Lavrov called into question the lack of facts presented to support the allegation, and "portrayed Russia as a leader in efforts to focus on information security." Lavrov asserted election hacks are "happening in France, Germany, Italy," and accused the Central Intelligence Agency of spying on French political parties during that nation's 2012 presidential election. Lavrov said he proposed US-Russian collaboration on cyber security in 2015 and repeatedly asked former Secretary Kerry about the status of that proposal. He said in the following year, "we had no reaction from them" until December, when "they said let's meet, and later they said now we have transitional administration let's postpone it."

COUNTER-TERRORISM

Eleven Jewish Community Centers Receive Bomb Threats Monday.

According to ABC World News Tonight  (2/20, story 2, 1:50, Muir, 14.63M), 11 Jewish community centers received bomb threats Monday, and 54 centers have been targeted already in 2017. The "menacing phone calls" came in four waves as part of "a coordinated effort to spark fear" that the FBI is investigating for civil rights violations and hate crimes. The Hill (2/20, Savransky, 1.25M) reports a White House statement responded to the threats emphasizing there is no place for hatred "in a country founded on the promise of individual freedom." The Jewish Community Center Association of North America says the threats affecting such cities as Chicago, Buffalo, Houston, and New York were "hoaxes," and Director of Strategic Performance David Posner said, "We will not be cowed by threats intended to disrupt people's lives."

In its lead story, NBC Nightly News  (2/20, story 5, 1:50, Holt, 16.61M) reported Anti-Defamation League CEO Jonathan Greenblatt calling on President Trump "to show moral leadership" and address the issue of rising anti-semitism "before communities go from anxiety to

real trauma." Politico (2/20, Lima, 2.46M) says ADL started the Twitter hashtag #answerthequestion Monday to encourage the Administration to address the issue.

The Minneapolis Star Tribune (2/17, Xiong, Montemayor, 1.27M) reports that "the St. Paul Jewish Community Center was evacuated after receiving a bomb threat Monday morning – one of 11 incidents nationwide and the second such scare in the Twin Cities in as many months." The Tribune adds that "Monday's incident comes one month after a phoned-in bomb threat closed the Sabes Jewish Community Center in St. Louis Park." Jeff Van Nest, a spokesman for the FBI's field office in Minneapolis, "said the agency was coordinating with local law enforcement much as it did after the St. Louis Park bomb threat. 'All of the resources of the FBI are available in a case like this,' Van Nest said. 'Any time there's a bomb threat, even if it's a hoax, is a violation of federal law.'"

ABC News (2/20, 3.09M) reports on its website that "federal authorities are looking into threats communicated to at least 60 Jewish centers around the country this year." The threats "started in January and the FBI began investigating later that same month. 'The FBI will collect all available facts and evidence, and will ensure this matter is investigated in a fair, thorough, and impartial manner,' the FBI said in a statement."

The Chicago Tribune (2/20, 2.54M) reports that "a threat to a facility in the 5200 block of South Hyde Park Boulevard about 10:10 a.m. Monday brought police to the scene, but officers and staff found no evidence that the threat was bona fide, according to police." Police said that no evacuation was necessary. The Tribune notes that "in upstate New York, a bomb threat that forced the Jewish Community Center to evacuate two buildings in Buffalo and Amherst late Monday morning was part of a nationwide effort that saw at least 10 such centers targeted with similar threats, according to local and national officials." The Tribune adds that "following an earlier round of threats – there have been at least four instances in which multiple Jewish centers have been targeted with telephone threats on the same day – the FBI confirmed that it is investigating the threats."

The Columbus (OH) Dispatch (2/20, 529K) reports that the Mandel Jewish Community Center in Cleveland "was among the 11 which received hoax calls Monday that turned out to be unfounded," and "other Jewish centers receiving calls were located in Tampa, Birmingham, Alabama; Chicago Hyde Park, St. Paul, Minn., Albuquerque, New Mexico; Buffalo, New York; Tulsa, Oklahoma; Nashville, Tennessee; Houston and Milwaukee, according to a list provided by the JCC Association of North America. 'Our centers have in place security protocols to ensure the safety of their program participants and facility visitors,' David Posner, director of strategic performance at the JCC Association, who advises local JCCs on security policies and practices, said in a statement Monday."

The Birmingham (AL) News (2/20, Robinson, 157K) reports that "the Levite Jewish Community Center was evacuated Wednesday, as were dozens of others throughout the U.S." On Jan. 18, "Birmingham police and other lawmen responded to the facility on Montclair Road in the eastern part of the city," and "after the building was evacuated, bomb-sniffing dogs checked out the complex and the parking lot, and the all-clear was given."

KDVR-TV Denver (2/20, 214K) reports that "it's been three weeks since a bomb scare forced the Boulder Jewish Community Center to evacuate." Police said "someone threatened to detonate themselves," and "the building was evacuated and bomb sniffing dogs came out, but didn't find anything suspicious."

Reuters (2/21, O'Brien) reports "officials at the Harry and Rose Samson Family Jewish Community Center in Whitefish Bay, Wisconsin, north of Milwaukee, received a bomb threat at 10:15 a.m. local time, the second such incident at the center over the last three weeks, it said on Twitter."

CNN (2/21, 29.79M) reports that the White House on Monday "denounced a spate of threats made against Jewish Community Centers around the country." CNN adds that "the reaction is notable coming after weeks of criticism that the Trump administration has not been forceful enough to denounce acts of anti-Semitism that have occurred nationwide since his election. 'Hatred and hate-motivated violence of any kind have no place in a country founded on the promise of individual freedom. The President has made it abundantly clear that these actions are unacceptable,' said White House deputy press secretary Lindsay Walters." The Jewish Telegraphic

Agency (2/20, 5K) also reports.

Ivanka Trump Tweet Calls For "Religious Tolerance." The New York Times (2/20, Haberman, Chokshi, Subscription Publication, 13.9M) reports Ivanka Trump tweeted a statement Monday night that calls for "religious tolerance" in response to the threats against Jewish community centers. The Times says the President's daughter, converted to Judaism prior to marrying Jared Kushner, an Orthodox Jew, is in a "position to be a prominent voice" and that the tweet is her "most vocal foray" into public discussion.

AP, Other News Organizations Push For Info On FBI iPhone Hack.

The AP (2/20, Tucker) says it along with Vice Media LLC and USA Today parent company Gannett filed a document Monday with the US District Court in Washington to force the FBI to release information regarding the identity of the third-party vendor involved and the price paid to unlock the iPhone of Syed Rizwan Farook, one of the shooters in the 2016 San Bernardino, California attack. The news organizations say their requests are "narrowly tailored" and the information would not jeopardize the government's ability to protect the country, but the Justice Department maintains that the information redacted in documents it released in January could be used by "hostile entities" to threaten national security. Bloomberg News (2/20, 2.41M) reports similarly.

Wisconsin, Virginia Men Sentenced For Trying To Join, Assist The ISIL.

Reuters (2/17, Ax) reported 36-year-old Joshua Van Haften of Madison, Wisconsin was sentenced to 10 years in federal prison following a guilty plea for "post[ing] an oath of allegiance to Islamic State's leader online" and "travel[ing] to Turkey in 2014...to cross the border into Syria, according to prosecutors." Similarly, 26-year-old Haris Qamar of Burke, Virginia got 8 and a half years in prison after also pleading guilty to helping "a confidential witness working with the Federal Bureau of Investigation take photographs of landmarks in Washington, D.C., for what he believed would be a propaganda video for Islamic State to encourage attacks." The Washington Post (2/17, Weiner, 11.43M) noted that tweets by Qamar via hundreds of accounts initially drew the FBI's attention to him. The AP (2/17) reported that the sentence received by Qamar is longer than the five- to six-year term requested by his attorney, but less than the 20-year maximum sentence for his crimes.

CAIR Seeks Federal Investigation Of Anti-Muslim Meeting In North Carolina.

The Winston-Salem (NC) Journal (2/19, Drabble, 204K) reported that the Council on American-Islamic Relations (CAIR) is requesting a federal investigation into death threats made by people who attended a Kernersville, North Carolina meeting on Thursday. "The meeting, attended by about 20 people at a seafood restaurant, included a focus on a 'supposed Muslim plot to conquer the United States,'" the Journal said, citing CAIR. According to the organization, one of the meeting participants recommended people "start killing the hell out" of Muslims. CAIR hopes the FBI investigates the meeting in light of the recent attack on a Canadian mosque, the newspaper reported.

At Trial, DC Terror Suspect Will Claim He Was Entrapped.

Citing court records, WTTG-TV Washington (2/20, 67K) reports online that Nicholas Young, the former DC Metro Transit Police officer accused of aiding ISIL, will claim he was entrapped by authorities. "Young was arrested last August and accused of assisting ISIS by purchasing gift cards and sending the codes on the back to someone he thought was working with the Islamic State," WTTG says. His attorneys, who recently filed two motions questioning the persecution's evidence, plan to call Young to the stand and "are fighting a government claim that it may use evidence obtained from a FISA warrant to impeach him at trial," WTTG says.

FBI Still Probing Minnesota Mall Stabbing Spree.

The AP (2/17, Forliti) reported that according to the FBI, authorities are still investigating the stabbing attack that left 10 wounded at a St. Cloud Minnesota mall five months ago. "FBI Special Agent in Charge Rick Thornton said getting into Dahir Ahmed Adan's electronic media has been an ongoing effort, and authorities might never know exactly what he was thinking," the AP said.

However, Thornton added, he would not rule out the possibility that Adan, who asked some victims their religion, was radicalized." In this era of encrypted communications and encrypted devices and so forth, I think it's going to be an increasingly common outcome where we may not have absolute clarity on what was in people's minds. If you aren't seeing all of their communications, there's always the potential for a gap," Thornton said of the investigation. The Minneapolis (MN) Star Tribune (2/17, Forliti, 1.27M) and the St. Paul (MN) Pioneer Press (2/17, 460K) post the AP's coverage on their websites.

Top White House Adviser Gorka Sees Islam Itself As Root Of Extremism.

The Washington Post (2/20, Jaffe, 11.43M) runs a 3,200-word profile of Deputy Assistant to the President Sebastian Gorka, who for years "had labored on the fringes of Washington and the far edge of acceptable debate as defined by the city's Republican and Democratic foreign policy elite." The former Breitbart national security editor now "occupies a senior job in the White House and his controversial ideas – especially about Islam – drive [President] Trump's populist approach to counterterrorism and national security." The Post says Gorka sees the world as engaged in "a high-stakes civilizational war, still in its early days," and believes that "the terrorism problem has nothing to do with repression, alienation, torture, tribalism, poverty, or America's foreign policy blunders and a messy and complex Middle East," but rather, "is rooted in Islam and 'martial' parts of the Koran that he says predispose some Muslims to acts of terror."

Eleven Travelers Pass JFK Security Checkpoint Without Being Screened.

According to the CBS Evening News  (2/20, story 12, 0:20, Mason, 11.17M), 11 travelers passed through an unattended security checkpoint at the JetBlue Terminal 5 of Kennedy Airport. In its lead story, NBC Nightly News  (2/20, lead story, 2:20, Holt, 16.61M) reported that the passengers triggered metal detector alarms but continued into the terminal and onto aircraft unchallenged. NBC Nightly News says the "only problem" is that police were not notified until two hours after the security breach. A TSA statement says the agency is "confident this incident presents minimal risk." According to ABC World News Tonight  (2/20, story 10, 1:30, Muir, 14.63M), the incident occurred at 6 a.m. The Washington Times (2/20, Chasmar, 272K) reports a Port Authority announcement that three of the passengers boarded a plane to California and were screened upon arrival, but the other eight have not been identified. The passengers' carry-on luggage was properly screened, however, TSA officials said.

Dwyer: Rahman's Death Will Not Still The Danger Of His Voice.

In a column for the New York Times (2/20, Dwyer, Subscription Publication, 13.9M), Jim Dwyer writes of the death last weekend in a federal prison of the "blind Egyptian sheikh" Omar Abdel Rahman, who was convicted in 1995 for plotting terror attacks in New York City, and a man Dwyer calls, "a figure long faded from public life, but whose voice still blares in the national conversation as if on a speakerphone from the past." According to Dwyer, Rahman's presence in the US since 1990 "rewired the public apprehension about Islam and terrorism." Rahman's speeches and sermons, Dwyer contends, "were powerful recruiting tools for the Islamic resistance," and he argues that "in fixating on Mr. Abdel Rahman's thinking, his foes, even more than his followers, may very well be amplifying and weaponizing his voice."

World Trade Center's 1993 Bombing Overshadowed At 9/11 Memorial.

The New York Times (2/19, Bashinsky, Subscription Publication, 13.9M) reports many of the people who gathered outside the 9/11 Memorial in Lower Manhattan on Sunday "did not realize they were also visiting the site of an earlier attack that, while less deadly, presaged an era of terrorism fears in New York City that many believe culminated in September 2001." For these people, the Sept. 11 attack "looms large," but for others at the memorial, including Lindsay and Brian Buckley, "the first World Trade Center attack" nearly 24 years ago "remained a searing memory." Lindsay Buckley told the Times that the 1993 World Trade Center bombing "was my first experience with Islamophobia," and said her dad described it as "radical terrorism." Brian Buckley told the Times

that he grew up in Dubiln, Ireland, so a bombing "in a city is reminiscent of a bombing going off at home."

Gates Warns Bioterrorism Could Be More Deadly Than Nuclear Weapons.

The Washington Post (2/18, Selk, 11.43M) reports Bill Gates at the Munich Security Conference on Saturday warned of "a genetically engineered virus" that "could kill more people than nuclear weapons." He said, "The next epidemic has a good chance of originating on a computer screen," speaking of the potential disaster an outbreak could generate unless governments start "to prepare for these epidemics the same way we prepare for war." The Post notes Gates and his wife have been "worrying about the world's ability to stop a deadly pandemic since Ebola killed thousands two years ago."

Bloomberg News (2/18, Tirone, 2.41M) reports Gates spoke of the use of "genetic engineering to create a synthetic version of the smallpox virus, or a super contagious and deadly strain of the flu" by terrorists, which are threats experts have "said that the world isn't prepared to deal with." Gates added, "Getting ready for a global pandemic is every bit as important as nuclear deterrence and avoiding a climate catastrophe."

Egyptian Cleric Convicted Of New York City Terror Plot Dies In Prison.

The  CBS Weekend News (2/18, story 8, 0:25, Morgan) reported Omar Abdel-Rahman, known as the "Blind Sheikh," died in prison on Saturday morning. Rahman was convicted of planning attacks on New York City landmarks, and is "suspected of inspiring bombers who tried to blow up the World Trade Center in 1993."  NBC Nightly News (2/18, story 8, 0:25, Diaz-Balart, 16.61M) said Rahman was serving a life sentence in North Carolina. The Egyptian cleric was 78 years old.

The Washington Post (2/18, Schudel, 11.43M) and the New York Times (2/18, Preston, Subscription Publication, 13.9M) also discuss his death.

Merkel Calls For European-Russian Cooperation Against Terrorism.

Reuters (2/18, Shalal, Barkin) reports German Chancellor Angela Merkel, in a Saturday speech to the Munich Security Conference, stated, "The joint fight against Islamic terrorism is one area where" European nations and Russia "have the same interests and we can work together." Merkel stressed that Islam was not the source of Islamist terrorism and called Muslim nations' involvement in the effort critical.

Report Suggests ISIS Likely Sees Revenue Falling.

The AP (2/17, Hinnant) reported the International Centre for the Study of Radicalisation and Political Violence and accounting firm EY released a joint analysis on Saturday that suggested ISIS' revenue dropped from $1.8 billion in 2014 to $870 million at most in 2016. King's College London director Peter Neumann credited its loss of financial resources to its many territory-related expenses. "It needs to fix roads. It needs to pay teachers. It needs to run health services. It needs to pay for these things that al-Qaida never had to," Neumann told the AP. Neumann identified taxes and fees, ransoms, oil, looting, and extortion as ISIS' top revenue sources. Furthermore, Neumann said, ISIS' business model depended on its ability to exert absolute control. The report acknowledged ISIS' loss of revenue did not mean the group was less dangerous, because its attacks in Paris, Berlin, and Brussels were not expensive; however, Neumann said, its brand will likely suffer "because it is no longer projecting strength and utopia."

CRIMINAL INVESTIGATIONS

USA Gymnastics Doctor Facing Sexual Abuse Charges.

NBC Nightly News  (2/17, lead story, 3:00, Holt, 16.61M) reported on growing sexual abuse allegations against USA Gymnastics former head doctor, Dr. Larry Nassar, who is now facing trial "for allegedly sexually abusing a family friend, going back decades." Correspondent Stephanie Gosk

said Nassar "faced just one of more than 60 women who have come forward in the last year to accuse him of sexual abuse." Nassar has pleaded not guilty to the charges and, according to Gosk, "Federal charges of possessing pornography, including 30,000 images and GoPro video." The charges, Gosk noted, "may not stop there. The Wall Street Journal reports that the FBI conducted interviews with gymnasts from the gold medal winning London and Rio Olympic teams...Dozens of athletes from Michigan State and the US national gymnastics team have come forward to accuse Nassar of sexually assaulting them during treatment."

USA Today (2/19, Axon, Armour, 5.28M) reported that among the women to come forward with sexual abuse claims are "former elite American gymnasts" Jamie Dantzscher, Jeanette Antolin, and Jessica Howard. The women, who detailed the alleged abuse they experienced on CBS' "60 Minutes," claimed to have been fondled and digitally penetrated by Nassar under the guise of medical treatment. MLive (MI) (2/19, 878K) reported that according to Dantzscher, Nassar abused her for five years, starting when she was 14- or 15-years-old.

The Wall Street Journal (2/17, Radnofsky, O'Brien, Subscription Publication, 6.37M) reported that Sen. Dianne Feinstein said Friday that she is drafting legislation to require amateur sports organizations, including USA Gymnastics, to report allegations of sexual abuse to the authorities immediately or face criminal charges. According to Feinstein, reports of Nassar's alleged conduct revealed potential "systemic problems within USA Gymnastics that have allowed allegations of sexual abuse go unreported."

The Detroit Free Press (2/19, 1.01M) posted USA Today's coverage to its website. The Indianapolis Star (2/17, Kwiatkowski, Alesia, Evans, 550K), the Lansing (MI) State Journal (2/17, Mencarini, 183K), and the WXYZ-TV Detroit (2/20, 141K) website reported similarly.

Man Accused Of Plotting To Attack Minorities In South Carolina Wanted To Defend Whites, Mother Says.

The AP (2/18) reported that Benjamin McDowell, the South Carolina man accused of plotting to kill black and Jewish people in an attack inspired by the Charleston church shooting thought white people needed to defend their rights, his mother said. "Joanne Strickland told WBTW-TV that her son Benjamin McDowell was religious and carried a Bible with him Wednesday as he left their home," the AP reported. According to the FBI, McDowell had not decided on a specific target for his attack prior to his arrest.

Continued Coverage: Florida Man Charged In Plot To Blow Up Target Stores.

USA Today (2/17, Rodriguez, 5.28M) reported in continued coverage of Mark Charles Barnett, the Florida man accused of plotting to bomb East Coast Target stores in a bid to depress Target's stock prices. "Barnett, 48, is charged with possession of a destructive device affecting commerce by a previously convicted felon, according to a criminal complaint," USA Today said. The Florida man allegedly tried to pay a second person $10,000 to plant explosives at 10 Target stores in hopes that the explosions would allow him to buy Target stock relatively cheaply before prices rebounded. Instead, authorities say, the person gave the explosives to law enforcement. In a statement, Target commended law enforcement for thwarting the alleged plot. The Los Angeles Times (2/17, Hayes, 4.52M) quoted FBI Jacksonville Special Agent in Charge Charles Spencer as saying, "The cooperation between the local, state and federal law enforcement agencies involved in this case was instrumental to quickly identifying this individual and resolving any potential threat to the public."

NYC Mayoral Candidate Seeks Probe Of De Blasio's Legal Representation.

The New York Post (2/20, Gartland, 3.82M) reports that "Republican mayoral candidate Paul Massey is formally demanding the Manhattan DA" and "US attorney probe Mayor de Blasio's legal representation, describing it as 'an arrangement no ordinary person or business entity could secure.'" Massey, "a real-estate developer, sent letters to District Attorney Cyrus Vance Jr. and US Attorney Preet Bharara on Friday." Massey "requested the offices 'determine whether a thing of value, an illegal campaign contribution, or a failure by the mayor to pay lawfully rendered bills represents a violation of criminal law, the New York City Charter, or New York State ethics laws.'" De Blasio, "who's facing investigations by Vance and Bharara over his fund-raising, is using the law

firm Kramer Levin Naftalis & Frankel to represent him, but has not yet paid any of its bills."

US Withdraws Charge Against Tennessee Child Rape Suspect.

The Knoxville (TN) News Sentinel (2/20, Satterfield, 245K) reports that "a martial arts instructor who fled to the Middle East nearly a quarter-century ago after he was accused of raping an 11-year-old student is now free on bond after federal authorities abruptly dismissed a passport fraud charge against him." According to the Sentinel, "just three days after mounting a case for the continued jailing of Jahangir John Shafighi on a charge of lying to renew his U.S. passport while on the lam, Assistant U.S. Attorney Bart Slabbekorn filed a motion to drop the charge," saying "that further probing cast doubt on the government's case. 'The United States continued its post-indictment investigation and review of the supporting facts and evidence and, based on newly discovered information, concludes the evidence is insufficient to proceed,' Slabbekorn said."

FBI, Police In Indiana Searching For Killer Of Two Teen Girls.

ABC World News Tonight  (2/18, story 7, 1:30, Llamas, 14.63M) reported the FBI and local law enforcement in Delphi, Indiana are on a manhunt for a suspect involved in the double homicide of teenage girls. Correspondent Stephanie Ramos said, "Thirteen-year-old Abigail Williams and 14-year-old Liberty German were dropped off for a hike on a popular nature trail last Monday. ...Police say their bodies were found less than a mile away in rough wooded terrain." She noted, "It's been nearly a week and still no suspects," though police are seeking a man who was last seen in the area with the girls. ABC News (2/19, 3.09M) reported similarly on its website.

Indiana Teen Sentenced To More Than 13 Years For Role In Robberies.

The Indiana Daily Student (2/20, Telford, 2K) reports that "an Indianapolis teenager was sentenced to 157 months in federal prison for his involvement in a string of violent robberies that occurred when he was a juvenile." Andre Jermaine Maxey, 18, "pleaded guilty to six counts of interference with commerce by threats of violence and one count of possession of a firearm during a violent crime." Maxey "was sentenced as an adult, although he was a teenager at the time the crimes were committed." The Student adds that "in addition to his prison sentence, Maxey was ordered by Judge Sarah Evans Barker to pay upwards of $23,000 in restitution for his crimes. 'Gun violence has no place in a civil society,' United States Attorney Josh Minkler said in a press release."

Wisconsin Fireman Arrested On Child Porn Charges.

The Milwaukee Journal Sentinel (2/18, Glauber, 513K) reported that Milwaukee firefighter Robert Rutley was arrested in Montana on Friday on child pornography charges. "On Feb. 10, the FBI Milwaukee Division's Child Exploitation Task Force, in cooperation with the Milwaukee Fire Department executed a federal search warrant at Engine House No. 29," the newspaper said. "The FBI said authorities conducted a forensic review of evidence seized during the search and on Monday obtained a federal arrest warrant for Rutley, who was assigned to the engine house. Rutley was charged with possession and distribution of child pornography." WISC-TV Madison, WI (2/18, 185K) reported online that Rutley was disciplined by the Milwaukee Fire Department in 2014 for placing pornography in the station to which he was assigned at the time.

The WLUK-TV Green Bay, WI (2/18, 56K), KBZK-TV Butte, MT (2/18, 785), and WKOW-TV Madison, WI (2/18, 34K) websites reported similarly.

Michigan Man Faces Child Porn Charges.

MLive (MI) (2/19, 878K) reports that a Michigan man "faces child pornography charges after more than 240 images were allegedly found on his work computer at General Motors' Technical Center in Warren." The man, who is not named in the report, is charged with "knowingly possessing or accessing child pornography and knowingly receiving child pornography." The case was investigated by an FBI Violent Crime against Children task force.

Washington State Man Charged With Trafficking Minor.

The Cleveland Plain Dealer (2/17, 976K) reported that Washington state man Tyrell Moss "was indicted on a federal charge after investigators said he brought a 17-year-old to the Cleveland suburbs to be a prostitute." The teen, the FBI said, was forced into prostitution in several states. Moss was arrested in October as part of Operation Cross Country X. He was originally charged in state court.

Ohio Inmate Charged With Mailing Threats Against President, Judges.

The AP (2/17) reports that Ohio prison inmate Rodney Cydrus "faces new charges over allegations that he threatened President Donald Trump and federal judges in letters mailed to the FBI and a public defender's office." Cydrus allegedly mailed multiple threatening letters, some of which contained white powder that was found to be harmless. Cydrus is currently serving time for arson, aggravated robbery and theft.

FBI, CBP Detroit Offices Launching Campaign Against Corruption.

WXYZ-TV Detroit (2/20, 141K) reports on its website that the Detroit offices of CBP and the FBI will launch a "campaign against corruption at the US-Canadian border." Head of the Detroit CBP office of professional responsibility Aaron Poyer said, "We're speaking of the anomaly here. ... That agent who succumbs to some life situation that they end up being somehow compromised or enticed by a criminal organization to go to the dark side."

Bharara: Cities' "Slush Funds" Are Invitation To Corruption.

The New York Post (2/20, Sheehan, Schram, 3.82M) reports that Manhattan US Attorney Preet Bharara said on Monday that "slush funds" like "the one set up by the City Council nearly a decade ago should set off the alarm bells for all honest elected officials. 'The public deserves to see where their money is going and for what purpose. Who puts the money in? Are there subcontractors? Shell companies? Be on top of that. Be wary of slush funds for council members,' Bharara told the Association of Towns of the State of New York at the Marriott Marquis in Midtown. 'We have seen a lot of that going on in New York City in the past and I am sure it is not perfect in all your towns either,' Bharara added."

Texas Election Officials Say Hundreds May Have Voted Improperly.

In an exclusive, the AP (2/18, Rauf) reports hundreds may have "improperly cast ballots" in the November election in Texas, according to state election officials, despite the "toughest-in-the-nation voter ID law." Chief election officers in two counties are now "considering whether to refer cases to local prosecutors for potential perjury charges or violations of election law," the AP adds, though other officials "say they will simply let the mistakes go, citing widespread confusion among poll workers and voters."

Los Angeles Police Officers Killed, Wounded In Gunfight With Traffic Accident Victim.

ABC World News Tonight (2/20, story 8, 1:20, Muir, 14.63M) reported a 30-year veteran Los Angeles policeman died and his fellow officer was wounded Monday night in a gun fight with the victim of a traffic accident. The man a Los Angeles Sheriff Department official describes as having "tattoos all over his face" and wearing "gang attire" opened fire on the police officers with a semiautomatic weapon as they were preparing to process the man and check him for weapons.

USA Today Weighs In On GOP Reversal Of Obama-Era Gun Policy.

USA Today (2/20, Board, 5.28M) writes in an editorial that Congressional Republicans' move to "kill a sensible gun policy" to stop people with severe mental illness from obtaining guns is "backwards" because it is a "worthy goal" the public favors. Though NRA and disabilities advocates say it is too broad and could stereotype the innocent, USA Today argues in the "real world," "more finely tuned" rules are not possible and that the "real crime" is the Social Security Administration not using its data on people with severe mental illness to prevent gun purchases.

ACLU senior legislative counsel Vania Leveille and Susan Mizner, its disability counsel, write in

an op-ed for USA Today (2/20, Leveille, Mizner, 5.28M) that the gun control rule Congress repealed this month "would do little to stem gun violence but do much to harm our civil rights." It cites the lack of data that connects Americans with disability benefits managed by someone else with a propensity for gun or any violence. The ACLU counselors call adding "more innocent Americans" with mental disabilities to the National Instant Criminal Background database "a disturbing trend."

FINANCIAL CRIME & CORPORATE SCANDALS

Richmond Mayor Hires Aide With 2015 Embezzlement Conviction.

The Richmond (VA) Times-Dispatch (2/20, 324K) reports that Richmond, VA Mayor Levar Stoney "says he hired a former state official despite a 2015 conviction for embezzling nearly $240,000 because he 'believes in redemption.'" According to the Times-Dispatch, Steven Hammond Jr. pleaded guilty in federal court "to stealing money intended for substance abuse education while working as a program coordinator at the Virginia Department of Alcoholic Beverage Control." Stoney "hired him in late January to serve as an executive assistant, a position Stoney's office said is primarily clerical, though Hammond regularly accompanies Stoney to events." In his plea, Hammond "admitted to creating false payments to nonexistent programs that depended on grant money to fight underage drinking, issuing 77 checks that were cashed by friends, who split the proceeds."

Ex-Attorney, Father Charged With Running Ponzi Scheme.

The Philadelphia Inquirer (2/18, 586K) reports that former Pennsylvania attorney Michael Kwasnik and his father, William Kwasnik, "were indicted Thursday by a federal grand jury in Camden on five counts of fraud, seven counts of money laundering and one count of conspiracy to commit money laundering." The men are accused of orchestrating a $13 million Ponzi scheme. According to prosecutors, the Kwasnik's defrauded more than 40 clients of Michael Kwasnik's law firm by diverting funds from their trust accounts into an insurance company controlled by the father and son. "Ultimately, they used at least $10 million of the stolen funds to pay operational expenses for their businesses and for personal expenses for themselves and their families, the indictment alleges," the Inquirer says.

CYBER DIVISION

New Zealand Court Clears Extradition Of Megaupload Founder To Face US Charges.

Reuters (2/19) reports that a New Zealand court ruled on Monday "that internet entrepreneur Kim Dotcom could be extradited to the United States to face charges relating to his Megaupload website, which was shutdown in 2012 following an FBI-ordered raid on his Auckland mansion." The Auckland High Court "upheld the decision by a lower court in 2015 on 13 counts, including allegations of conspiracy to commit racketeering, copyright infringement, money laundering and wire fraud, although it described that decision as 'flawed' in several areas."

The Guardian (UK) (2/20, 4.07M) reports that "US authorities had appealed for Dotcom's extradition to face 13 charges including allegations of conspiracy to commit racketeering, copyright infringement, money laundering and wire fraud." Dotcom, a German national "who has permanent residency in New Zealand, faces up to 20 years in jail if convicted in the US of piracy, which authorities say cost copyright owners hundreds of millions of dollars." The Guardian adds that "it is nearly five years since Dotcom, a self-described 'internet freedom fighter', was arrested in a dramatic police raid on his mansion near Auckland after the FBI shut down Megaupload's servers."

CNET UK (2/20, Reilly, 20K) reports that US prosecutors have "been fighting for the extradition of Dotcom, alongside Mathias Ortmann, Bram van der Kolk and Finn Batato, since 2012." According to CNET, "the group are wanted for trial in the US on 13 counts, including copyright infringement, conspiracy to commit racketeering, money laundering and wire fraud." The Financial Times (2/19, Smyth, Subscription Publication, 1.39M) also reports.

Corporations Stockpiling Bitcoin To Meet Ransomware Demands.

The Lexington (KY) Herald-Leader (2/17, 306K) reports US corporations "that have long resisted bending to the demands of" ransomware hackers "are increasingly stockpiling bitcoin, the digital currency, so that they can quickly meet ransom demands rather than lose valuable corporate data." The companies are acting in response to cyber experts "who recently have changed their advice on how to deal with" ransomware.

Hauenschild: National Security Concerns Should Not Be "Trump Card" In NSL Discussion.

In a post for The Hill's (2/19, Hauenschild, 1.25M) "Pundits Blog," technology policy analyst Jonathon Hauenschild argued that arguments surrounding "national security" should not be a "trump card" in the debate over national security letters (NSLs). Technology companies, including Microsoft and Twitter, want to inform the public about NSLs they receive, but are currently prevented from doing so by gag-orders included as part of the NSLs in the name of national security. "Companies and courts should evaluate the requests for secrecy, balancing the need to keep investigations quiet with the public's interest in understanding the specific requests the government is making of communications companies," Hauenschild said.

Trump Consulting With Tech Firms Ahead Of Issuing Cybersecurity Order.

Bloomberg Politics (2/18, Syeed, 201K) reports that the Trump Administration delayed an executive order on cybersecurity that was slated to be signed January 31. The piece notes that ahead of issuing that order, President Trump has been "quietly consult[ing] technology industry leaders." CrowdStrike chief technology officer and co-founder Dmitri Alperovitch said, "People associated with the administration have reached out for feedback to myself and other experts in the industry as they're thinking through the strategy for cybersecurity and more."

Armed Services Realizing Need For "Organic" Cyberoffense Capability.

C4ISR & Networks (2/17) reports that according to Air Force Brig. Gen. and Cyberspace Operations and Warfighting Integration director Kevin Kennedy, cyberoffense capability outside of Cyber Command and the NSA "doesn't exist with the services." C4ISR&N says, "Given the joint nature of cyberspace and the fact that cyber warriors and cyber teams are trained to the same standards, the services are coming to grips with the need for an organic capability within their traditional mission sets." C4ISR&N adds, "Last year, Kennedy said, the Air Force came to the conclusion that there is an organic capability it needs to retain, not just with the service cyber protection teams, but some organic capability heavily focused right now on defensive cyber operations."

Former, Current Government Officials: No Cause For Alarm Over US Cybersecurity Under Trump Administration.

The Christian Science Monitor (2/17, 387K) reports current and former government officials advise the public to not panic about the "future of US cybersecurity under President Trump." Some former Obama Administration officials "said a draft executive order on cybersecurity...could offer welcome improvements on the technology front." Former White House Homeland Security Adviser Lisa Monaco is quoted saying, in reference to certain provisions regarding critical infrastructure and management of digital risk, "You could basically lift that entire paragraph out of Obama's cyberstrategy." Retired Air Force Gen. Greg Touhill, the Obama Administration's first federal chief information security officer, "said the departing administration had 'left behind a really good flight plan' on cybersecurity," but "still called for improvements in training, education, and replacing legacy technology systems in the US government."

Former Bush Official: Trump Administration Cyber Policy "Remarkably Boring And Responsible." Fox News (2/20, 11.07M) reports, "If leaked drafts are any indication, the Trump administration's forthcoming cyber policy will likely be similar to those of previous presidents, a former Homeland Security official said at the RSA Conference in San Francisco last week." Stewart Baker, former DHS assistant secretary for policy in the George W. Bush Administration, is quoted saying, "I actually think we have some decent clues. We've seen a couple of different leaked drafts of a cyber order. ... Compared to the [other executive] orders that were actually signed, they are

remarkably boring and responsible."

Hempfield: Autonomous Vehicles' "Real-Time Alert Infrastructure" Could Be Used To Resolve Cyberthreats.

Pitney Bowes location intelligence vice president Clarence Hempfield writes in TechCrunch (2/18, 530K) about the cybersecurity risks of autonomous vehicles. Hempfield notes the National Highway Transportation Safety Administration released guidelines last year "stating that automakers should make cybersecurity a priority," but "cybersecurity is a never-ending battle. Individuals with enough technical skills, patience and desire to profit will find a way around the latest security barriers." Hempfield adds, "What's critical...is that we must take a holistic view of cybersecurity that goes beyond more complex encryption." Hempfield suggests that the "same type of real-time alert infrastructure" vehicles use to alert drivers of anomalous behavior "could help resolve cybersecurity threats and more traditional thefts, which could lead to new or expanded offerings by vehicle monitoring companies."

White House Officials Downloaded Messaging App With "Security Concerns."

CNBC (2/17, 2.17M) reports senior White House officials, "including press secretary Sean Spicer, have at one point downloaded the Confide messaging app," which promises "military-grade encryption," but "it may be a great deal less secure than they think." Cyber experts warn Confide "is rife with security concerns," and the app's ability to delete messages as soon as they are read raises concerns that it "potentially flout[s] rules requiring that they keep an accurate record of communications within the White House."

Hackers Found To Have Inserted Russian Into Malware In Attempt At "False Flag."

PC World (2/20, 293K) reports that hackers responsible for "a sophisticated attack campaign that has recently targeted financial organizations around the world" inserted Russian words and commands into their software intentionally, "in an attempt to throw investigators off." BAE Systems researchers "recently obtained and analyzed additional malware samples related to an attack campaign that has targeted 104 organizations – most of them banks – from 31 different countries." Researchers found "multiple commands and strings in the malware that appear to have been translated into Russian using online tools, the results making little sense to a native Russian speaker." Researchers are quoted in a blog post describing the use of the language as an apparent "false flag." PC World adds, "In reality there is technical evidence to link these malware samples and the overall attack campaign to a group known in the security industry as Lazarus."

Mitchell: Russia Controversy Overshadowing Other Cyber Policy Issues.

InsideCybersecurity.com editor Charlie Mitchell writes in the Washington Examiner (2/20, 400K) that "the probe by various congressional panels into Russian efforts to influence the 2016 elections, and contacts between Trump representatives and Russian officials, continues to overshadow other cyber policy questions and needs." Mitchell adds, "Couple that controversy with Senate Democrats' slow-walking of Trump's nominees and it's little surprise that Congress has yet to dive deeply into other cybersecurity issues." Mitchell notes that House Homeland Security Chairman Michael McCaul "is planning for a March hearing on the Department of Homeland Security's cyber role and broader cybersecurity policy questions." Nonetheless, Mitchell says the "expanding Russia controversy...almost certainly will continue to be the case for the foreseeable future after Congress gets back from recess."

LAW ENFORCEMENT SERVICES

WSJournal Analysis: Four Large US Cities Struggle With Rising Homicide Rates.

The Wall Street Journal (2/20, Calvert, Mahtani, Elinson, Subscription Publication, 6.37M) reports that murder rates in four big US cities have returned to levels not seen since the 1990s, and police officials are struggling to understand this as national crime rates are near historic lows. A Wall Street Journal analysis of homicide figures since 1985 for the 35 largest US cities shows that four

– Chicago, Baltimore, Milwaukee and Memphis, TN – have in the last two years approached or gone beyond the records set some 25 years ago. According to the Journal, 27 of the nation's 35 largest cities have seen per capita murder rates rise since 2014, although, the Journal notes, most homicide rates are still relatively low compared with 1990s levels. The Journal adds that the nation's two largest cities, New York and Los Angeles, have experiences long-term decreases in murder rates.

OTHER FBI NEWS

WPost: "Cool Headed Deliberation" Needed In Selecting New FBI Headquarters.

The Washington Post (2/18, 11.43M) editorializes that politics are playing a "part in the selection of the FBI's new headquarters location," which is a move that have been "in the works for a decade." The Post says that "the 'winning' locality may expect a windfall in economic development and tax revenues," but that it "may also grapple with a traffic headache whose mitigation will require major state and local spending." The Post notes that the lobbying around the selection of the new facility "is healthy and normal." However, the Post highlights some "toxic and irrelevant questions" that have arisen around this, including from conservatives worried about how the selection will impact "the current culture war over immigration." The piece argues "cool-headed deliberation" in the selection "would be best for the FBI, its workers and the region."

OTHER WASHINGTON NEWS

Trump Selects McMaster As National Security Adviser To Bipartisan Praise.

President Trump's selection of Army Lt. Gen. H.R. McMaster to serve as national security advisor receives mostly positive coverage, with McMaster's intellect and experience praised by analysts and members of both parties. Some analyses, however, question whether McMaster – who is known for bluntly challenging authority – will have the independence he needs to be successful, and whether he can bring order to the National Security Council. Several reports also say Trump and McMaster may clash on Russia, where McMaster has a hawkish view.

On ABC World News Tonight (2/20, lead story, 3:00, 14.63M), Cecilia Vega said that McMaster is "known as one of the Army's leading thinkers. ... He replaces the controversial Michael Flynn, fired by the President after lying about his conversations with the Russians – Flynn's ouster seen as a sign of a White House in turmoil, though the President insisted otherwise." David Muir: "Gen. Flynn was a controversial figure from the start, really, but Lt. Gen. McMaster has a different reputation." Vega: "He is receiving praise from Democrats and Republicans alike. In fact, Republican Sen. John McCain, who said that the Trump Administration was in disarray, tonight is calling the McMaster pick outstanding."

NBC Nightly News (2/20, story 2, 2:20, Holt, 16.61M) also said the selection is "earning widespread praise." Kristen Welker said McMaster "is highly decorated, having served in both Iraq wars and in Afghanistan. Also hailed for his military book 'Dereliction of Duty,' about officers who refused to tell President Johnson at the time he was wrong about Vietnam. Now McMaster is in a position of having to weigh if and when to speak out to the President." On the CBS Evening News (2/20, lead story, 1:55, Mason, 11.17M), Margaret Brennan called McMaster "outspoken," noting his criticism of President Bush's prosecution of the Iraq war.

Like the broadcast networks, CNN's Situation Room (2/20, 554K) mentioned that McMaster "was not the President's first choice." He was selected after Vice Adm. Robert Harward turned down Trump's offer. Retired Lt. Gen. Keith Kellogg, who had been the acting national security adviser, will return to his role of NSC chief of staff. The AP (2/20, Williams, 74K) reports that Trump "brought four options for the position to Mar-a-Lago over the weekend for in person interviews, McMaster among them." Trump said he would be asking another contender, former UN ambassador John Bolton, "to work with them in a 'somewhat different capacity.'"

The New York Daily News (2/20, Edelman, 4.45M) says the news came "in an unscheduled announcement" from Mar-a-Lago, where "Trump told reporters that McMaster was his choice and

called him 'a man of tremendous talent and tremendous experience.'" USA Today (2/20, Jackson, Brook, 5.28M) calls McMaster "a noted writer and intellectual," and says that in "thanking Trump for the appointment that does not require Senate confirmation, McMaster told reporters that 'I would just like to say what a privilege it is to be able to continue serving our nation. I'm grateful to you for that opportunity, and I look forward to joining the national security team and doing everything that I can to advance and protect the interests of the American people.'"

The New York Times (2/20, Baker, Subscription Publication, 13.9M) says McMaster is "a widely respected military strategist" who "is seen as one of the Army's leading intellectuals." As a commander, "he was credited with demonstrating how a different counterterrorism strategy could defeat insurgents in Iraq, providing the basis for the change in approach that Gen. David H. Petraeus adopted to shift momentum in a war that the United States was on the verge of losing."

Deputy Assistant to the President Sebastian Gorka was asked on Fox News Special Report  (2/20, 1.53M) what he thinks McMaster's appointment will mean for the White House. Gorka said, "I am over the moon. We are excited he's coming on board. He's known for being the iconoclast general. Fits nicely with the iconoclast President."

Slate (2/20, Kaplan, 1.83M) says McMaster, who is close to Defense Secretary Mattis, "is widely viewed as the Army's smartest officer." However, "he has spent little time in Washington and has had no experience even participating in interagency meetings, much less running them." But the Huffington Post (2/20, Wilkie, 237K) says "initial reactions to Trump's choice of McMaster were largely positive, with former administration officials and members of Congress praising his intellect and temperament."

Rep. Adam Kinzinger (R-IL) said on CNN's The Lead  (2/20, 320K), "I think it's a great pick." Asked what will be key for McMaster to be successful in the position, Kinzinger said, "He obviously has to understand he works for the President. ... So he has to understand that his role is to be an advisor to the President, to give him the best advice he can, but ultimately he has to do what the President says."

Andrew Exum, who says he has known McMaster for more than a decade, writes at The Atlantic (2/20, 5.35M) that the selection "is unambiguously good news. The United States, and the world, are safer for his decision. ... I fear this president and his known weaknesses will be too much for even as great a public servant as McMaster. But – and again, this is not hyperbole – I will tuck my sons into bed tonight feeling a little better about the country in which I am raising them."

Reuters (2/20, Mason, Rampton) says McMaster "is a highly regarded military tactician and strategic thinker, but his selection surprised some observers who wondered how the officer, whose Army career stalled at times for his questioning of authority, would deal with a White House that has not welcomed criticism." Trump and McMaster differ on Russia, which McMaster sees as "a threat and an antagonist." Politico (2/20, Wright, Herb, 2.46M) also focuses on that difference, writing that "warrior-scholar" McMaster "has staked out a decidedly more hawkish position on Russia and gone out of his way to assert that the war against terrorism must not morph into a war against Islam." Roll Call (2/20, 63K) headlines its report "New National Security Adviser: No Friend To Russia?" while Slate's Isaac Chotiner tweeted that McMaster once said, "Historians will likely regard Russia's 2014 invasion of Ukraine as the event that punctuated the end of the post-Cold War era."

One of the more negative reports comes from the Washington Post (2/20, Wagner, 11.43M), which focuses less on McMaster than on the Flynn turmoil. The Post says Harward's turning down of the job had the effect of "compounding the embarrassment surrounding" the Flynn resignation, and says the McMaster pick is "meant to help put the White House on firmer footing after missteps on multiple fronts." The Wall Street Journal (2/20, Lee, Subscription Publication, 6.37M) says McMaster must now lead an NSC that has been rudderless and unsure of its influence within the Administration. The Los Angeles Times (2/20, Memoli, 4.52M) similarly says the NSC "is short on staff and the subject of reports of internal turmoil."

TIME (2/20, Miller, 6.98M) notes that McMaster "was named to TIME's list of the 100 most influential people in 2014 shortly after his promotion to lead the Army's 'futures' center, in which he was lauded as perhaps 'the 21st century Army's pre-eminent warrior-thinker.'" The Columbus (GA) Ledger-Enquirer (2/20, Williams, 856K) reports that the choice "was well received" in its readership area, "where McMaster served as Fort Benning commander from June 2012 to July

2014 when he was promoted and took his current post with Training and Doctrine Command helping to design the Army of the future."

The Wall Street Journal (2/20, Subscription Publication, 6.37M) says in an editorial that McMaster could be a great choice, provided that Trump is wise enough to listen to him and that West Wing political figures do not get in his way. Bloomberg Politics (2/20, Dlouhy, 201K), the New York Post (2/20, Schultz, 3.82M), the Washington Times (2/20, Miller, 272K), the Daily Intelligencer (NY) (2/20, Raymond, 795K), and Military.com (2/20, McGarry, 234K) also have straightforward accounts, most of them brief, on the choice.

Rice, Democratic Legislators Warn Of Bannon's Role. Amid the praise came warnings to McMaster regarding the role of Steve Bannon. The Washington Times (2/20, Boyer, 272K) reports that Obama Administration NSA Susan Rice on Monday urged McMaster "to get rid of a national security wing" led by Bannon, tweeting, "Hope you will be able to choose your team, have direct reporting and daily access to POTUS, and can eliminate Strategic Initiatives Group."

Sen. Chris Coons said on CNN's Situation Room (2/20, 554K), "I think he is a good selection. Everything I have heard from his background...is all positive. His training, his experience, his education, his willingness to stand up and challenge folks where he disagrees with them. ... Steve Bannon will be a challenging opponent for him on the National Security Council."

Rep. Ruben Gallego (D-AZ), a member of the House Armed Services Committee, said on CNN's Situation Room (2/20, 554K), that McMaster is "very well-known, very well respected. ... The problem is this may still just be, you know, lipstick on a pig. Right now the foreign policy and our national security policy is basically being run by Bannon and by Donald Trump's tweets. The combination of those two things have made it unstable."

Democratic blogger and former Hillary Clinton adviser Peter Daou tweeted, "Dems would be less alarmed if @realDonaldTrump surrounded himself (and listened to) people like HR McMaster rather than Bannon and Miller." Jason Kander of Let America Vote, the 2016 Democratic nominee for Senate in Missouri, tweeted, "The biggest role Steve Bannon should have in national security decisions is judging whether LTG McMaster's shoes need a shine." And not only Democrats weighed in: Max Boot of the Council on Foreign Relations tweeted, "HR McMaster is an outstanding choice but his selection does not end WH dysfunction with Bannon & Kushner pursuing own foreign policies."

Pence Says He Was "Disappointed" By Flynn. The Hill (2/20, Fabian, 1.25M) reports that President Trump said Vice President Pence "had a role" in the selection of McMaster. The Washington Post (2/20, Birnbaum, Parker, 11.43M) reports that Pence, while visiting NATO headquarters, said he "'fully supported' Michael Flynn's ouster last week as national security adviser." CNN's Situation Room (2/20, 554K) reported that Pence publicly said "for the first time that Michael Flynn's behavior was a let-down to the Administration." The Washington Times (2/20, Boyer, 272K) reports Pence said, "I was disappointed to learn that the facts conveyed to me by Gen. Flynn were inaccurate. I'm very grateful for the close working relationship I have with the President."

Democrats Say Gorsuch Refusing To Address His Views On Key Questions.

The New York Times (2/20, Hulse, Subscription Publication, 13.9M) reports that Senate Democrats are say they are having difficulty getting Supreme Court nominee Judge Neil M. Gorsuch to provide "pertinent answers" as they prepare for his confirmation hearings next month. Sen. Richard Blumenthal said, "He refused to say anything about potentially relevant questions." While this "test of wills promises to provide friction" during the hearings, it is "the latest match in the longstanding tug-of-war over how far judicial nominees should or should not go in responding to questions from lawmakers." It has become "an uncomfortable norm for nominees to avoid providing fulsome answers both in private interviews and during the confirmation hearing." While "no one expects a nominee like Judge Gorsuch to address how he would rule on a specific case," Democrats "say that Judge Gorsuch must be willing to discuss the merits of past Supreme Court decisions as well as his judicial principles and philosophy."

INTERNATIONAL NEWS

Mattis Says US Not In Iraq To Seize Oil.

The CBS Evening News  (2/20, story 7, 0:15, Mason, 11.17M) reported Defense Secretary Mattis traveled to Baghdad yesterday for meetings with Iraqi leaders as Reuters (2/20, Stewart) says he "distanc[ed] himself" from President Trump's remarks about seizing oil. The Wall Street Journal (2/20, Lubold, Subscription Publication, 6.37M) quotes Mattis as saying – prior to departing Abu Dhabi for Baghdad – "I think all of us here in this room, all of us in America, have paid for our gas and oil all along and I'm sure that we will continue to do so in the future." Mattis added, according to according to the New York Times (2/20, Cooper, Subscription Publication, 13.9M), that the US is "not in Iraq to seize anybody's oil."

Barbara Starr reported on CNN's Situation Room  (2/20, 554K) that Mattis was also "making clear the US isn't leaving [Iraq] any time soon." He was shown stating, "I imagine we'll be in this fight for a while and we'll stand by each other." The AP (2/20, Baldor) reports Mattis also indicated that his meetings with Iraqi leaders have shown the partnership between the US and Iraq. Mattis said there is no question that "the Iraqi people, the Iraqi military and the Iraqi political leadership recognize what they're up against and the value of the coalition and the partnership, in particular with the United States." Mattis: Administration Will "Take Steps To Allow Those Who Have Fought Alongside Us" Entry Into US. Jennifer Griffin of Fox News' Special Report  (2/20, 1.53M) reported that Mattis also discussed Trump's immigration order "banning Iraqis temporarily." Mattis told Iraqi officials that exceptions will be made. Fox showed Mattis saying, "I am not seeing the new executive order but I am assured that we will take steps to allow those who have fought alongside us to be allowed in to the United States."

Coons Says Mattis' Comment "Reassures Me." Sen. Chris Coons told CNN's Situation Room  (2/20, 554K) that Mattis' assertion on Iraq's oil "reassures me." However, he said it is "troubling" that Mattis and Vice President Pence have repeatedly been forced to reassure allies following controversial statements by Trump. Coons said, "We need President Trump to make calming and reassuring statements that show he is a deliberate and well-toed head of state."

US Military Advisers Fighting Alongside Iraqi Troops In Western Mosul.

The Los Angeles Times (2/20, Hennigan, Bulos, 4.52M) reports Army Lt. Gen. Stephen Townsend told reporters in Iraq that about 450 US military advisers are "operating closer and deeper into Iraqi formations" in the western Mosul offensive. He explained the adjustment was made during the eastern Mosul operation. Col. John Dorrian, a spokesman for the US-led coalition against ISIS, also confirmed US forces can now go "as close as they need to get." The Times notes the Pentagon did not publicly announce the adjustment, "but it became apparent Sunday after scores of uniformed U.S. soldiers were seen fighting shoulder-to-shoulder with Iraqi forces." Former President Obama "quietly granted" the authority to place US troops near combat lines in November, and "Iraq officials believe it will be crucial against the 2,000 militants still inside" western Mosul.

The Washington Post (2/20, Lamothe, 11.43M) reports Defense Secretary Mattis also told reporters on Sunday night that the US-led coalition will "continue to go after" ISIS in Mosul and Raqqa "until we destroy them and any kind of belief in the inevitably of their message." When questioned about President Trump's previous suggestion that the US may take Iraq's oil, Mattis responded, "We're not in Iraq to seize anybody's oil." Turkey reportedly submitted two plans to US officials for the Raqqa offensive that incorporated local Arab forces and not Kurdish forces. Mattis commented that the coalition allies "are still working it out" and "sharing planning, and that's all I'm going [to say] right now. But the planning is still underway, so it has not all been decided upon who is going to do what and where. We're working together to sort it out."

Mattis also said the jihadists were "going to be shown exactly what they are, which is a bunch of murderous relics," and Iraq's leaders and civilians will recognize "what they are up against and the value of the coalition," AFP (2/20, Watkins) reports. Meanwhile, Iraq's military reached the Aqrab checkpoint, which federal police officer Lt. Gen. Haider al-Mtoury called "very important because it is considered to be Mosul's southern gate." He said the advancing troops faced numerous car bombs and suicide bombers as they advanced within a mile of Mosul's southern city

limits. They also secured the strategic Al-Buseif hills near Mosul's airport, and in the north, allied paramilitaries descended further west to Tal Afar, which is still fully controlled by ISIS.

Charlie D'Agata of the CBS Evening News (2/20, story 8, 2:05, Mason, 11.17M) reiterated that "ISIS has been dug in for months in western Mosul, and they're not likely to leave without a major fight." Furthermore, new ISIS propaganda videos "appear to show armed drones dropping explosives on Iraqi troops with dead center accuracy." The terror group's drones "have also been used to deadly effect as surveillance, guiding car bombs through Mosul's narrow streets straight to Iraqi troop positions." D'Agata said "the US military told us its troops have new weapons to counter ISIS drones," however, including "a gun that jams the radio waves between the drone and its controller."

Roadside Bomb Kills Four Russian Servicemen In Syria.

The Washington Post (2/20, Loveluck, 11.43M) reports Russia's defense ministry said in a statement that on Feb. 16, four of its servicemen were killed in a roadside bomb explosion targeting a Syrian military convoy near the Tiyas airbase. Russia has used the western Syrian airbase to launch raids against ISIS fighters in Palmyra. Russia's claim was not verified, and ISIS militants did not claim responsibility for the attack. Yet, Russia's allegations "underscored the growing toll that Syria's conflict has wrought on Russian military and mercenary forces fighting on behalf of Syrian President Bashar al-Assad."

ISIS Releases Video Of Suicide Car Bombing Team.

The New York Post (2/20, Perez, 3.82M) reports ISIS' Amaq News Agency posted a video that seemingly depicts a team of suicide car bombers conducting a fatal attack against an Iraqi army base in Mosul on Monday. In the video footage, the jihadists are shown driving their SUVs into the base and then detonating their devices. One of the suicide car bombers, British-born Abu Zakariya al-Britani, was reportedly "grinning from ear to ear," and another "happy" fighter was shown "cheerfully pointing to the camera and saying something in Arabic before he shuts the driver-side door and pulls off." ISIS released an official statement in which it claimed the jihadists' operation resulted in "many casualties," but the Post says the actual death toll is unknown. At least two of the suicide car bombers reached a base west of Mosul, and a third was said to have detonated before reaching the base.

Damascus Airstrikes Kill At Least Seven.

The AP (2/20) reports airstrikes killed at least seven people and wounded at least 12 in the Barzeh and Qaboun neighborhoods of Damascus on Monday. The Syrian Observatory for Human Rights and Barzeh Media Center claimed either Russian or Syrian Air Force jets conducted the attacks. Barzeh, Qaboun, and Tishreen are collectively one of the opposition forces' remaining footholes inside the Syrian capital. Barzeh and Qaboun connect "to a vast, opposition-held district in the suburbs" through a smuggling tunnel network, according to Century Foundation researcher Aron Lund.

France's Le Pen Discusses Syria, Terrorism With Lebanese Leaders.

The AP (2/20, Rosa, Ganley) reports France's far-right National Front party presidential candidate, Marine Le Pen, met with Lebanon's Prime Minister Saad Hariri and President Michel Aoun on Monday. In talks with Hariri, Le Pen asserted there is "no viable and workable solution" to the Syrian civil war without choosing between President Bashar al Assad and ISIS. She said that "in the political picture the least bad option is the politically realistic," and "Assad is evidently today the most reassuring solution for France." An official readout of Le Pen's meeting with Hariri quoted the prime minister as stating, "Muslims are the first victims" of terrorism, and moderate Muslims are "the first bulwark against extremism." Le Pen also met with the Christian Maronite patriarch and stressed her support for the Christian minority, but she added, "For me to protect Christians is to make sure the Christians stay in their countries" and not seek refuge elsewhere.

Pakistani Ski Resort Allows Ski Tourism To "Re-Emerge."

Reuters (2/20, Jorgic) reports that a ski resort in Malam Jabba, Pakistan and the improved security surrounding it's Swat Valley location "has allowed ski tourism to re-emerge" after the Taliban declared skiing "un-Islamic" when it controlled the area from 2007-2009. Reuters says that locals "tout Swat" as "the Switzerland of Pakistan," but "Army checkpoints" still "abound."

Trump Doubles Down On Criticism Of Sweden's Immigration Policy.

Media reporting on Monday characterized President Trump's tweet about Sweden's immigration policy as a continuation of critical comments he made about it over the weekend. The AP (2/20, Lucey) and The Hill (2/20, Greenwood, 1.25M) report the President tweeted, "The FAKE NEWS media is trying to say that large scale immigration in Sweden is working out just beautifully. NOT!" The New York Times (2/20, Chan, Anderson, Subscription Publication, 13.9M) says Trump's comment "escalated his attack on Sweden's migration policies" by "doubling down on his suggestion" that the country's refugees were responsible for an increase in crime and terrorism, while the Washington Times (2/20, Miller, 272K) indicates that Trump is "accusing the news media Monday of being the ones who got the story wrong."

Similarly to most reporting, Politico (2/20, 2.46M) says the tweet "follows a social media dustup that started after Trump alluded to an unknown event in Sweden" during a Saturday speech. Trump said, "You look at what's happening in Germany. You look at what's happening last night in Sweden. Sweden, who would believe this? Sweden. They took in large numbers and they're having problems like they never thought possible." Trump, according to Politico, "later stated that he was referring to a Fox News story on immigration in Sweden."

AFP (2/20, HONORE) says the last terrorist attack in Sweden came in December 2010 – when a Swedish citizen of Iraqi origin "blew himself up" in a Stockholm shopping area – but that was "before the large migrant influx in 2014-2015." AFP adds that while Sweden "registered a record number of crimes per capita in 2015," acts of violence against people dropped by 0.4 percent.

Ruth Marcus said on CNN's The Lead  (2/20, 320K), "What I love here is that the President says something false, fake, if you will, look at what happened in Sweden last night, and then he somehow manages this magnificent pivot to attack us in the media for fake news." Marcus added that "it's really different when you say something that is not true as a President, than even as a presidential candidate and you get called on it in real time by a reporter at a press conference and you get called on it by another country when you are doing it to them. And so I think – it would be too much to say this is a learning moment for the President, but it should be."

Kinzinger, Kristol Discuss Impact On Relationship With Sweden. Rep. Adam Kinzinger said on CNN's The Lead  (2/20, 320K), "I think this was a mistake, it was an embarrassment, at the end of the day, our relationship with Sweden is fine. The people around the President are very good. I just think he needs to be a little more conscious in caging his words in terms of when he talks about allies and things along that line." However, Bill Kristol said on CNN's The Lead  (2/20, 320K) Trump's comments are "offending a nation we don't have to offend." It is, he added, "unnecessarily offensive. ... There is nothing to be gained from it."

Former Ambassador: Trump Seems To Be "Building A Narrative" Based On News Reports. Former US Ambassador to Sweden Mark Brzezinski said on MSNBC's Morning Joe  (2/20, 270K) that Trump seems to be "building a narrative on an informational basis based on what he sees on cable news and news reports. That is a dangerous thing to do as seen by this example. Then secondly, it doesn't seem that he's relying on the national security process at the White House. If there had been a terrorist attack in Sweden, the President would have been briefed on it by his national security team. That couldn't have happened."

Haley Says Security Council Meeting Showed "Anti-Israel" Bias.

Breitbart (2/20, Nazarian, 2.02M) reports that US Ambassador Nikki Haley on Thursday "issued a scathing criticism" of the Security Council over its "anti-Israel" bias following her first regular monthly meeting of the organization. Haley "noted that while" the Security Council's mission is to discuss methods of maintaining peace and security; the meeting on the Middle East did not

address important issues such as Hezbollah's buildup of rockets in Lebanon; money and weapons that Iran is sending terrorist groups; and ways to combat ISIL. Haley said, "Instead, the meeting focused on criticizing Israel, the one true democracy in the Middle East." Haley added, "I'm here to say the United States will not turn a blind eye to this anymore. I'm here to underscore the ironclad support of the United States for Israel."

Bloomberg Analysis Considers Alternatives To Two-State Solution. Bloomberg Politics (2/20, Ferziger, 201K) reports President Trump's Feb. 15 statement that the Israelis and Palestinians could decide for themselves whether to move toward a one-state or two-state solution "resuscitated an option previous administrations had buried." Bloomberg lists "possible alternatives that may now be back in play." These include: a one-state solution; annexing about 60 percent of the West Bank and offering Palestinians in remaining areas "autonomy on steroids;" a confederation in which both sides are separate political entities within one state; creating an interim Palestinian state; a "partial Israeli pullback;" and maintaining the "status quo."

Turnbull: Conversations With Trump "Constructive, Frank, And Forthright."

Bloomberg Politics (2/20, Lun, 201K) reports Australian Prime Minister Malcolm Turnbull said Tuesday that President Trump has a "very big personality" with a "very big job." Turnbull told Bloomberg Television that the leaders "had several conversations now" and the talks were "constructive, frank and forthright." Turnbull added that his government's approach to dealing with Washington has not changed since Trump entered office. Turnbull said, "We pursue our national interest methodically, calmly, consistently, we make our case very frankly, and forthrightly, when we're speaking to our American friends," adding, "As you'd expect, with good friends, we are fairly circumspect about what we say in public."

Norway Joins International Effort To Replace US Funding For Family Planning, Abortions.

Reuters (2/20, Fouche) reports Norway joined an international effort to raise money to replace abortion funding that is no longer being provided by the US. Norwegian Prime Minister Erna Solberg indicated the government is "increasing support for family planning and safe abortion by 85 million Norwegian crowns ($10 million)" over its 2016 contribution. Solberg added, "At a time when this agenda has come under pressure, a joint effort is particularly important."

Pence Vows US Support For EU, NATO.

Vice President Pence on Monday promised that the US would stand by the EU and NATO. Media coverage highlights that Pence's statements during a trip to Brussels comes amid European concern about past comments by President Trump, with divergent reporting on the amount of skepticism that greeted Pence's comments. The CBS Evening News  (2/20, story 2, 0:50, Brennan, 11.17M) reported that Pence's trip "was meant to reassure European allies that the Trump Administration will support NATO and counter Russian aggression" and NBC Nightly News  (2/20, story 4, 1:55, Holt, 16.61M) said that Pence was "among those trying to calm anxious US allies unnerved by" Trump's comments.

The New York Times (2/20, Harris, Kanter, Subscription Publication, 13.9M) reports Pence "told a rattled Europe" that President Trump fully supports the institutions. Pence said Trump asked him "to come here to Brussels, to the home of the European Union, and deliver an additional message." Pence added that "it's my privilege, on behalf of President Trump, to express the strong commitment of the United States to continued cooperation and partnership with the European Union." The Washington Post (2/20, Birnbaum, Parker, 11.43M) reports Pence said "he looked forward to greater coordination" on economic issues and combating terrorism. The Vice President "urged peace efforts in Ukraine" and promised the US would press Russia on that issue.

The AP (2/20, Thomas, Cook) reports Pence's comments were "met with some skepticism from leaders shaken by" President Trump's "more critical comments." Fox News' Special Report  (2/20, 1.53M) showed European Council President Donald Tusk telling the Vice President, "Thank you for this meeting. We truly needed it. Too much has happened over the past month in

your country and surprising opinions have been voiced for us to pretend everything is as it used to be." The Wall Street Journal (2/20, Barnes, Norman, Subscription Publication, 6.37M) quotes Tusk as saying that Europe is "counting, as always in the past, on the United States' wholehearted and unequivocal support – let me repeat – unequivocal support for the idea of a united Europe." Tusk added, "The world would be a decidedly worse place if Europe were not united." AFP (2/20, Carmichael) reports EU foreign policy chief Federica Mogherini indicated that Pence's visit is "a very important political sign." However, Mogherini "suggested EU-US relations may become more pragmatic and less automatic than before."

Reuters (2/20, Rampton, Macdonald) reports that Pence during a NATO meeting later in the day "made clear that US support" for the bloc "had a price." Pence said that Trump "expects real progress" from European governments by the end of the year in efforts to increase military spending closer to the alliance's target of 2 percent of GDP. The Washington Times (2/20, Muñoz, 272K) reports NATO Secretary-General Jens Stoltenberg told CNN that Trump's requirement that l NATO members meet their financial requirements "clear, firm and fair." Stoltenberg added that he agrees with Trump that there is an "unfair burden sharing" among the bloc's members and the alliance cannot expect the US to pay most of the costs. Stoltenberg said the bloc is "starting to turn the corner" on investments. NATO Secretary General said on CNN Wolf  (2/20, 224K) that he was encouraged by Pence's comments "because it is a very consistent message." Stoltenberg said that he has spoken to multiple US officials and the "message from all of them is that United States is strongly committed to the trans-Atlantic alliance, to NATO, and will continue to support not only in words, but also in deeds because we see that the United States is now increasing their military presence in Europe in with new forces and more equipment."

US Flag At Pence's Speech Had 51 Stars. The AP (2/20) reports the American flag displayed in a background picture during Pence's comments had 51 stars instead of 50. The AP says the EU Council "did not immediately respond" to the question of how the mistake was made.

British Lawmakers Debate Whether UK Should Rescind Trump's State Visit Invitation.

The New York Times (2/20, Erlanger, Subscription Publication, 13.9M) reports British lawmakers on Monday "debated whether to deny" President Trump a formal state visit in response to a petition signed by "nearly two million Britons" that said such an honor would "cause embarrassment to Her Majesty the queen." ABC World News Tonight  (2/20, story 4, 2:50, Muir, 14.63M) showed Parliament member Tulip Siddiq saying that the UK "should not be inviting him to preach hatred and to spread his bigotry, his misogyny and his division."

The AP (2/20, Lawless) says the "passionate debate" is "unlikely to change" the government's position and "no formal vote was held" following the session that occurred in a side room of Parliament instead of the House of Commons chamber. The AP adds that "thousands of protesters" against Trump demonstrated outside the Parliament building during the debate.

Russia Dismisses Peace Plan Designed By Ukrainian Lawmaker, Trump Associates.

The AP (2/20) reports Moscow said Monday that it does not know about a Ukraine peace plan designed by pro-Russia Ukrainian opposition lawmaker Andrii Artemenko and two associates of President Trump. The AP says spokesman Dmitry Peskov "shrugged off the plan" – which calls for Russian forces to withdraw from Ukraine and a referendum on whether Crimea should be leased to Russia – and called it "absurd." Peskov said, according to the New York Times (2/20, Chan, Subscription Publication, 13.9M), "there is nothing to discuss" and "we don't know anything about any plans." Peskov added that "there is a general understanding that there is no alternative to the Minsk agreements" and Reuters (2/20, Vasovic) reports that Peskov also asked, "How can Russia rent its own region from itself?"

Russia Says Accepting Passports Issued By Rebels Is "Humanitarian" Move. The AP (2/20, Isachenkov) reports Russia on Monday "defended its decision to recognize passports issued by" Ukrainian separatists as the result of Ukraine's blockade of rebel regions. Peskov said it was a "humanitarian" decision as the blockade made it impossible for residents to travel to Ukrainian government-held territory to obtain or extend official documents.

Coons: It's "Worrying" That Trump Is Not Challenging Putin. Appearing on CNN's

Situation Room (2/20, 554K), Sen. Chris Coons said he is uncertain if the Administration will lift sanctions against Russia. However, Coons noted that there is bipartisan legislation in the Senate that would "require congressional action before those sanctions could be lifted." Still, Coons said, "It continues to be puzzling and worrying that [Trump] has not been direct in challenging Vladimir Putin's inappropriate interference in our election and in speaking forcefully against his ongoing occupation of Crimea," his "meddling in eastern Ukraine," and his "human rates violations in Syria."

Russian Ambassador To UN Dies Of Apparent Heart Attack.

The CBS Evening News (2/20, story 3, 0:25, Mason, 11.17M) reported Russian UN Ambassador Vitaly Churkin died of an apparent heart attack one day before he turned 65-years-old. ABC World News Tonight (2/20, story 9, 0:25, Muir, 14.63M) reported Churkin "died suddenly after falling ill at his office at the UN mission here in New York."

The AP (2/20) describes Churkin as "a veteran diplomat known as a potent and personable voice for his country's interests as he sparred with his Western counterparts." NBC Nightly News (2/20, story 6, 1:35, Holt, 16.61M) showed former US Ambassador Michael McFaul saying that Churkin was "a great diplomat." However, McFaul added that "it does reflect a kind of moment that we're in, given that there's been mysterious deaths in Russia recently that people want to run to that kind of explanation."

Montenegro Special Prosecutor Accuses Russia Of Plotting Election-Day Coup.

The AP (2/20, Milic) reports Montenegro's special prosecutor has accused Russia of "plotting an election-day coup attempt that included plans to kill" former Prime Minister Milo Djukanovic. Prosecutor Milivoje Katnic said an investigation into the October plan to overthrow the government and prevent it from joining NATO has shown "that Russian state bodies were involved at a certain level." Kremlin spokesman Dmitry Peskov said the accusation is "absurd" and "irresponsible."

European Finance Ministers Agree To Start Greece Bailout Talks.

The New York Times (2/20, Kanter, Kitsantonis, Subscription Publication, 13.9M) reports European finance ministers on Monday agreed to start talks as early as next week over necessary changes that Athens must undertake in exchange for bailout payments. The Times says the agreement "fell short of an all-encompassing deal" as there are "key questions" remaining over the "shape of the changes" to pensions, tax rules, and labor rules.

Reuters Analysis: Bailouts Have Not Helped Greece's Poverty. Reuters (2/20, Tagaris) reports that despite "seven years of bailouts" and "billions" of euros being "poured" into Greece, the country's poverty "isn't getting any better" and is "getting worse like nowhere else in the EU." Reuters says that while "the austerity and reform policies" that international lenders required of Greece prevented the country from entering bankruptcy, the "conditions have helped to turn recession into a depression."

EU Moves To Combat Fake News.

A front-page story in the New York Times (2/20, Scott, Eddy, Subscription Publication, 13.9M) reports on an 11-person team called East Stratcom, which "serves as Europe's front line against this onslaught of fake news." The team of "diplomats, bureaucrats and former journalists" was created by the EU to address "Russia's ongoing disinformation campaigns.'" It "tracks down reports to determine whether they are fake," then "debunks the stories for hapless readers." Since its creation 16 months ago, the team "has discredited 2,500 stories, many with links to Russia." The team's efforts come as "officials play catch-up in the fight against sophisticated hacking and fake news operations," fearing "Europe and its elections remain vulnerable at a critical moment: The region's decades-old project of unity hangs in the balance, challenged by populist forces within the bloc and pressures from Russia and beyond."

Analysts: Suspending Coal Imports China's Way Of Pressing Pyongyang On Nuclear

Program.

The Wall Street Journal (2/20, Wong, Subscription Publication, 6.37M) reports Beijing's decision to suspend coal imports from North Korea provides China with an opportunity to push Pyongyang to pull back its nuclear program. The Journal says that analysts indicate the move is a way for China to condemn North Korea's Feb. 12 missile test, while also deflecting US criticism that Beijing has not taken enough steps to deter Pyongyang from developing its nuclear program.

CNN: North Korean Researcher Says North Koreans Care About US Policy, Not Trump. CNN's Situation Room (2/20, 554K) reported that while "the world struggles to understand what President Trump is doing next, North Korea says it could care less." Researcher Yu Gwang Choi told CNN, "We only care if they stop their hostile policy toward my country." Correspondent Will Ripley said the term "hostile policy" was "repeated by nearly everyone" he spoke to for the report.

North Korea, Malaysia In "Diplomatic Spat" Over Kim Jong-Nam Death.

NBC Nightly News (2/20, story 10, 1:35, Holt, 16.61M) reported that video has emerged that apparently shows how Kim Jong-nam, the half-brother of North Korean leader Kim Jong-un, was poisoned at an airport in Malaysia. Malaysian police and Interpol are searching for four North Korean men who apparently "left the country the same day Kim was killed. Four others are already in custody." CNN's Situation Room (2/20, 554K) reported that "two female suspects and two men [are] in custody."

Fox News' Special Report (2/20, 1.53M) reported the investigation "has caused a diplomatic spat after the North Korean ambassador called it politically motivated." North Korean Ambassador to Malaysia Kang Choi was shown stating, "There is no clear evidence on the cause of death and at the moment we cannot trust the investigation by the Malaysian police." Malaysian Prime Minister Najib Razak "hit back" as Fox showed him stating, "We have no reason why we want to do something that would paint the North Koreans in a bad light."

South Korean President: Killing "Intolerable Crime Against Humanity," "Terrorist Act." The New York Times (2/20, Sang-Hun, Paddock, Subscription Publication, 13.9M) reports acting South Korean President Hwang Kyo-ahn on Monday called the killing "an intolerable crime against humanity and terrorist act" plotted by Pyongyang. The comments, the Times says, "were the strongest yet" by South Korea's government linking North Korea to the Feb. 13 at Kuala Lumpur International Airport in Malaysia. Hwang said during a cabinet meeting that the act "starkly demonstrated the North Korean regime's recklessness and cruelty as well as the fact that it will do anything, everything in order to maintain its power."

Egyptian, Algerian, And Tunisian Presidents To Meet To Reconcile Libyan Factions.

The AP (2/20, Bouazza) reports a summit meeting has been announced among the Egyptian, Algerian, and Tunisian presidents to attempt to "reconcile" the competing factions in Libya in order to reduce "chaos" there. At a meeting in Tunis, the diplomats who announced the coming meeting also pledged their "attachment to Libya's sovereignty and territorial integrity." A date has not yet been announced for the meeting.

Merkel's Christian Democrats Recapture Lead In Pre-Election Poll.

Reuters (2/20, Kirschbaum) reports that on Monday, Germany's Bild newspaper published the results of an INSA poll of 2,030 voters that suggested Chancellor Angela Merkel's Christian Democrats and sister Christian Social Union party would win 31.5 percent in upcoming elections, a 1.5 percentage point increase from polling results last week. The previously-leading center-left Social Democrats' support dropped by one percentage point, according to the poll, and stood at 30 percent. In January, the Social Democrats enjoyed an "unexpected surge of some 12 points," which caught Merkel and conservatives off guard just seven months ahead of Germany's Sept. 24 election. The Social Democrats' support increased after "the appointment of Martin Schulz as the chancellor candidate who wants to take his party to the left to beat Merkel."

Le Pen Gains Ground In France's Pre-Election Polls.

According to an OpinionWay poll on Monday, France's far-right National Front presidential candidate Marine Le Pen continued to gain on independent front-runner Emmanuel Macron and Republican Francois Fillon, Bloomberg Politics (2/20, Viscusi, 201K) reports. The poll suggested Macron would secure 58 percent of votes against Le Pen's predicted 42 percent in May's run-off, an advantage that "has halved in less than two weeks." OpinionWay director Bruno Jeanbart explained, "It's all about security," and "Le Pen is benefiting from the fact that they're all busy either bickering or unable to disentangle themselves from their many controversies." Macron "opened himself up to criticism" when he called aspects of colonialism a crime against humanity, and Fillon has failed to regain the ground he lost after "allegations that he misused public funds to hire family members" emerged. Le Pen has also faced her own legal issues; on Monday, investigators searched the National Front's headquarters in a broader probe into whether the she paid nonexistent jobs with European Parliament funds.

Reuters (2/20, Bon) reports the European Union anti-fraud agency OLAF initially introduced the allegations against Le Pen, who has denied the accusations. French judges launched the investigation on Dec. 15, and thus far it is unclear "what impact the probe could have on Le Pen or how quickly the investigation will move forward." National Front vice president Florian Philippot told BMF television that the "media-stunt searches" of the party's headquarters came as Le Pen "gets a 2-point bounce in the polls. It's always when the system is in panic that these affairs come out."

American, Chinese Global Weapons Sales On The Rise.

The Washington Times (2/20, Muñoz, 272K) reports analysts at the Stockholm International Peace Research Institute, or SIPRI, released an analysis on Monday in which they claimed US weapons manufacturers' sales to the global community were 21 percent greater in the four year period 2012-2016 than they were in the previous four-year cycle. SIPRI director Dr. Aude Fleuant said US suppliers sold major arms to "at least 100 countries," a significantly larger clientele than any other state supplier. Fleuant attributed a large portion of those sales to both advanced strike aircraft and latest-generation air and missile defense systems. According to the analysis, the US suppliers accounted for about one-third of all global arms sales, and Russian-based defense firms for just over 23 percent. China boosted its global sales by 6.2 percent and emerged as a "top-tier supplier" of arms on par with German and French military defense firms. The Times notes that from 2007 to 2011, China increased its international weapons sales by 3.8 percent.

Former Turkish Soldiers Tried For Alleged Assassination Attempt.

The New York Times (2/20, Kingsley, Subscription Publication, 13.9M) reports 47 former Turkish soldiers accused of attempting to assassinate President Recep Tayyip Erdogan were brought to trial on Monday in the southwestern city of Mugla. The charges were related to the July 16 attempted coup, but unlike other cases related to the incident, the Mugla trial focused on the defendants' alleged assassination attempt during Erdogan's Mediterranean coast vacation on July 15. Gokhan Sonmezates, one of the defendants, admitted his involvement in the attempted coup but denied that he or his co-defendants had conspired to assassinate Erdogan, or that they were connected to exiled cleric Fethullah Gulen. Erdogan's attorney, Huseyin Aydin, told reporters that there was little doubt that the defendants "arrived at the scene with the intention of killing the president." Aydin added, "For the first time in our history, it is discussed that a commander in chief, a president, was subject to an assassination attempt by Turkish Army members."

Migrants Attempt Mass Breach Of Spanish Territory's Border Fence.

The New York Times (2/20, Bilefsky, Subscription Publication, 13.9M) reports around 600 African migrants attempted to breach a border fence separating Morocco from the Spanish enclave of Ceuta on Monday morning. Eleven migrants were hospitalized with injuries related to the crossing attempt, according to the Red Cross. Hundreds of African migrants were injured in a similar breach attempt on Friday. Ceuta's immigration center now hosts more than 1,400 migrants who may face deportation. Ceuta and another Spanish territory, Melilla, "have the only two land borders between the European Union and Africa, and they have become a magnet for sub-Saharan

migrants willing to cross deserts, brave razor wire and endure perilous conditions in search of a better life." Spain's state security secretary, José Antonio Nieto, reportedly claimed the government may start using drones to heighten the border's security.

Ecuadoran Leftist Candidate Expected To Win Election.

The AP (2/20, Solano) reports Ecuador's ruling socialist party candidate, Lenin Moreno, secured an early presidential election lead on Monday with more than 39 percent of the votes. Moreno's closest contender, former banker Guillermo Lasso, trailed with 28 percent of the votes. To avoid a runoff election, Moreno must secure 40 percent of the vote and a 10-point lead over Lasso. Moreno declared himself the winner before the first votes were released on Sunday evening and called Lasso to concede. He later agreed to wait until the final votes were tallied but added, "I have faith we'll reach 40 percent." Lasso's supporters held an overnight vigil on Sunday night that stretched into Monday; by the afternoon, the vigil evolved into a protest against President Rafael Correa, who hand-picked Moreno as the ruling party's candidate. Lasso's running mate, Andres Paez, warned that if the election results were not clean, "we'll declare ourselves in civil disobedience."

Famine Declaration Issued For Northern South Sudan.

The Washington Post (2/20, Ombuor, 11.43M) reports South Sudanese National Bureau of Statistics head Isaiah Choi Aruai joined representatives from the World Food Program, UNICEF, and the Food and Agriculture Organization on Monday at a news conference in Juba to formally issue a famine declaration for two northern Unity state counties. The agencies collectively warned that 100,000 people face starvation, and another one million are on the cusp of famine. World Food Program head Joyce Luma called the severe food shortage a "man-made" famine that the UN officials credited to disrupted agriculture and a crippled economy resulting from ongoing ethnic wars and political turmoil.

The UN officials also warned 275,000 children faced fatal starvation without a rapid humanitarian aid increase, the Los Angeles Times (2/20, Dixon, 4.52M) reports. Luma said her organization "and the entire humanitarian community have been trying with all our might to avoid this catastrophe, mounting a humanitarian response of a scale that quite frankly would have seemed impossible three years ago." She cautioned that without peace and security, however, "there is only so much that humanitarian assistance can achieve." Aruai urged the international community to increase its aid contributions in the coming months. According to the US Famine Early Warning Systems Network, man-made famines in South Sudan and Nigeria and the threat of famines in Somalia and Yemen underscore the "unprecedented" need for emergency food assistance. The Network also estimated 70 million people in 45 nations will require food aid in 2017.

Gerson Calls On Administration Officials To Restore American Exceptionalism.

Michael Gerson, in his column for the Washington Post (2/20, Gerson, 11.43M), suggests President Trump's inaugural address was meant "to signal the end of exceptionalism, at least in its international expression." His rhetoric was a departure from the "bipartisan, post-World War II foreign policy consensus," but "also a culmination of recent trends" under former President Obama's habitual "geostrategic retreat." This trend, Gerson writes, is a "sobering development" that is "consistent with a broader political trend," with American and European leaders opting "to ride this trend rather than buck it." As "America loses its ideological nerve," authoritarian regimes will "have greater confidence in impunity," and relativism "is easily imported across the border" and can have inward-facing consequences for American civil rights. Gerson says the Administration "is divided on these matters," and the Defense and State Departments' "committed internationalists" could assume "this calling of leadership" and thwart efforts by White House Chief Strategist Steve Bannon and others to "take America toward dishonor and failure."

Scholar: Trump Largely Following Established Foreign Policy.

Michael Auslin, a scholar at the American Enterprise Institute, writes in the Wall Street Journal (2/20, Auslin, Subscription Publication, 6.37M), that despite some suggestions to the contrary, the

President is following a coherent and consistent approach to foreign policy. Auslin argues that Trump is overturning some longstanding policies where his domestic priorities require it, such as the Trans-Pacific Partnership and NAFTA, but is abiding by established policy in other areas, such as the postwar military alliances in Europe and Asia, and the "One China" policy.

Lawmakers Urge State Department To Re-List North Korea As Terrorism Sponsor.

Sen. Cory Gardner and Reps. Ed Royce, Ted Poe, and Eliot Engel told the AP (2/18, Pennington) that they are urging the State Department to re-designate North Korea as a state sponsor of terrorism. The blacklist currently includes Iran, Sudan, and Syria as terrorism sponsors. North Korea was on the blacklist for two decades and began after the 1987 South Korean airliner bombing that killed 115 people; former President George W. Bush removed the designation in 2008 to more effectively "smooth the way for aid-for-disarmament negotiations." However, the AP says the alleged "assassination of the North Korean leader's estranged half-brother is strengthening bipartisan calls" for the re-designation, and lawmakers reintroduced a 2015 bill that called for the State Department's review of North Korea's purported dissident assassinations, weapons sales to various militant groups, and hacking of Sony Pictures Entertainment. To relist North Korea, Secretary of State Tillerson "would have to determine that it has 'repeatedly' provided support for acts of international terrorism."

Reuters (2/18, Brunnstrom, Bartz) reports a State Department spokesperson reiterated that all nations "should fully and transparently implement all relevant UN Security Council Resolutions" against North Korea. The spokesperson added, "We continue to urge China to exert its unique leverage as North Korea's largest trading partner to convince Pyongyang to return to serious talks on denuclearization."

Arms Experts Assess North Korea's Nuclear Weapons Capabilities. The New York Times (2/17, Gladstone, Jacquette, Subscription Publication, 13.9M) reports North Korea, despite its diplomatic challenges and the sanctions implemented against it, has managed to invest in becoming a nuclear weapons power. Experts told the Times they believe North Korean leader Kim Jong-un specifically launched the February missile test "to jolt a new American president," and arms experts cautioned the missile featured solid-fuel technology, which decreases a missile's detection and allows it to launch more quickly. The experts said North Korea's nuclear weapons program has progressed in four key areas: "arsenal size, bomb strength, missile technology and ability to elude detection." North Korea is believed to have fewer than 10 weapons, but satellite imagery suggested it could very quickly expand that arsenal. Los Alamos National Laboratory emeritus director Siegfried S. Heckler predicted, "Pyongyang will likely develop the capability to reach the continental United States with a nuclear tipped missile in a decade or so."

Chinese Official: US Policy On North Korea "Not Working." Bloomberg News (2/18, Wadhams, 2.41M) reports Chinese Foreign Affairs Committee Chair Fu Ying told world leaders at the Munich Security Conference on Saturday that "China just keeps on telling" the US that its policy of maintaining both sanctions and military pressure on North Korea "is not working, although we're going along with you." Fu warned that the measures "will only drive them in the wrong direction further." Sen. Dan Sullivan and South Korean Foreign Minister Yun Byung-se joined Fu on stage "in a rare public airing of differences" between the US and South Korea and China. Both Sullivan and Yun rejected Fu's call for more talks. President Trump has repeatedly pressured China to compel North Korea into abiding by United Nations Security Council resolutions implemented to curb the nation's nuclear program.

China Suspends Coal Imports From North Korea. The New York Times (2/18, Sang-Hun, Subscription Publication, 13.9M) reports China's Commerce Ministry announced in a statement issued on Saturday that it will suspend all North Korean coal imports beginning on Sunday. The measure constituted China's effort to enact United Nations Security Council sanctions against North Korea for its nuclear weapons and ballistic-missile program. The suspension will extend until the end of the year.

The Washington Post (2/18, Denyer, 11.43M) reports because coal is North Korea's largest export item, it also serves as China's most effective point of leverage. The "surprise move" will sever "a major financial lifeline for Pyongyang and significantly enhance the effectiveness of U.N. sanctions." Experts posited China's decision did not reflect its desire to implement the resolution as

China claimed, but likely reflected Beijing's deepening frustration over Pyongyang's alleged role in the assassination of Kim Jong-un's half brother in Malaysia. Carnegie-Tsinghua Center director Paul Haenle said China viewed "the assassination as a direct affront to China," and President Xi Jinping, who has already grown "more and more frustrated with Kim Jong Un," will not "tolerate these provocations."

Malaysia Arrests New Suspect In Assassination Of North Korean Leader's Half Brother. ABC World News Tonight's (2/18, story 8, 1:20, Llamas, 14.63M) Jennifer Eccleston reported Malaysian authorities also arrested a third male suspect from North Korea in connection to the assassination of Kim Jong Un's half brother, Kim Jong Nam. Aishah's "family claims she thought she was part of a candid camera TV show, spraying Kim Jong Nam--along with several other men--in the face for laughs, unaware of any potential deadly chemicals inside."

The Wall Street Journal (2/18, Rachman, Otto, Subscription Publication, 6.37M) reports Indonesian National Police Chief Tito Karnavian similarly said Aishah "was used" and "did not realize it was an assassination attempt." On Saturday, Indonesia's Foreign Ministry announced it would enlist a legal team for Aishah and clarified that Malaysian authorities did not charge her with a crime, but simply took her into custody.

Malaysians Rally In Support Of Islamic Law's Integration Into Legal System.

Reuters (2/18, Sipalan) reports thousands of Malaysians gathered in the capital city of Kuala Lumpur on Saturday to rally for the adoption of a contentious bill that "seeks to incorporate parts of the Islamic penal code, or 'hudud', into Malaysia's existing Islamic legal system." Prime Minister Najib Razak has supported the measure, but critics warned empowering the Shariah Court will exacerbate already unequal judicial treatment of Muslims and non-Muslims.

Avian Virus Infections Surge In China.

The New York Times (2/19, A6, Buckley, Subscription Publication, 13.9M) reports Chinese health officials on Friday confirmed that in February, eight people died and 77 were diagnosed with H7N9 "bird flu" infections. Last month, 192 people were diagnosed, and 79 of those people died. In response to the surge in infections, China's National Health and Family Planning Commission prohibited live poultry sales in certain eastern, southern, and southwestern regions. Almost all confirmed cases resulted from direct contact with birds, but experts expressed concerns "that the virus could eventually mutate into one that passes easily between people."

French Presidential Candidate Campaigns Without Party Alignment.

The Washington Post (2/18, McAuley, 11.43M) reports former French Economy Minister Emmanuel Macron "has billed himself as a radical centrist, a candidate for all," and chose not to identify with a party in his presidential campaign. He "remains extraordinarily popular, especially among Parisian elites and younger people," but his critics pointed to inconsistencies in his message. Macron, a former investment banker, drafted an "unpopular" law aimed at stimulating economic growth but viewed by many on the left as pro-big business. Yet, Macron is believed to be "the candidate with the best chance of defeating" far-right candidate Marine Le Pen, who is expected to qualify for the final presidential voting round in May. Even if he does win, "he has no party support behind him and his blend of ideologies will probably be difficult to sell in the French Parliament."

Poll Suggests Most French Voters Wish Fillon Would Withdraw. Reuters (2/18, Rosemain) reports the results of an Ifop poll of 1,0004 French voters surveyed on Friday and Saturday indicated 65 percent of respondents wished conservative presidential candidate Francois Fillon would withdraw his candidacy. Fillon's wife was allegedly "paid for a fake job," but he confirmed on Friday that he intends to remain in the race.

Wilders Loses Momentum Ahead Of Dutch Presidential Election.

The Wall Street Journal (2/18, Pop, Subscription Publication, 6.37M) reports the Netherlands' far-right candidate for prime minister, Geert Wilders, has been dubbed the "Dutch Trump" because of similarities between their rhetoric and campaign promises. Yet, a recent backlash against Trump's policies in the Netherlands and throughout Europe prompted Wilders to distance himself from the

comparisons; he is losing momentum, but his Party for Freedom is still expected to win a parliamentary majority.

The New York Times (2/18, Goldman, Subscription Publication, 13.9M) reports Wilders, at a parliamentary election campaign event on Saturday, told voters he will "make the Netherlands our again." To reporters, Wilders also called Moroccan immigrants "scum" and accused them of making "the streets unsafe." The Times notes Wilders was convicted of inciting discrimination in December for leading an anti-Moroccan chant at a 2014 political rally.

London Mayor, EU Target High Air Pollution Levels.

The New York Times (2/17, De Freytas-Tamura, Subscription Publication, 13.9M) reports Britain's Environment, Food and Rural Affairs Department suggested air pollution is connected to 23,500 annual deaths, the second highest number of nitrogen dioxide-related deaths in the European Union. The EU on Wednesday ordered five bloc members, including Britain, to reduce car pollution levels; however, the British government's previous efforts to encourage diesel engine use backfired when tests indicated that diesel vehicles emitted about five times as much emissions. London Mayor Sadiq Khan said on Friday that he will introduce toxicity taxes for polluting vehicles, plans to expand the city's low-emission zone across the capital in 2019, and will implement 12 low-emission bus zones throughout London.

Spanish Protesters Urge Government To Accept More Refugees.

The AP (2/18) reports that in Barcelona on Saturday, more than 160,000 protesters marched to demand that the conservative Spanish government accept more refugees from war-torn nation. The government pledged in late 2015 to accept 17,337 refugees in the following two years, but on Thursday, the number of refugees accepted in the nation totaled 1,100.

Greek Workers Turn To Shadow Economy In Wake Of Increased Taxes.

The New York Times (2/18, Alderman, Subscription Publication, 13.9M) reports that in the last two months, more than 21,000 self-employed workers and small businesses in Greece have sought assistance from tax consultancies in book-closing procedures, but "many are not actually closing their businesses." As a result, "business has jumped" and Greece's shadow economy has grown. The black market is now believed to comprise between 20 and 25 percent of the nation's gross domestic product. The "once law-abiding Greeks" said they were motivated by "new austerity measures," specifically tax increases up to an estimated 70 percent of individual gross income. Some Greeks claimed that they are unwilling to put their money back into a financial system controlled by a government they do not trust. Greece's creditors have prioritized shutting down the black market, and the topic will likely be discussed on Tuesday in negotiations between Greece and its European creditors.

NYTimes A1: Russian Region's "Vodka Tragedy" Highlights Nation's Growing Poverty.

On its front page, the New York Times (2/18, Macfarquhar, Subscription Publication, 13.9M) reports Russian President Vladimir Putin vowed that his economic, press, and political reforms would improve Russians' quality of life, and organized "a series of targets for 2020." Yet, its middle class now comprises only about 50 percent of the population, the average wage is about 20,000 rubles short to equal Putin's target, and in some regions, such as Irkutsk, the number of people living below the poverty line has increased. In Irkutsk, dubbed "a snapshot of the growing poverty in Russia," bootleggers marketed "boyaryshnik" as a bath oil but it is widely consumed "as poor man's vodka." Boyaryshnik's consumption created a "mass poisoning" in the region because some bootleggers used methanol instead of ethanol; until that "vodka tragedy," the Times writes, "nobody protested the economic plight."

State Department Demands Release Of Venezuelan Political Prisoners.

The Miami Herald (2/18, Wyss, 856K) reports State Department spokesman Mark Toner issued a statement on Saturday in which he reiterated the US' "dismay and concern" over Venezuelan authorities' arrests of former presidential candidate Leopoldo López, former Mayor Daniel Ceballos,

and "many other students, activists, journalists, and peaceful protesters." Toner wrote, "We call for the immediate release of all prisoners of conscience, respect for the rule of law, the freedom of the press, the separation of constitutional powers within the government, and the restoration of a democratic process that reflects the will of the Venezuelan people."

The AP (2/18, Rueda) reports the Administration imposed sanctions against Vice President Tareck El Aissami on Feb. 13 for his alleged role in international drug trafficking, and a day later, President Trump met with El Aissami's wife, Lilian Tintori. In comments from jail to the Colombian newspaper El Tiempo, Lopez said he did not reject voluntarily submitting to Venezuelan authorities instead of seeking asylum because it "gave me an opportunity to confront the lies, abuse of power and show the need to change the system at its roots." Lopez was sentenced last year to nearly 14 years in prison, and is one of more than 100 political activists currently incarcerated. His trial was "marred by irregularities for inciting violence during anti-government protests."

THE BIG PICTURE

Headlines From Today's Front Pages.

Wall Street Journal:
McMaster Named As Trump's National Security Adviser
Failed $143 Billion Deal Raises Pressure On Unilever, Kraft
Samsung Heir, Seeking To Modernize Opaque Culture, Instead Faces Scandal
Smartphone Addicts Behind The Wheel Drive Car Insurance Rates Higher

New York Times:
Trump Chooses H.R. McMaster As National Security Adviser
Europe Combats A New Foe Of Political Stability: Fake News
From An Anchor's Lips To Trump's Ears To Sweden's Disbelief
Border Wall Would Cleave Tribe, And Its Connection To Ancestral Land
For-Profit Schools, An Obama Target, See New Day Under Trump
In A WALT Whitman Novel, Lost For 165 Years, Clues To 'Leaves Of Grass'

Washington Post:
In First Month: Mar-a-Lago 3, Camp David 0
General Picked As Security Adviser
Anti-Vaccine Movement Gains Strength In Texas
Federal Staffers Worry About Crossing A Red (Or Blue) Line
Gorka's Views On Islam Drive Trump's Security Agenda

Financial Times:
Erdogan Assassination Plot Suspects Go On Trial
3g Capital Has Up To $15bn For Next Megadeal
NZ Court Upholds Kim Dotcom US Extradition Ruling
Apple Claims Brussels Tax Case Breached Its Rights

Story Lineup From Last Night's Network News:
ABC: New National Security Advisor; Jewish Center Bomb Threats; Anti-Trump Protests; Europe Anti-Trump Opinions; Severe Weather-Tornadoes; Severe Weather-West Coast; Weather Forecast; Los Angeles Officer Casualty; Russian Ambassador Dies; JFK Airport Security Breach; Central Park Accident; Teenager Hikers Murder Suspect; David Cassidy Dementia; Teenager-Springsteen Concert.
CBS: New National Security Advisor; Trump-Sweden Comment; Russian Ambassador Dies; New Immigration Order; Immigrant Deportation; Anti-Trump Protests; Mattis-Iraq Visit; Mosul Iraq Offensive; Severe Weather-West Coast; US East Spring Weather; SpaceX Launch; JFK Airport Security Breach; JFK Memorial Postage; Short College Basketball Player.
NBC: JFK Airport Security Breach; New National Security Advisor; Anti-Trump Protests; Vice

President Europe Visit; Jewish Center Bomb Threats; Russian Ambassador Dies; Severe Weather; Uber-Sexual Harassment; Health-Dental Alternative; Kim Jung-Nam Assassination; David Cassidy Dementia; Dress Shop Charity.

Network TV At A Glance:
Weather – 8 minutes, 5 seconds
New National Security Advisor – 7 minutes, 15 seconds
JFK Airport Security Breach – 4 minutes, 10 seconds
Jewish Center Bomb Threats – 3 minutes, 40 seconds
Russian Ambassador Dies – 2 minutes, 25 seconds
Anti-Trump Protests – 55 seconds

Story Lineup From This Morning's Radio News Broadcasts:
ABC: New Immigration Order; New National Security Advisor; Anti-Trump Protests; Los Angeles Officer Casualty.
CBS: New National Security Advisor; New Immigration Order; Australia Air Crash; Los Angeles Officer Casualty; Severe Weather-West Coast; David Cassidy Dementia.
FOX: New National Security Advisor; Anti-Trump Protests; Severe Weather-West Coast; Los Angeles Officer Casualty.
NPR: Anti-Trump Protests; New National Security Advisor; Russian Ambassador Dies; Severe Weather-Tornadoes; Severe Weather-West Coast.

WASHINGTON'S SCHEDULE

Today's Events In Washington.

White House:
PRESIDENT TRUMP — Visits the National Museum of African American History and Culture; has lunch with Tom Barrack; has dinner with the Vice President.
VICE PRESIDENT PENCE — Participates in a bilateral meeting with visiting Australian Foreign Minister Julie Bishop.
US Senate: On recess from 17 Feb – 27 Feb.
US House: 2:30 PM House of Representatives meets in a pro forma session Location: Washington, DC http://www.house.gov/

On recess from 17 Feb – 27 Feb.

Other: 11:00 AM Democratic Rep. Lacy Clay files lawsuit over removal of Congressional Art Competition painting – Democratic Rep. Lacy Clay files a federal lawsuit against Architect of the U.S. Capitol Stephen Ayers over what Rep. Clay describes as 'the arbitrary and unconstitutional disqualification and removal of 'Untitled #1', the award-winning entry in Missouri's 1st Congressional District's Art Competition, painted by David Pulphus. Rep. Clay says the artwork was 'unjustly removed by the Architect of the Capitol from the exhibit in the Cannon tunnel in the U.S. Capitol Complex due to political pressure from the Speaker of the House, certain reactionary Members of Congress, a cable news host, and various alt right media outlets'. Rep. Clay is joined by Democratic Rep. Jamie Raskin and attorneys Leah Tulin and James Williams Location: E. Barrett Prettyman U.S. Courthouse, 333 Constitution Ave., NW, Washington, DC lacyclay.house.gov

11:00 AM Law Library of Congress hosts program marking the 500th anniversary of the founding of the Jewish Ghetto of Venice – Law Library of Congress, in collaboration with the Embassy of Italy, commemorates the 500th anniversary of the founding of the Jewish Ghetto of Venice with a program on 'Understanding Seclusion: the Legal Dimensions of the Ghetto', highlighting the early history of the segregated Jewish community in the Italian city and showcasing rare related books and documents from Library of Congress collections. Brandeis University Professor Emeritus of Near Eastern and Judaic Studies Benjamin Ravid discusses the European legal context that surrounded the walled district, Bar-Ilan University Professor of Jewish History David Malkiel discusses the Jewish institutions of self-govt that existed within the walled district, Wake Forest University Associate Dean for International Affairs and Professor of Law Dick Schneider discusses the 16th century play 'The Merchant of Venice', and the documentary film

'The Venice Ghetto, 500 Years of Life' is screened Location: Library of Congress (James Madison Bldg), 101 Independence Ave SE, Washington, DC http://www.loc.gov/homepage/lchp.html https://twitter.com/librarycongress

12:00 PM New EPA Administrator Pruitt address agency employees – Environmental Protection Agency Administrator Scott Pruitt delivers a speech to EPA employees * Pruitt was confirmed by the Senate last week by a vote of 52-46 Location: EPA HQ, 1200 Pennsylvania Ave NW, Washington, DC http://www.epa.gov https://twitter.com/EPAgov

Smithsonian's giant panda cub Bao Bao departs for China – Smithsonian's giant panda cub Bao Bao departs for China * A series of online and on-site celebratory events to bid farewell to the cub were held last week, including Facebook Live video stream activities with Bao Bao Location: Smithsonian's National Zoo, Washington, DC http://nationalzoo.si.edu/ https://twitter.com/NationalZoo #ByeByeBaoBao

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Thursday, February 23, 2017 7:19 AM
To:	James B. Comey
Subject:	FW: FBI Public Affairs News Briefing Thursday, February 23, 2017

From: Bulletin Intelligence [mailto [redacted] b7E
Sent: Thursday, February 23, 2017 7:01 AM
To [redacted]
Subject: FBI Public Affairs News Briefing Thursday, February 23, 2017

Mobile version and searchable archives available at [redacted]

TO: THE DIRECTOR AND SENIOR STAFF

DATE: THURSDAY, FEBRUARY 23, 2017 7:00 AM EST

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- More Rick Siskey Companies Close To Bankruptcy In Wake Of Alleged Ponzi Scheme.
- Collins: Committee Could Subpoena Trump's Tax Records For Election Investigation.
- Maryland Accountant Pleads Not Guilty To Bribing Lawmaker.
- Illinois Man Pleads Guilty To Bankruptcy Fraud.
- WSJournal: Credit Suisse Caught Up In Another Tax Evasion Probe.
- Maryland Woman Pleads Guilty To Tax Fraud.
- Mississippi Man Sentenced For Tax Evasion.

CYBER DIVISION

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- Experts: Hack Of President's Twitter Account Would Cause "All Sorts Of Chaos."
- Audit: Sophisticated Malware Targeted ATM Transactions In India.
- GSA IG: 18F Violated Cybersecurity Rules.
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- Continuing Coverage Of DHS Employees Locked Out Of Own Computers.

• Experts: Trump Administration Likely To Push For Increased Cyber Spending, Digital Surveillance, Encryption Workarounds.

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• WPost A1: State Department "Sidelined" By Trump Administration.
• Politico Analysis: Trump's Hiring Style "A Shock To Washington."
• "Our Revolution": Trump Betrays Voters By Hiring "Wall Street Lackeys."
• Breitbart Profiles Deputy Chief Of Staff Katie Walsh.
• Local Police Concerned Immigration Orders Will Hinder Fight Against Gangs.
• White House Says Revised Immigration Order To Be Released Next Week.
• Media Analyses: Fear Of Deportation Impacting Lives Of Undocumented Immigrants.
• Churches Facing Decisions On Whether To Offer Sanctuary To Undocumented Immigrants.
• House Speaker Visits US-Mexico Border.
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• McMaster Considering Reorganization Of NSC.
• IRS Audits Drop For Fifth Straight Year.
• Authorities Close Down Dakota Access Protest Camp.
• WPost: Montgomery County Role Model For Prosecution Of Child Abuse.
• DOJ IG Looks At Upcoming Challenges.
• Sterling Heights, MI To Allow Mosque Construction In Settlement With DOJ.
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• Trudeau Defends Plan To Give US Border Agents Greater Authority In Canada.
• Reuters Poll: Republicans More Concerned With Leaks Than Administration's Ties To Russia.

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LEADING THE NEWS

NYTimes Analysis: Newly Released FBI Interviews Show Awlaki's Role In Plane-Bombing Plot.

The New York Times (2/22, A9, Shane, Subscription Publication, 13.9M) reports that newly released documents show that "in a series of conversations in Qaeda safe houses in Yemen in 2009, Anwar al-Awlaki carefully sized up a young Nigerian volunteer, decided the man had the diligence and dedication for a 'martyrdom mission' and finally unveiled what he had in mind." Awlaki, "an American-born cleric who had become a leading propagandist for Al Qaeda, told the man, Umar Farouk Abdulmutallab, that 'the attack should occur on board a US airliner,' according to the account" Abdulmutallab gave the FBI. The documents, "obtained by The New York Times after a two-year legal battle under the Freedom of Information Act, fill in the details of a central episode in the American conflict with Al Qaeda: Mr. Abdulmutallab's recruitment by Mr. Awlaki and his failed attempt to blow up an airliner approaching Detroit on Christmas in 2009 using sophisticated explosives hidden in his underwear."

COUNTER-TERRORISM

Bomb Threat Reported Against Anti-Defamation League's NY HQ.

WRC-TV Washington (2/22, 453K) reports online that on Wednesday, "the Anti-Defamation League's national headquarters in New York received a bomb threat...and the group says it is working with authorities to determine if it is connected to the rash of threats targeting Jewish community centers across the country in recent months." WRC adds, "The FBI is involved in the investigation, and the ADL has called on U.S. Attorney General Jeff Sessions to launch a coordinated multi-agency probe."

The Huffington Post (2/22, Ferner, 237K) quotes the FBI as stating, "The FBI and the Justice Department's Civil Rights Division are investigating possible civil rights violations in connection with threats to the Anti-Defamation League. The FBI will collect all available facts and evidence. As this is matter is ongoing, we are not able to comment further at this time." ADL's Center on Extremism Director Oren Segal "told HuffPost that the organization has been in close communication with the FBI over the incidents and is 'confident that they are conducting a serious investigation into these threats.'"

NC Man Charged With Making Threats On Whisper App.

Ars Technica (2/22, Farivar, 1.61M) reports that "according to a newly released federal criminal complaint, Garrett Grimsley of Cary, North Carolina, allegedly used the Whisper app to" make "violent threats" on Sunday. Grimsley said on Whisper, "Aslam alaikum brother. For too long the kuffar have spit in our faces and trampled our rights. This cannot continue. I cannot speak of anything. It will be only the beginning, insha'Allah." The FBI affidavit said that "hours" after making the threats, "local police and the FBI arrived at his door to search his apartment." Grimsley "is set to appear again before a federal judge in Raleigh, North Carolina, on February 24."

The Verge (2/22, Brandom, 1.25M) reports that one message reads, "the FBI will understand I was only reading Dabiq for the pictures, right?" Then, "after Grimsley became aware of the FBI response, the messages grew more tense. 'Holy fuck I'm actually going to get raided,' he wrote to a friend. He attempted to encrypt his hard drive to protect it from police, but ran out of time; the process was 63 percent complete when agents obtained the laptop."

San Bernardino Victims Say California's Workers' Comp System Is Denying Them Treatment.

Fox News (2/22, Carr, 11.07M) reports online, "More than a year after terrorists murdered 14 and injured 22 inside a San Bernardino County Christmas party, many of the victims say they feel like forgotten survivors." The victims told "Fox News that for months they have received denials for critical medical and psychological care" from California's workers' comp system. San Bernardino County spokesman David Wert "says 58 of the 88 county employees who filed claims in connection with the attack were placed into the workers' comp system, and of that, 54 of those 58 cases are still active." The victims are now "petitioning the Trump Administration for help," Fox adds.

Man Gets Two Years For Lying To FBI About Somali Militant Group Members.

The AP (2/22, Forliti) reports that on Wednesday, Minnesota man Mahdi Hussein Furreh was sentenced "to two years in federal prison for lying to the FBI during their investigation into the travels of young men who left the U.S. to join the Somali militant group al-Shabab." Furreh "pleaded guilty in October 2014 to making false statements during the government's terror investigation, specifically admitting that he lied about contacting a man who's wanted for allegedly encouraging others to join al-Shabab." Assistant US Attorney Charles Kovats "argued that Furreh should be sentenced to about two years in prison, saying that lying to law enforcement should have consequences, and a sentence of time served should be reserved only for defendants who cooperate from the start."

The Minneapolis Star Tribune (2/22, Montemayor, 1.27M) notes, "The charges against Furreh stemmed from the FBI's investigation into the pipeline of Somali-Americans in Minnesota who began plotting to join the Al-Shabab terrorist group in Somalia around 2007."

FBI Agent, Former FBI SAC Testify In Malheur National Wildlife Refuge Case.

The Oregonian (2/22, Bernstein, 894K) reports on Wednesday's testimony in the Malheur National Wildlife Refuge case. FBI Agent Ronnie Walker "testified that some informants sent into the Malheur National Wildlife Refuge during the occupation were authorized to engage in unlawful activity." Retired FBI SAC Greg Bretzing agreed on the stand the he did not believe the Malheur occupiers "that went to trial in the fall of 2016 were held accountable." Also on Wednesday, refuge neighbor and longtime rancher Andy "Dunbar acknowledged the FBI paid $2,000 each to him and his son after they let agents use their property on Jan. 29 and Jan. 30, 2016, as agents tried to persuade people remaining at the refuge to leave after the Jan. 26 arrests of the occupation leaders."

White House: Gitmo Serves A "Very Healthy" National Security Purpose.

The Miami Herald (2/22, Rosenberg, 856K) reports that while White House press secretary Sean Spicer "dodged a question on whether the Trump administration would send US citizens to Guantánamo," he said the President "believes that Guantánamo Bay does serve a very, very healthy purpose in our national security." Spicer said "that the base's purpose was 'in making sure that we don't bring terrorists to our shores.'" He "twice declined to say whether US citizens could be held there," saying, "As the president has said very clearly before, we don't telegraph what we're going to do."

Suicide Bomber Reportedly Received Compensation From UK After Gitmo Release.

Reuters (2/22, Faulconbridge, Abdelaty) reports Abu-Zakariya al-Britani – the ISIS suicide bomber from Britain who attacked Iraqi forces near Mosul this week – received compensation for the time he spent detained in Guantanamo Bay, according to Western security sources. Reuters says Britani was released in 2004 after the British government "lobbied for his release" and that he later traveled to Syria to fight with ISIS. Reuters adds that Britain "reached a civil damages settlement" with former Gitmo inmates in 2010 and the Daily Mail reported that Britani received $1.25 million after claiming that British officials knew or were complicit in alleged mistreatment. The Washington Post (2/22, Adam, 11.43M) reports that "a decade after his return" to Britain, Britani "traveled to Syria to join" ISIS. Arthur Snell, the former head of Britain's "flagship counterextremism program," said his country's authorities failed to keep track of Britani.

Imam In England Charged With Eight Terror-Related Offenses.

Breitbart (2/22, 2.02M) reports Imam Kamran Sabir Hussain, an "influential" figure in Stoke-on-Trent, England, has been charged with eight terror-related offenses in connection with his religious work. Hussain is facing two charges related to addressing the mosque with the intent of "encourag[ing] support" for ISIS and six counts for giving a sermon in which he "intended or was reckless as to whether members of the public would be, directly or indirectly encouraged or otherwise induced by the statement to commit, prepare or instigate acts of terrorism."

Former CIA Officer Expected To Be Extradited From Portugal To Italy "Within Days."

The Los Angeles Times (2/22, Kington, 4.52M) reports that Portuguese authorities detained retired CIA officer Sabrina De Sousa and the 61-year-old faces extradition to Italy to serve a four-year sentence due to a conviction for taking part in the 2003 "kidnapping" of radical Muslim cleric Hassan Osama Nasr. De Sousa's lawyer, Dario Bolognesi, said he would request that De Sousa receive a pardon in Italy and hoped she would not have to be jailed while waiting a response. Manuel Magalhaes, De Sousa's lawyer in Portugal, said extradition is expected "within days." State Department spokesman Mark toner said the US is "deeply disappointed in her conviction and sentence" and has "asked our European counterparts what their next steps may be."

Thousands In Egypt Attend Funeral For Cleric Convicted In 1993 WTC Bombing.

Reuters (2/22, Ismail, Gaballa) reports "thousands" gathered in Al-Gamaliya, Egypt on Wednesday for the funeral of Muslim cleric Omar Abdel-Rahman, who was convicted of conspiracy in the 1993 World Trade Center bombing. Reuters says that "movements across the Islamist spectrum from

the Muslim Brotherhood to al Qaeda issued statements mourning him" and leaders from Egypt's Islamic Group – which views Abdel-Rahman as a "spiritual leader" – attended the funeral. The Washington Times (2/22, Ernst, 272K) cites the Reuters story as saying that mourners changed "We will meet in heaven," "God is great," and "We will defend you with blood and soul, Islam!"

Muslim Brotherhood Spokesman Says Group Not A Terrorist Organization.

Gehad el-Haddad, the Muslim Brotherhood's official spokesman, writes in an op-ed for the New York Times (2/22, Subscription Publication, 13.9M) from his solitary confinement cell in "Egypt's most notorious prison" that a move by the US to declare his organization a terrorist group would be wrong. El-Haddad says "offshoots" that turn violent leave the Muslim Brotherhood because of its "understanding of Islam that emphasizes the values of social justice, equality and the rule of law" and rejects violence. He acknowledges and regrets political missteps that "created distance between us and the people we have long lived to serve," but the spokesman refutes absolutely that the Muslim Brotherhood is a terrorist organization, insisting on its commitment to "peaceful resistance."

Votel: More US Ground Troops May Be Needed In Syria.

The CBS Evening News  (2/22, story 6, 2:10, Mason, 11.17M) reported that a week before President Trump's deadline for Pentagon leaders to submit a new strategy for defeating ISIS, CENTCOM Commander Gen. Joseph Votel "says he won't hesitate to ask for more American ground troops in both Iraq and Syria." Votel: "I've always been encouraged if we need more, we will ask for more." According to David Martin, Votel said "additional American troops would be especially useful in Syria." Fox News' Special Report  (2/22, 1.53M) quoted the general as saying, "We might bring potentially more of our assets to bear if we need to, as opposed to relying on our partners. ... There could be other forces that we potentially bring in to do this."

The New York Times (2/22, Gordon, Subscription Publication, 13.9M) quotes Votel as saying, "I am very concerned about maintaining momentum. It could be that we take on a larger burden ourselves. That's an option." According to the Times, "one option being considered is for American troops to step up their support" of Syrian Kurdish and Arab fighters "by firing artillery, shooting mortars, helping with logistics and significantly expanding efforts to advise them, much as the United States is doing for Iraqi forces in the battle for Mosul." Barbara Starr noted on CNN's Situation Room  (2/22, 554K) that there are up to 500 US forces – "mainly special operations forces and some conventional forces" – already in Syria "doing train, advise, assist," but "what we're talking about is if additional forces go in, they will be providing much more direct support to the Kurdish and the Arab forces who are supposed to be on the front line to the fight in Syria."

The Washington Post (2/22, DeYoung, 11.43M) says the plan being developed by the Pentagon "may lead to significant alterations in the Syria strategy that Trump inherited from Barack Obama, including a reduction or elimination of both long-standing US support for moderate opposition forces fighting against the Syrian government and the use of Syrian Kurdish fighters as the main US proxy force against the militants, according to US officials."

Rep. Adam Smith, a member of the House Armed Services Committee, said on CNN's Situation Room  (2/22, 554K) that he doesn't think "it's necessary at the moment" to bring US troops on the ground in Syria.

Trump's Desired "Safe Zones" In Syria Face Opposition From Turkey.

The Washington Times (2/22, Muñoz, Taylor, 272K) reports President Trump's "vision of 'safe zones' for refugees fleeing" violence in Syria "is running into opposition" from Turkey, which is "warning that the US-protected safe areas will become havens" for Kurdish militants. The Times says that Turkey is claiming that the Syrian government "is poised to exploit the zones as a way to increase political and military tensions inside Turkey." The Times quotes a "senior Turkish diplomatic source" as saying Syrian President Bashar al-Assad "has used all means to stay in power and distract from his problems in Syria. Any distraction will be of use to him, and he won't refrain from using it."

Russia: Safe Zones Need To Be Coordinated With Damascus. The AP (2/22,

Isachenkov) reports Foreign Minister Sergey Lavrov said Wednesday that Moscow is "open for dialogue with the United States on safe zones in Syria but believes that any such initiative needs to be coordinated with the Syrian government." Lavrov said he had briefly discussed the issue with Secretary of State Tillerson when they met in Germany last week, but Tillerson "told him the concept was still being worked out."

ISIS "Seeping Back Into Areas" It Previously Controlled.

The Washington Post (2/22, Morris, 11.43M) reports that while ISIS "is nearing defeat on the battlefield," its members "are seeping back into areas the group once controlled" by "taking advantage of rampant corruption in Iraq's security forces and institutions." The Post says that police officers, judges, and local officials indicate that "an uneven hand of justice" leads to some ISIS collaborators being permitted "to walk, dimming Iraq's chances of escaping the cycle of violence that has plagued the country since the 2003 US-led invasion." According to the Post, "the plight of those majority Sunni areas also provides fodder for extremist groups to drive their recruitment."

McCain Makes Visit To US Forces In Syria.

The AP (2/22, Lardner) reports Sen. John McCain's office announced that he traveled to northern Syria last week to visit US forces and discuss efforts to defeat ISIS. McCain's office said the "visit was a valuable opportunity to assess dynamic conditions on the ground in Syria and Iraq." The statement added that President Trump "has rightly ordered a review of US strategy and plans to defeat" ISIS and McCain looks forward to working with the White House and military "to optimize our approach." The Wall Street Journal (2/22, Nissenbaum, Subscription Publication, 6.37M) reports that McCain is believed to be the first American lawmaker to travel to the Kurdish-controlled areas of Syria since US forces began aiding local forces against ISIS.

De Mistura Says "Pro-Active Momentum," Not Breakthrough Expected At Syria Talks.

Reuters (2/22, Miles, Nebehay) reports UN envoy Staffan de Mistura on Wednesday said he did not anticipate an immediate breakthrough when Syria peace talks resume on Thursday. However, de Mistura added that he wanted the talks to be productive and begin the process of finding a political solution. De Mistura said he is "expecting and determined for keeping a very pro-active momentum."

Justice Dept. Intends To Block CIA's Haspel From Testifying In Suit Against Contract Psychologists.

The Guardian (UK) (2/22, Ackerman, 4.07M) reports that in a Wednesday filing in a federal court in Washington State, US attorneys and Justice Department officials "indicated [they] will seek to prevent" new Deputy CIA Director Haspel "from telling a court about her role in Bush-era torture" by asserting the state secrets privilege. The filing came in the lawsuit against former CIA contractor psychologists James Mitchell and Bruce Jessen, brought on by "representatives for four men who seek to hold them liable for torture they experienced in secret CIA prisons." According to the Guardian, the state-secrets privilege has long been "the target of criticism by human rights lawyers as a legal gambit for covering up wrongdoing under the veil of national security."

Justice Dept. Ordered To Unveil Redacted CIA Docs About Detainee Deaths. In a paywall article, Law360 (2/22, Koenig, 23K) reports that the U.S. District Judge J. Paul Oetken on Tuesday ordered the Justice Department to "hand over redacted memoranda on overseas" CIA interrogations, "including information that could unveil the names of two detainees who died while in custody," after Oetken rejected some of the Justice Department's secrecy arguments.

Federal Inmate Pleads Guilty To Threatening To Blow Up Government Buildings.

The AP (2/22) reports from Clarksburg, WV that "a federal inmate in West Virginia has admitted he threatened to blow up government buildings in several major U.S. cities." Jeremy Edward Smith, 37, pleaded guilty on Wednesday in a Clarksburg federal court "to making the threats in a 2015 letter he wrote while in solitary confinement at a U.S. penitentiary in Hazelton." Federal

prosecutors said "that in the letter, Smith threatened to blow up government buildings in Boston, Chicago, New York, Philadelphia and Washington, D.C."

CRIMINAL INVESTIGATIONS

Recording Of Suspect Found On Phone Of Murdered Girl In Indiana.

In a piece titled "Sound of the Suspect," ABC World News Tonight  (2/22, story 4, 1:35, Muir, 14.63M) reported that police found a recording of a man saying "down the hill" on the cell phone of murder victim Libby German, who was reported missing along with Abby Williams after the girls went on a hike last week in Delphi, Indiana. That man is now a suspect in the females' murders, and the police have played that recording publicly, seeking information on the man's identity. State Police Capt. David Bursten said, "We think that there's enough there that somebody would recognize that voice, and we want that person to call us." NBC Nightly News  (2/22, story 11, 1:50, Holt, 16.61M) reported similarly.

The Indianapolis Star (2/22, Paul, 550K) paraphrases FBI SA Greg Massa as saying "20 FBI agents are in Delphi on any given day to assist in the investigation." Massa said, "We're not going anywhere. We will be here until this case is solved, and I'm confident this case will be solved." In addition, "The FBI's behavioral analysis unit has urged residents to report people who abruptly missed work or cancelled meetings Feb. 13, or individuals who have changed their appearance, behavior or sleep patterns in the following days."

The Indiana Daily Student (2/22, Evans, 2K) paraphrases Massa as saying, "Even details that seem unimportant could actually be essential to the investigation." Massa said, "Just think if you had an interaction with an individual who inexplicably canceled an appointment you had together, or an individual called into work sick or canceled an important appointment or a social engagement. That could be important." Massa "also said people should watch for recent changes in people around them. Those changes could be in appearance or dress style, unexpected travel, changes in sleep or behavior patterns."

The New York Post (2/22, Miller, 3.82M) and the AP (2/22, Callahan) similarly quote Massa discussing the investigation. WISH-TV Indianapolis (2/22, 170K) reports online that, according to state police, "FBI director James Comey has been briefed on the case twice." WISH adds that "a $41,000 reward is being offered for tips that lead to an arrest."

Michigan AG Charges Former USA Gymnastics Coach With Molesting Nine Girls.

ABC World News Tonight  (2/22, story 9, 0:20, Muir, 14.63M) reported former team doctor for USA gymnastics Larry Nassar is "now accused of molesting nine young gymnasts while treating their injuries at his home and medical facilities around Lancing, Michigan." ABC added, "Nassar is being sued by dozens of former patients," but he "denies the allegations."

In its lead story, the CBS Evening News  (2/22, lead story, 2:40, Mason, 11.17M) reported Michigan Attorney General Bill Schuette hit 53-year-old Nassar with 22 criminal charges relating to nine girls under the age of 16, including "possession of child pornography, and criminal sexual conduct involving the daughter of a family friend." Jamie Dantzscher, who won a bronze medal in the 2000 Olympics, said "Nassar treated her without a glove or chaperon." Schuette said "more than 80 women have come forward so far with complaints against Nassar."

The New York Times (2/22, B11, Mather, Subscription Publication, 13.9M) quotes Schuette calling Nassar a "monster." According to FBI agents, Nassar "had tens of thousands of pornographic images as well as videos of himself molesting girls." The Times adds, "Nassar is being held without bail on those charges. He will be arraigned for the new charges on Thursday." A 1,300-word USA Today (2/22, Mencarini, 5.28M) report details previous complaints against Nassar. NBC Nightly News  (2/22, story 13, 0:35, Holt, 16.61M) also provided brief coverage.

In Arizona, FBI Arrests "Barrel Chested Bandit," Suspected In 11 Bank Robberies.

The AP (2/22) reports the FBI said that on Tuesday, 40-year-old Anthony James Lane, "believed to have to have robbed 11 banks in five Western states including Arizona and New Mexico has been

arrested in Tucson" by FBI agents and local police, "without incident." The FBI had offered "a reward of up to $10,000 for information leading to the arrest and conviction of the so-called 'Barrel Chested Bandit.'"

The Arizona Daily Star (2/22, Duarte, 270K) notes, "Earlier this month, the FBI put out multi-state news releases for the robber dubbed the Barrel Chested Bandit, and based on a tip Feb. 14 agents spoke to three former co-workers of Lane in Tucson." The Arizona Republic (2/22, Restrepo, 1.1M) reports, "In its statement, the FBI said a criminal complaint was filed in federal court against Lane, but the statement did not specify the charges pending."

Additional coverage is provided by the Salt Lake (UT) Tribune (2/22, 426K) and KSL-TV Salt Lake City (2/22, 547K) online.

FBI Agent Testifies In Case Alleging Corruption By Former Utah AG.

The Deseret (UT) News (2/22, Romboy, Romero, 362K) reports on Wednesday's testimony in the trial over alleged public corruption by former Utah attorney general John Swallow, whose defense attorney, Scott Williams, "tore into" FBI SA Jon Isakson, the agent who led the investigation against him. According to the article, "Isakson is scheduled to finish his testimony Thursday before the state rests its case a day later than anticipated and the defense starts calling its witnesses. The trial is scheduled to run until March 3." Swallow faces "12 felony charges and one misdemeanor, including racketeering, bribery, accepting gifts and making false statements."

KTVX-TV Salt Lake City (2/22, Ortiz, 2K) reports online that Williams claimed Isakson committed perjury during his testimony. The Salt Lake (UT) Tribune (2/22, Dobner, 426K) reports Isakson said the request that the DOJ's Public Integrity Section not file charges against former Utah Attorneys General John Swallow and Mark Shurtleff "was driven in part by concerns over the federal statute of limitations and a desire to dig further into Shurtleff, Swallow and Tim Lawson, Shurtleff's so-called 'fixer.'" Isakson also testified that agents "were talking to Salt Lake County District Attorney Sim Gill, who was interested in pursuing charges." The Salt Lake (UT) Tribune also covers this story in a separate article.

FBI Searches For Missing Teen In Northern Virginia.

The Washington Post (2/22, Hermann, 11.43M) reports the FBI and Prince William County police in Virginia are searching for 15-year-old Makayla Phyllis Mattei "who authorities said has disappeared with" Meiti Metsla, a man "she met on the Internet and who flew to the U.S. from Estonia to meet her." FBI spokeswoman Nicole Schwab said, "We need to find her and bring her home." Authorities "said there is an urgent medical need to find her" because "she has diabetes and relatives are not sure she has insulin with her."

FBI Investigates Death Of Army Soldier's Infant In Hawaii.

The AP (2/22) reports that on Wednesday, US Army Lt. Col. Rob Phillips said "special agents from the U.S. Army Criminal Investigation Command and the FBI are investigating all circumstances surrounding the death of" the infant son of a Schofield Barracks soldier in Hawaii.

Convicted Charleston Church Killer's GPS Shows He Went To Second Church After Shooting.

The AP (2/22, Kinnard, Foreman) reports court documents unsealed Tuesday revealed "federal prosecutors said they had GPS evidence showing that after the fatal shootings at Charleston's Emanuel AME church on June 17, 2015, Dylann Roof exited the interstate and drove approximately 30 miles northwest toward the Branch AME Church in Summerville." Prosecutors indicated "the Branch church also had a sign advertising Bible study...and Roof shut off his GPS device," indicating he had stopped his car; however, the pastor had canceled the bible study that night. The AP notes, "During a lengthy confession the day after the shootings, Roof told FBI agents he was too tired after the Emanuel killings to carry out any other violence."

Reuters (2/22, McLeod) reports similarly.

Seattle Cop, Investigated By FBI, Charged With Drug Possession, Computer Trespass.

Relying on information in the Seattle Times (2/22, Miletech, 1.05M), the AP (2/22) reports that last month, "after an investigation by Seattle police detectives and the FBI's Public Corruption Squad," longtime Seattle police officer Robert Marlow was charged with "illegal drug possession in connection with a strip-club dancer and computer trespass for providing confidential crime victim information to a local TV news anchor." According to court documents, "Marlow was romantically involved with a dancer and shared drugs with her," and he "had regularly sent a news anchor text messages with personal information on crime victims." The AP adds, "Marlow plans to plead guilty to gross misdemeanors under amended charges next week."

The Seattle Post-Intelligencer (2/22, Pulkkinen, 666K) says "an informant reported that Marlow and his girlfriend were using cocaine inside the club," and then "investigators teamed with agents from the FBI public corruption squad to substantiate the allegations."

FBI Raids Office Of Psychiatrist In Jacksonville, FL.

WJAX-TV Jacksonville, FL (2/22, 30K) reports online that the FBI "raided the Southside office of Nikhil Nihalani, a Jacksonville psychiatrist" who "had been arrested in 2016 for violating a domestic violence injunction" and "had also been arrested in November 2015 on an out of state warrant." Action News says it "is working to find out why the FBI conducted the raid." On its website, WJXT-TV Jacksonville, FL (2/22, McKeiver, 142K) paraphrases an FBI spokeswoman as saying "the agents will likely be at the scene for the rest of the day" and "the case is still under investigation and the reason for the raid could not be released." WTLV-TV Jacksonville, FL (2/22, 129K) reports similarly online.

FBI Releases Photographs Of Bank Robbers In Florida.

WFOR-TV Miami (2/22, 48K) reports online that on Wednesday, the FBI "released surveillance pictures of three people wanted for a bank robbery in Sunrise," Florida. The robbers were dressed in Hazmat gear.

FBI Arrests NJ Men Wanted For Shooting, Robbery.

NJ News (2/22, 952K) reports Newark, NJ Public Safety Director Anthony Ambrose said "two criminal suspects were arrested Wednesday in connection with a shooting and a separate robbery last month,." The FBI's Fugitive Task Force and the police department's Fugitive Apprehension Team "arrested city resident Dujuan R. Curry, 28," after he "allegedly robbed his cousin at Martin Luther King Boulevard and Clinton Avenue Jan. 23." City detectives "also arrested Anthony Mollison, 22, of East Orange, on charges of aggravated assault, unlawful possession of a weapon and possession of a weapon for an unlawful purpose" after police said he shot a 22-year-old on Jan. 15.

Obstruction Retrial For Former LA County Sheriff Begins Today.

The Los Angeles Times (2/22, Rubin, 4.52M) reports a retrial is set to open this week in the matter of allegations that former Los Angeles County sheriff Lee Baca obstructed an FBI investigation. The Times notes, "All but one of the 12 jurors in Baca's first trial in December voted to acquit him of charges alleging he was involved in a 2011 scheme carried out by subordinates to thwart a federal probe into widespread abuses and corruption by deputies working in county jails." The Times explains that "the allegations against Baca focus on a six-week period during August and September in 2011, after deputies discovered a phone that had been smuggled to an inmate who was working as an FBI informant."

The Los Angeles Daily News (2/22, 315K) reports jury selection began today in the case. The article says, "The case against Baca focuses on a period of time when sheriff's deputies based at the Men's Central Jail stumbled upon a secret FBI probe of alleged civil rights abuses and unjustified beatings of inmates within jail walls."

Former House Speaker's Sexual Abuse Victim Sues For Hush Money.

The Chicago Tribune (2/22, 2.54M) reports that "one of former U.S. House Speaker Dennis Hastert's sexual abuse victims" alleged in a breach-of-contract lawsuit that "he kept his end of the

bargain to remain silent about decades-old misconduct in exchange for $3.5 million, and it was the disgraced politician who first disclosed the existence of their secret pact." The victim thus "maintains he is due full payment because he was no longer obligated to remain silent once Hastert told federal authorities about their agreement when he falsely accused the man of extortion." According to the suit, "Hastert stopped making payments in December 2014 after the FBI questioned him in his Plano home about the large bank withdrawals."

NYTimes Backs Lawsuit By Family Of Mexican Boy Shot By Border Patrol Agent.

The New York Times (2/22, Subscription Publication, 13.9M) editorializes that "when a 15-year-old boy named Sergio Hernández Guereca was shot to death by a United States border agent in 2010, he was crouching behind a concrete pillar a few steps inside the Mexican border," and "had he been on American soil, there's no question constitutional principles could be invoked in seeking justice for his death," so why should those principles "not apply because he was standing on the other side of the border?" That issue was before the Supreme Court on Tuesday "during oral arguments in a lawsuit brought by Sergio's parents, who believe they should have a right to get justice for his killing." The Times concludes that "the Constitution should be broad enough to apply to people like Sergio, and his family should be allowed to sue in American courts."

Pence Condemns Anti-Semitic Acts, Makes Surprise Trip To Vandalized Cemetery.

ABC World News Tonight  (2/22, story 3, 2:10, Muir, 14.63M) reported that Vice President Pence made a "surprise visit" to a Jewish cemetery near St. Louis that was vandalized over the weekend. Pence, according to the Washington Times (2/22, Boyer, 272K), accompanied Missouri Gov. Eric Greitens for a community clean-up event. The CBS Evening News  (2/22, story 4, 0:25, Mason, 11.17M) reported Pence "shar[ed] a prayer" and "helped clean up the sacred ground where more than 150 headstones were damaged."

NBC Nightly News  (2/22, story 5, 0:30, Holt, 16.61M) reported Pence "took to the megaphone to declare there is no place in America for hatred, acts of prejudice, violence or anti-Semitism." The Los Angeles Times (2/22, Kaleem, 4.52M) says Pence "condemned" the desecration of the cemetery and recent bomb threats against Jewish community centers across the country. The Hill (2/22, Fabian, 1.25M) quotes Pence as saying the vandalism is "a sad reminder of the work that still must be done to root out hate and prejudice and evil." The Washington Post (2/22, Wagner, 11.43M) reports Pence said "there's no place in America for hatred or acts of prejudice or violence or anti-Semitism." Pence also praised Missouri residents for their response, saying, "I must tell you, the people of Missouri are inspiring the nation by your love and care for this place, for the Jewish community in Missouri, and I want to thank you for that inspiration, for showing the world what America is really about."

Milbank: Pence, Not Trump, Gave Presidential Response To Anti-Semitic Acts. In a Washington Post (2/22, 11.43M) column, Dana Milbank contrasts President Trump and Pence's responses to recent anti-Semitic acts. Milbank says Pence "did exactly what a president should do" by visiting a Nazi concentration camp in Europe and the cemetery, while speaking out against the acts. Milbank says that Trump was "invited to condemn the surge in anti-Semitism" on two occasions last week and "failed to do so." When he did condemn anti-Semitic acts, Milbank adds, Trump did not mention the specific occurrences.

Media Analyses: Released Emails Show Close Ties Between Pruitt, Energy Industry.

The state of Oklahoma on Wednesday released more than 6,000 pages of emails between former Attorney General Scott Pruitt's office and the energy industry in response to a court order based on a request from the Center for Media and Democracy. The Washington Times (2/22, Wolfgang, 272K) reports the message "do not appear to contain any smoking guns that could imperil" Pruitt's future. Times adds that the emails include "frequent communication between the Oklahoma attorney general's office and energy companies, energy industry lobbying groups, and powerful conservative organizations such as Americans for Prosperity." However, the New York Times (2/22, Davenport, Lipton, Subscription Publication, 13.9M) takes the opposite stance by saying the emails

show that the current EPA Administrator "closely coordinated with major oil and gas producers, electric utilities and political groups with ties to the libertarian billionaire brothers Charles G. and David H. Koch to roll back environmental regulations." The Washington Post (2/22, Dennis, Mufson, 11.43M) quotes Nick Surgey, the research director of the Center for Media and Democracy, as saying the emails "reveal a close and friendly relationship between Scott Pruitt's office and the fossil fuel industry, with frequent meetings, calls, dinners and other events."

Reuters (2/22) reports the emails included communications between the AG office and Devon Energy that "suggest the company gave the Oklahoma officials language on limits on methane emissions at oil and gas operations." Reuters adds that Pruitt's office "then used this language in suing the EPA over the regulations." The AP (2/22, Biesecker, Dearen) cites an email from Devon Vice President William Whitsitt that says, "Our goal is to have input to (the office) with a goal of its directing BLM to completely do away with the present thrust." The AP adds that Devon executive Brent Rockwood also "chimed in with suggested edits and additions for Pruitt's filing." Deputy Solicitor General Clayton Eubanks wrote Rockwood saying, "Thank you for your guidance and assistance in getting this letter out."

Citing Racist Testimony, Justices Call For New Sentencing In Texas Death Penalty Case.

The Los Angeles Times (2/22, Savage, 4.52M) reports that the Supreme Court on Wednesday "firmly rejected the use of racial stereotypes when deciding the proper sentence for a convicted criminal, reopening the case of a black man who was condemned to death after his Texas jury was told African Americans are statistically more likely than whites to commit violent crimes. 'Our laws punish people for what they do, not for who they are,' Chief Justice John G. Roberts Jr. said in the courtroom." Roberts wrote in his decision that "providing the jury with such crime statistics appealed 'to a particularly noxious strain of racial prejudice.'" The 6-2 decision "faulted Texas authorities and judges for refusing to give a new sentencing hearing to Duane Buck, a Houston man convicted of shooting and killing his ex-girlfriend and her new boyfriend in 1995."

The New York Times (2/22, Liptak, Subscription Publication, 13.9M) reports that the testimony "came from a psychologist who said black defendants were more dangerous than white ones." Chief Justice Roberts "said the psychologist's report 'said, in effect, that the color of Buck's skin made him more deserving of execution.'" During the trial's sentencing phase in 1997, Buck's attorneys "presented a report from the psychologist, Walter Quijano, who said race was one of the factors associated with future dangerousness," and at the trial, an attorney for Buck "asked Dr. Quijano to elaborate. 'It's a sad commentary that minorities, Hispanics and black people, are overrepresented in the criminal justice system,' Dr. Quijano testified." A prosecutor "followed up: 'The race factor, black, increases the future dangerousness for various complicated reasons – is that correct?'" and Dr. Quijano answered, "Yes."

USA Today (2/22, Wolf, 5.28M) reports that Justices Clarence Thomas and Samuel Alito dissented, with Justice Thomas writing "that the racial testimony was secondary to 'the heinousness of petitioner's crime and his complete lack of remorse' for shooting his former girlfriend in the street as her children watched."

ACLU Sues Milwaukee Police Over Racial Profiling, "Stop-And-Frisk."

The Milwaukee Journal Sentinel (2/22, Barton, Luthern, 513K) reports the ACLU of Wisconsin filed a lawsuit Wednesday against the Milwaukee Police Department for performing "thousands of illegal stop-and-frisks targeting African Americans and Latinos every year." The policy violates both the fourth and fourteenth amendments because the police lack "reasonable suspicion" and their actions are "motivated by race and ethnicity." The ACLU filed its suit while the city awaits the outcome of a "collaborative reform report" from the Justice Department to evaluate the Police Department's "use of force, training and policies" because the report would not be legally binding.

According to the Washington Post (2/22, Berman, 11.43M), Police Chief Edward Flynn refuted the suit's claims in a statement Wednesday because the police have "never used the practice of 'stop and frisk,' nor has there ever been a quota for traffic stops," another claim the ACLU makes. A spokesman relaying the statement added that "traffic stops in high crime areas have been proven to reduce the number of non-fatal shootings, robberies, and motor vehicle thefts."

US Charges Tennessee Deputy With Guarding Undercover Drug Deal.

The AP (2/22) reports from Memphis, TN that "federal prosecutors in West Tennessee say a former sheriff's deputy is facing charges that he provided security during a cocaine deal." Federal prosecutors in Memphis said on Wednesday that "former Crockett County Deputy Calvin Fields has been indicted on charges of distributing powder cocaine and possession of a firearm during commission of drug-trafficking." Prosecutors said Fields "was seen stationed in his patrol vehicle while on duty, providing security while cocaine was being delivered by an undercover source on Feb. 13," and that "he had a Glock .40-caliber pistol in his possession."

Georgia Inmate Convicted Of Dealing Drugs From Inside Prison.

The Atlanta Journal-Constitution (2/22, Habersham, 1.41M) reports that a federal judge on Wednesday "tacked on 18 years to the sentence Kevin Bristol Patterson was already serving in Ware Penitentiary, U.S. Attorney's Office spokesman Bob Page said." Patterson "will now be transferred to a federal prison instead of the state facility in Waycross." Prosecutors "called the 35-year-old a career criminal who distributed methamphetamine and heroin both inside and outside of prison." Patterson "used a contraband cellphone to set up drug deals, conspiring with two other inmates to deal 649 grams of meth and 334 grams of heroin, Page said. 'This case represents another example of the dangers that contraband cellphones inside of the prison system pose to our citizens outside the prison,' U.S. Attorney John Horn said in a news release."

Maryland Man Pleads Guilty To Producing Child Pornography.

The AP (2/22) reports from Ocean City, MD that "the former owner of an Ocean City theater has pleaded guilty to two counts of producing child pornography." US Attorney Rod Rosenstein said in a statement on Tuesday that David Edward Weatherholtz, 57, "had sexual contact with at least four minors, including family members and a child whom he mentored and taught as owner of the OC Jamboree theater." Weatherholtz "was arrested by an undercover detective with the Worcester County Sheriff's Office who posed as a 13-year-old boy."

Indicted Chicago Alderman Sued By Political Rival.

The Chicago Tribune (2/22, 2.54M) reports that Chicago Alderman Willie Cochran, "under federal indictment for allegedly misusing charity funds to pay for his daughter's college and for allegedly shaking down a liquor store," is now "also being sued by a political rival who says Cochran publicly threatened to assault him for acting as a 'snitch.'" The Rev. Andre Smith, "who ran losing campaigns against Cochran in the South Side ward in the 2011 and 2015 elections, and says he plans to run again," filed a civil lawsuit in Cook County Circuit Court on Tuesday "alleging that Cochran came after him on Valentine's Day at a vigil for slain 11-year-old Takiya Holmes."

US Charges South Carolina Man With Threatening Obama, Trump.

The AP (2/22) reports from Spartanburg, SC that a South Carolina man "has been charged with threatening then-President Barack Obama and President-elect Donald Trump last year." Federal prosecutors announced on Tuesday that "a federal grand jury had indicted 30-year-old Kipper Ken King of Spartanburg on two counts of making the threats around November 28, 2016." According to the AP, "no details of the threat have been released, and indictments against King don't contain any other information." He faces up to five years in prison and $250,000 in fines.

Mexican Woman Linked To Kansas Killing Is Deported.

The AP (2/22, Hegeman) reports from Wichita, KS that "a Mexican woman who tried to hide a gun her boyfriend used to fatally shoot a Kansas teenager has been deported, the government said Wednesday." Azucena Garcia-Ferniza, "a 22-year-old immigrant who had been living in Salina, was deported Friday to Mexico, said Assistant U.S. Attorney Brent Anderson." Garcia-Ferniza was sentenced in December "to the 15 months she had been in custody after pleading guilty to a weapons count that prohibits people who are unlawfully in the country from possessing a firearm." According to the AP, "court documents say she legally entered the U.S. at the age of 3, but her visitor visa expired in 1998." She "was covered in 2013 under the Deferred Action for Childhood

Arrivals program for two years, and had a work permit" that "was terminated after the offense."

US Charges West Virginia Correctional Officer With Assaulting Detainees, Submitting False Report.

West Virginia MetroNews (2/22, Thomas, 6K) reports from Elkins, WV that a Randolph County, WV correctional officer "was charged Wednesday with violating the rights of two pretrial detainees and obstructing justice." MetroNews adds that "according to a statement from acting U.S. Attorney Betsy Steinfeld Jividen, Adam Joseph Neal Graham, 26, of Elkins, is accused of assaulting and injuring detainees at the Tygart Valley Regional Jail in Belington."

The Elkins (WV) InterMountain (2/23, 30K) reports that "the indictment charges that Graham, while serving as a TVRJ correctional officer, assaulted and injured two pretrial detainees, and then submitted a false incident report to cover up his use of unlawful force." The indictment "alleges that Graham assaulted a detainee on February 15, 2015, and assaulted a second detainee on March 9, 2015." Graham "faces up to 10 years for each violation," and he also "faces up to 20 years for allegedly submitting a false incident report."

Two Kansas Men Sentenced For Hate Crime Attack Against Somalis.

The AP (2/22, Hegeman) reports from Wichita, KS that "two southwest Kansas men were punished Wednesday for their roles in a hate crime attack on three Somali that a federal judge said flies in the face of everything cherished in this country." US District Judge J. Thomas Marten sentenced Omar Cantero Martinez, 32, a Mexican citizen, to 26 months in prison. Martinez's brother, Armando Sotelo, 24, of Dodge City, "got a time-served sentence for the 20 months he had already been in jail in the case." The AP adds that "the men were tried last year for three hate crimes charges but the trial ended in a hung jury," and "in lieu of a re-trial, they later pleaded guilty – Sotelo to one hate crime count and Martinez to one perjury count for falsely testifying at the trial that he had been acting in self-defense."

California Auctioneer Charged In Rhinoceros Horn Smuggling Conspiracy.

Courthouse News (2/22, Leonard, 2K) reports that "a Beverly Hills auctioneer will appear before a New York federal judge next week on charges of conspiring to smuggle 15 horns from endangered rhinoceros abroad." According to "the Feb. 15 indictment returned against him, Jacob Chait, 34, was engaged in at least eight separate deals or attempted deals involving 15 rhinoceros horns worth an estimated $2.4 million." Chait, "the head of acquisitions and auctioneer of I.M. Chait Gallery in Beverley Hills, California, is charged with violating the Lacey Act."

Additional coverage was provided by YubaNet (CA) (2/22, 6K), WWLP-TV Springfield (MA) Springfield, MA (2/22, Fay, 35K), and WRC-TV Washington (DC) Washington (2/22, 453K).

NYTimes Analysis: ATF Filed Secret Bank Account With Money From "Shadowy Cigarette Sales."

The New York Times (2/22, Apuzzo, Subscription Publication, 13.9M) reports that "working from an office suite behind a Burger King in southern Virginia, operatives used a web of shadowy cigarette sales to funnel tens of millions of dollars into a secret bank account," and the Times adds that "they weren't known smugglers, but rather agents from the Bureau of Alcohol, Tobacco, Firearms and Explosives." According to the Times, "the operation, not authorized under Justice Department rules, gave agents an off-the-books way to finance undercover investigations and pay informants without the usual cumbersome paperwork and close oversight, according to court records and people close to the operation." The Times adds that "the secret account is at the heart of a federal racketeering lawsuit brought by a collective of tobacco farmers who say they were swindled out of $24 million."

The Washington Examiner (2/22, 400K) reports that "House Oversight Committee Chairman Jason Chaffetz, R-Utah, is demanding that the Bureau of Alcohol, Tobacco, Firearms and Explosives turn over all the information it has about an unauthorized confidential informant program over which the ATF has lost control." The Examiner adds that "in a letter to ATF, Chaffetz charged that the program was not authorized by the Justice Department, and allowed people who are supposed

to serve as informants about illegal cigarette trafficking to pocket the money they earned along the way from selling illegal cigarettes."

US Charges Ten In Steroid Ring Linked To Florida Gym Operator.

The AP (2/22, Anderson) reports that from Miami that "ten people have been charged with operating a $10 million steroid distribution ring allegedly overseen by a Miami man who co-owns a popular bodybuilding gym called Iron Addicts, federal authorities said Wednesday." Federal prosecutors in Brooklyn, NY "announced steroid distribution and money laundering charges against 37-year-old Richard Rodriguez of Miami and nine others, seven of whom live in South Florida and have been arrested." The AP adds that "two were arrested in Phoenix, Arizona, and one suspect remained at large." According to the AP, "court records show Rodriguez runs a company called Wellness Fitness Nutrition LLC and the Iron Addicts Gym at the same Miami location, which was raided early Wednesday the Drug Enforcement Administration agents and U.S. Marshals." The case "is being investigated chiefly by a DEA task force based out of its office in Newark, New Jersey."

The Miami Herald (2/22, Harris, 856K) reports that "federal agents raided a popular Miami gym early Wednesday morning, leaving a U.S. Marshal-branded 'no trespassing' sign on the door and arresting its co-owner on charges of heading a $10 million international steroid production and distribution ring." According to the Herald, "early morning workout buffs at Iron Addicts Gym, on 31 NE 17th St., were herded against the wall by Drug Enforcement Agents, who used sledgehammers to knock down walls in the second story office, a witness wrote on Facebook." The Herald adds that "above the gym, Iron Addicts co-owner Richard Rodriguez ran a supplement company that the DEA said produced and sold anabolic steroids," and "in a criminal complaint, agents accused Rodriguez, 37, and wife Nancy, head of a nine-member steroid ring, of importing products from China, manufacturing steroids in an Arizona lab and distributing the drugs worldwide from a Miami P.O. Box."

The Lakeland (FL) Ledger (2/22, Meyer, 146K) reports that "Pat Trainor, public information officer for the DEA out of Philadelphia, said that he could confirm there is an ongoing investigation of a chemical manufacturer and that warrants were served Wednesday at the two locations."

Philadelphia Physician Pleads Guilty To Illegal Drug Sales.

The Philadelphia Inquirer (2/22, Roebuck, 586K) reports that Dr. Alan Summers "admitted Wednesday to turning his substance abuse clinic into one of the city's most notorious sources for addicts and drug dealers of highly-regulated prescription medications." The Inquirer adds that "federal authorities likened Dr. Alan Summers' now defunct National Association for Substance Abuse-Prevention and Treatment" in south Philadelphia to "an open-air drug market," and that "as he overprescribed medications like the anti-anxiety drug Klonopin and Suboxone, a treatment for heroin addiction, patients openly bought and sold his prescriptions in his waiting room. 'Dr. Summers and many of the other doctors employed by him abandoned the practice of medicine and simply became drug dealers,' Assistant U.S. Attorney Robert J. Livermore wrote in court filings."

ATF Assisting South Carolina Police In Probe Of Teen's Shooting.

The Columbia (SC) State (2/22, 357K) reports that the ATF is "assisting Columbia police in the investigation of a shooting that left a 13-year-old in critical condition." According to the State, "the unidentified 13-year-old victim was shot in the chest while at a home on Wild Iris Court with several other juveniles on Feb. 12." Investigators "are still trying to determine who owned the firearm that was used to shoot the teen, and Columbia police are now working with the Bureau of Alcohol, Tobacco, Firearms and Explosives, police spokeswoman Jennifer Timmons said this week. 'We believe that the weapon was brought to the incident location by a youth,' she said."

ATF Probing Four Georgia Church Fires.

The Atlanta Journal-Constitution (2/21, 1.41M) reports that "local and federal officials are investigating after someone intentionally set four fires at a DeKalb County church." The fires "happened Tuesday night at Restoration Ministries Church in the 4300 block of Mercer Road near

Decatur, DeKalb fire Capt. Eric Jackson said." The AJC adds that "because the fires happened on church property and there were multiple points of origin, the Bureau of Alcohol, Tobacco, Firearms and Explosives is assisting in the investigation."

FINANCIAL CRIME & CORPORATE SCANDALS

Atlanta Mayor Expresses Frustration Over City Hall Bribery Allegations.

The Atlanta Journal-Constitution (2/22, Stafford, 1.41M) reports Atlanta City Mayor Kasim Reed "expressed anger" on the "day after one of his department heads was caught up in the widening Atlanta City Hall bribery scandal." On Tuesday, the FBI "seized items in the office of Adam Smith, the city's chief procurement officer, who was later fired and escorted out of the building."

The Atlanta Journal-Constitution (2/22, Niesse, 1.41M) investigated the Atlanta bribery scandal, and found that "in February 2014 as contractor Elvin 'E.R.' Mitchell Jr. paid $188,000 in bribes for Atlanta contracts, city officials awarded his company emergency work totalling $5.2 million for a devastating ice storm that month." His company, "Mitchell's Cascade Building Systems captured 65 percent of the city's business even though it was only one of five companies hired to clear roads, haul salt and remove debris." The article also notes Tuesday's FBI raid. WSB-TV Atlanta (2/22, Belcher, Diamant, 410K) also carries this results of this investigation online.

Former Atlanta Employee At Center Of Bribery Investigation Still "Close" With City Hall. WXIA-TV Atlanta (2/22, 415K) reports online that "new developments in the Atlanta bribery scandal show that" Mitzi Bickers, a "former city employee at the center of the investigation," remains "close with people in city hall." WXIA says, "Two city contractors have pleaded guilty to offering bribes and the city's chief procurement officer was fired Tuesday. Bickers has not been charged with any crime." WXIA adds, "11Alive uncovered that one of her companies is still doing work for the city. After she retired during a separate ethics controversy, Bickers continued to be paid thousands of dollars for city work."

More Rick Siskey Companies Close To Bankruptcy In Wake Of Alleged Ponzi Scheme.

The Charlotte (NC) Observer (2/22, Rothacker, 656K) reports, "More companies operated by the late Rick Siskey are set to be pushed into bankruptcy as attorneys continue to seek repayment for investors caught up in an alleged Ponzi scheme." The Observer notes, "An FBI affidavit unsealed in January alleged he was operating a Ponzi scheme and that more than 100 investors could be out as much as $19 million."

Collins: Committee Could Subpoena Trump's Tax Records For Election Investigation.

Roll Call (2/22, Lesniewski, 63K) reports Sen. Susan Collins on Wednesday said she believes the Intelligence Committee could subpoena President Trump's tax records as part of an investigation into Russian interference in the election. Collins told Maine Public Radio that while she does not know if the committee "will need to do that," she "suspect[s] that we would" if "it's necessary to get to the answers." Collins added, "My hope is that we'll have a lot of voluntary cooperation." She added, "And keep in mind that in some ways, this is a counterintelligence operation – in many ways – and that's what our committee specializes in." Politico (2/22, Wright, 2.46M) reports Collins also said she wants former National Security Adviser Flynn to testify as part of the investigation and the committee has asked agencies and campaign officials "to preserve" all documents, emails, and text messages "that could be in any way relevant to the investigation."

Law Professors Explore Possible Compromise On Trump's Taxes. In a Washington Post (2/22, 11.43M) op-ed, Harvard law professor Mihir Desai and Southern California law professor Edward Kleinbard say "sensitivity to the president's presumptive reasons for his tax disclosure reticence" and "compromise" is needed to resolve the current "stalemate" over Trump's tax returns. The authors list the "substantive concerns" that Trump could have about releasing his returns, including: his returns "are extraordinarily complex and his wealth large;" he would "prefer not to unleash an army of amateur auditors eager to help the IRS;" and his returns "could reveal confidential commercial information and relationships." Desai and Kleinbard indicate that a possible "compromise" would be for Trump to invite Joint Committee on Taxation to confidentially review his tax returns and report its findings to the IRS for any audit determinations and publish a public

summary that does not include proprietary business information.

Maryland Accountant Pleads Not Guilty To Bribing Lawmaker.

The Washington Post (2/22, Bui, 11.43M) reports that a Rockville, MD accountant "pleaded not guilty to a federal bribery charge in connection with allegations that he paid off a Prince George's County lawmaker to obtain thousands in taxpayer funds." Federal prosecutors have "accused Felix Nelson Ayala, 58, of paying then-Prince George's County Council member William A. Campos (D) $5,000 a year between 2012 to 2015 in exchange for $25,000 in annual funding to the Caucus Salvadoreño Empresarial." The Post notes that Ayala "founded the D.C.-based business caucus that awards scholarships to students in El Salvador and locally." Ayala "entered the not guilty plea in U.S. District Court in Greenbelt on Wednesday, about three weeks after he was charged in the case," and "he also pleaded not guilty to a charge of making false statements to investigators."

Illinois Man Pleads Guilty To Bankruptcy Fraud.

The AP (2/22) reports from East St. Louis, IL that Marck McFarland, of Springfield, IL, "who federal prosecutors say filed for bankruptcy 10 times in five years has pleaded guilty to fraud charges." McFarland pleaded guilty on Tuesday in federal court in East St. Louis, and he is scheduled to be sentenced on June 6. The AP adds that according to court records, McFarland "filed 10 bankruptcy cases in the Central District of Illinois between April 2009 and August 2013." McFarland, 58, "was identified as president of Second Chance Inc., a rehabilitation program for juvenile and adult ex-offenders." According to the AP, "after prosecutors determined Second Chance was located in Springfield, where the case belonged, McFarland filed an amended bankruptcy petition stating Second Chance has an Alton address."

WSJournal: Credit Suisse Caught Up In Another Tax Evasion Probe.

The Wall Street Journal (2/22, Letzing, Viswanatha, Subscription Publication, 6.37M) reports that the Justice Department is investigating Credit Suisse over allegations that its Israeli unit assisted tax evasion.

Maryland Woman Pleads Guilty To Tax Fraud.

WBAL-AM Baltimore (2/22, Waldman, 45K) reports that a Suitland, MD woman "has pleaded guilty in federal court to two counts of preparing fraudulent tax returns, prosecutors say." Joann Little, 60, "worked as a tax preparation firm known as Speedy Tax Service, and earlier, Instant Tax Service," and "she prepared returns for tax years 2009 through 2014 that sought inflated refunds by reporting inaccurate charitable deductions, fake un-reimbursed employee expenses and false businesses. She cost federal coffers at least $262,714, prosecutors say."

Mississippi Man Sentenced For Tax Evasion.

The Biloxi (MS) Sun Herald (2/22, Fitzgerald, 138K) reports that "businessman Samuel Frazier has been sentenced to one year in prison and ordered to pay the Internal Revenue Service $210,589 for failing to file an income tax return for 2009." US Magistrate Judge John Gargiulo "sentenced Frazier, also known as Johnny Frazier, Wednesday in U.S. District Court." Frazier "owned two companies, Frazier Fire Systems LLC and EZ Haul Demolition and Construction LLC, Acting Deputy Assistant Attorney General Stuart M. Goldberg of the Justice Department's tax division said in a news release," and "special agents with the IRS criminal-investigation division had contacted Frazier in 2011 because he had not filed a tax return since 1997, Goldberg said." WLOX-TV Biloxi, MS (2/22, 39K) also reports.

CYBER DIVISION

Advocate Urges Senate's Passage Of Email Privacy Act.

In the Christian Science Monitor (2/22, 387K), R Street Institute Outreach Manager Nathan Leamer urges swift passage of the Email Privacy Act in the US Senate. The bill, "which would require government agencies to get a search warrant before accessing emails or other digital

communications that are more than 180 days old," was passed in the US House last week, but a version of the bill failed in the Senate in 2016. Leamer argues, "Passing the Email Privacy Act to update the three decade old law and require warrants for digital searches is crucial to ensure our online correspondence enjoys the same protections as other personal items in real life."

State Election Officials Rebuke DHS For Designating Electoral System As Critical Infrastructure.

Politico (2/22, Starks, 2.46M) "Morning Cybersecurity" reports, "State election officials on Monday sent the Department of Homeland Security a resolution rebuking it for labeling the electoral system as 'critical infrastructure.'" Members of the National Association of Secretaries of State "overwhelmingly approved the resolution – which declares that DHS 'has no authority to interfere with elections, even in the name of national security.'"

Experts: Hack Of President's Twitter Account Would Cause "All Sorts Of Chaos."

NBC News (2/22, 2.67M) reports that "experts say a hack" of President Trump's Twitter account "and some unauthorized tweets could lead to all sorts of chaos, including profiteering and causing mayhem on the world stage." ZeroFOX founder and CEO Evan Blair is quoted saying, "There is an opportunity now for the president's direct words to be compromised. ... Never has that happened before and now, we're accustomed and trained to expect anything from him." NBC News also presents "another unsettling possibility: Hackers could make brazen statements that could have the potential to upset foreign relations."

Audit: Sophisticated Malware Targeted ATM Transactions In India.

The Economic Times (IND) (2/23, 1.96M) discusses "what till now is the worst cyber breach to compromise" India's payments network, which occurred from May to July 2016. The ET adds, "Weeks after the panic – by when thousands had lost money – it surfaced that hackers had penetrated the network of Hitachi," a third-party ATM transaction processor for some banks. Hitachi hired a payments security firm whose audit report "brings out an uncomfortable truth that most Indian banks and corporates will now have to deal with: anti-virus and anti-malware devices they have installed are no match for targeted cyber attacks." The ET adds that the forensic team was "stunned by the level of sophistication and ingenuity of hackers who targeted Hitachi" and found the malware "was so ingenuously written that it could spread within the Hitachi system at an alarming rate. This was despite Hitachi using some of the best security devices."

GSA IG: 18F Violated Cybersecurity Rules.

The Wall Street Journal (2/22, 6.37M) reports that the 18F initiative aimed at embedding tech executives and personnel in the GSA has been criticized by the GSA's Inspector General, who claims it violated cybersecurity rules and committed other security lapses. According to the IG's reports, 86 percent of 18F-used software was not approved for the GSA IT environment, and none of the information systems the 18F office used had the proper authorizations, with two of the systems containing personally identifiable information.

Researchers Demonstrate How Data Can Be Stolen From Air-Gapped Computers By Reading LED Pulses.

EurekAlert (2/22, 4K) reports researchers from Ben-Gurion University of the Negev Cyber Security Research Center "have demonstrated that data can be stolen from an isolated 'air-gapped' computer's hard drive" by "reading the pulses of light on the LED drive using various types of cameras and light sensors." Researchers demonstrated in a paper "how data can be received by a Quadcopter drone flight, even outside a window with line-of-sight of the transmitting computer." Center R&D head Dr. Mordechai Guri is quoted saying, "Our method compared to other LED exfiltration is unique, because it is also covert. ... The hard drive LED flickers frequently, and therefore the user won't be suspicious about changes in its activity."

Continuing Coverage Of DHS Employees Locked Out Of Own Computers.

NextGov (2/22, 2K) continues coverage of how an "expired security certificate was to blame for some Homeland Security Department employees being locked out of their computers Tuesday morning." NextGov says, "According to a DHS official, domain controller credentials expired on President's Day – a federal holiday – and steps to ensure network redundancy weren't taken. That means the network issues users experienced were preventable."

Experts: Trump Administration Likely To Push For Increased Cyber Spending, Digital Surveillance, Encryption Workarounds.

PC World (2/22, 293K) reports that some cybersecurity experts believe the Trump Administation will push to increase cybersecurity spending in government, but also for increasing digital surveillance and workarounds to encryption. Trump transition tech advisor Jeffrey Eisenach is cited saying Trump will likely seek ways to let the NSA and other agencies assist government and the private sector in defending themselves against cyberattacks. PC World adds, however, that "beyond the leaked drafts, it's difficult to read the tea leaves of a Trump cyber policy, other cybersecurity experts said."

LAW ENFORCEMENT SERVICES

FBI Data Shows Crime Rates Falling Since 1993, Pew Analysis Says.

In a Washington Post (2/22, Ingraham, 11.43M) "Wonkblog" analysis, Christopher Ingraham says that "violent crime and property crime have fallen sharply over the past quarter century" in the US, contrary to President Trump's "characteristically bleak vision of an America beset by 'crime and gangs and drugs.'" Ingraham says "official FBI counts of...violent crime...'fell 50% between 1993 and 2015, the most recent full year available,'" according to a recent Pew Research Center (2/21, Gramlich, 7K) analysis. A "survey of crime victims undertaken by the Bureau of Justice Statistics (BJS) – shows an even sharper drop of 77 percent over the same period." Regarding property crime, "the FBI's numbers show a drop of 48 percent since 1993, while the BJS survey shows a 69 percent drop." However, "last year saw one of the largest year-over-year increases in the murder rate in decades, rising to 4.9 cases per 100,000 people, up from 4.5 per 100,000 in 2014," according to FBI data. In addition, "the FBI's preliminary numbers for the first half of 2016 suggest that incidents of violent crime, including murders, continued to rise last year."

Columnist Jennifer Rubin similarly writes in the Washington Post (2/22, Rubin, 11.43M) "Right Turn" blog that Trump "amplifies" the "misunderstanding" the crime rates are "much worse" than they used to be. Rubin summarizes Pew's analysis of FBI data as finding that "overall crime is way down, but there has been a disturbing uptick in the rate in the past couple of years."

OTHER FBI NEWS

White House Chief Digital Officer, Five Others Dismissed After Failing FBI Background Check.

Politico (2/22, Palmeri, Lippman, 2.46M) reports unnamed sources indicated "White House Chief Digital Officer Gerrit Lansing was among the six staffers who were dismissed from the White House last week after being unable to pass" the FBI security questionnaire SF86. One "source close to Lansing said the issue with the background check was over investments." President Trump's Schedule Director Caroline Wiles also "did not pass the intensive FBI screening."

Former Employee Of Louisiana Sheriff Sues Over Firing After Providing FBI Evidence.

Relying on information in the Baton Rouge (LA) Advocate (2/21, Burgess, 75K), the AP (2/22) reports Deborah Lourd, a former office employee of Iberia Parish Sheriff Louis Ackal, said "the sheriff wrongly fired her for cooperating with the FBI in an investigation against him" last year. The AP notes that prior to Ackal's trial, "Lourd had given investigators several secret recordings of Ackal, including one in which authorities said Ackal used an ethnic slur to refer to someone believed to be federal prosecutor Mark Blumberg." Lourd alleged "she was demoted and stripped of her job duties when Ackal learned in July that she was cooperating with the FBI."

FBI Impersonator Sentenced To Five Years Incarceration.

WJXT-TV Jacksonville, FL (2/22, 142K) reports online that 36-year-old Jacksonville man Anthony Tyrone Jones "was sentenced to five years and six months in federal prison for impersonating an FBI agent, wire fraud and failure to appear." Court documents alleged Jones defrauded an "individual by posing as an FBI agent to induce a woman to have sex with him at no charge after he had previously promised to pay her for sex," for which he was arrested in Jan. 2013. Jones pleaded guilty to the charges last February.

OTHER WASHINGTON NEWS

Administration Reverses Obama-Era Directive On Transgender Students.

Coverage of the Trump Administration's decision to rescind Obama-era guidance on protections of transgender students generally paints a favorable picture of the previous Administration's position. Moreover, some reports highlight the reported disagreement between Attorney General Sessions and Education Secretary DeVos over the new guidance – with the President ultimately siding with Sessions. There was little discussion of the topic on cable and in newspaper commentary sections. Twitter discussion leaned against the Trump Administration's move – with some attacking the President personally and others commenting on his past stance on the issue – though some Trump supporters were pleased by the decision.

NBC Nightly News  (2/22, story 3, 2:00, Holt, 16.61M) was the only broadcast network to cover the story, reporting that "the Trump Administration indicated...it's set to make a big U-turn in the issue of transgender rights, changing course from President Obama's position on whether or not they're protected by federal law. It could have far-reaching consequences." NBC's Pete Williams called it "a big reversal, slowing the push for transgender rights that zoomed ahead under President Obama." However, Williams said on MSNBC's Hardball  (2/22, 713K), "The practical effect in the short term is none because the letter the Obama Administration sent out last May to public schools saying you could lose your federal funds unless you let students use the bathrooms that match their gender identity – that letter was almost immediately put on hold by a federal court...[and] has never had the force and effect of actual education policy."

Jeff Zeleny said on CNN's Anderson Cooper 360  (2/22, 686K) that during a meeting in the Oval Office, Sessions and DeVos "were at strong disagreements here over what they should do about rescinding this guidance, and we are told that" DeVos "was arguing strongly that protections be placed for students. ... This is an early and pretty rare disagreement from two Cabinet secretaries."

The AP (2/22, Danilova, Gurman) says the Administration "is coming down on the side of states' rights" and "stripping students of federal protections to use bathrooms and locker rooms matching gender identities that differ from their birth certificates." White House press secretary Sean Spicer said, "The President has made it clear throughout the campaign that he is a firm believer in states' rights and that certain issues like this are not best dealt with at the federal level."

The New York Times (2/22, Peters, Lichtblau, Becker, Subscription Publication, 13.9M) says DeVos "initially resisted signing off on the order and told President Trump that she was uncomfortable with it, according to three Republicans with direct knowledge of the internal discussions." Sessions, "who strongly opposes expanding gay, lesbian and transgender rights, fought Ms. DeVos on the issue and pressed her to relent because he could not go forward without her consent." The Times says that after the President "sided with his attorney general," DeVos "faced with the choice of resigning or defying the president" or going along.

Alabama Live (2/22, Koplowitz, 804K) says Sessions "flexed his influence" with Trump. Gloria Borger said on CNN's Anderson Cooper 360  (2/22, 686K), "I'm not sure it's Donald Trump's point of view, quite honestly, but it is his Administration's." Erin Burnett said on CNN's OutFront  (2/22, 409K), "This actually goes against what the President said during the campaign." The Huffington Post (2/22, Terkel, 237K) reports that DeVos issued her own statement, saying that she "considered protecting all students, including lesbian, gay, bisexual, transgender and queer

students, 'not only a key priority for the Department, but for every school in America.'" But Reuters (2/22, Trotta) reports that Spicer "denied any division, saying DeVos was in agreement '100 percent.'"

The Wall Street Journal (2/22, Radnofsky, Ballhaus, Subscription Publication, 6.37M) reports Spicer said earlier that the Education and Justice Departments, which both had to sign off on the change, were simply sorting out details. The Washington Times (2/22, Richardson, 272K) reports that the final order read in part, "In these circumstances, the Department of Education and the Department of Justice have decided to withdraw and rescind the above-referenced guidance documents in order to further and more completely consider the legal issues involved. The Departments thus will not rely on the views expressed within them."

The Washington Post (2/22, Somashekhar, Brown, Balingit, Barnes, 11.43M) says the departments notified the Supreme Court that the Executive Branch was "ordering the nation's schools to disregard memos the Obama administration issued during the past two years that said prohibiting transgender students from using facilities that align with their gender identity violates federal anti-discrimination laws." USA Today (2/22, Toppo, 5.28M) says the new guidance could have the effect of "potentially sowing confusion in schools, angering LGBTQ rights groups and adding uncertainty to a widely discussed case due to come before the US Supreme Court next month." The Los Angeles Times (2/22, Memoli, 4.52M) says implementation of the Obama Administration order had already been "uneven; it was challenged in court and judges had varying interpretations." McClatchy (2/22, Kumar, 74K) says the guidance came now largely because the Supreme Court will take up a related case next month.

The Christian Science Monitor (2/22, Kauffman, 387K) writes that Trump "was considered the most pro-LGBT Republican candidate in the 2016 election – a distinction touted by his team as recently as this month. But his administration had sent mixed signals about how they would approach the debate over transgender rights." Vox (2/22, Lopez, 1.15M) writes that Trump "initially said he didn't care what bathrooms trans people use, saying he would let Caitlyn Jenner use the bathroom for her gender identity in Trump businesses. But he later said that the Obama-era guidance, even though it was not legally binding, was an example of federal overreach – and he vowed to undo it if elected." On MSNBC's Rachel Maddow Show (2/22, 769K), Rachel Maddow said, "As of tonight, everybody who told you that the Trump Administration wouldn't be terrible on LGBT issues, at least they'll be okay on that – as of tonight, now you know those people were all full of it."

People (2/22, McAfee, 5.23M) reports that the "backlash has already begun," with New York City Mayor Bill de Blasio tweeting, "We affirm the right of every New Yorker to use the bathroom that fits their identity. A new president will not change our values." The Miami Herald (2/22, Mazzei, 856K) reports that Rep. Ileana Ros-Lehtinen (R-FL), who has a transgender son, said, "This lamentable decision can lead to hostile treatment of transgender students and studies have shown that bullying and harassment can be detrimental to the emotional and physical well-being of teenagers." The Glens Falls (NY) Post-Star (2/22, Goot, 90K) reports that teachers unions were also critical. American Federation of Teachers said, "LGBTQ kids face a disproportionate amount of bullying and violence at school, leading to increased levels of fear, anxiety or worse."

Inauguration singer Jackie Evancho, who has a transgender sister, tweeted, "@realDonaldTrump u gave me the honor 2 sing at your inauguration. Pls give me & my sis the honor 2 meet with u 2 talk #transgender rghts." News of her tweet, which has been liked more than 4,000 times and retweeted more than 2,000 times, was trending on Facebook.

The Texas Tribune (2/22, Ura, 12K) says it is "unclear" what the revocation will mean for a "proposed 'bathroom bill' filed by Texas Republicans, in part, as a response to the Obama directive." Though Pennsylvania was not among the 13 states – 12 of which voted for Trump – that sued over the Obama Administration policy, the Harrisburg (PA) Patriot-News (2/22, DeJesus, 523K) reports that "nearly 100 state House members penned a letter to Obama calling the guidelines an 'unconstitutional intrusion' that should be 'rescinded immediately.'"

Koa Beck of Vogue (2/22, 3.53M) calls the shift "an assault on children's welfare," writing that "78 percent of transgender/gender non-conforming students in grades K-12 have experienced harassment, according to the National Transgender Discrimination Survey. ... 35 percent of students experienced physical assault and 12 percent have survived sexual violence. This abusive

reality for kids becomes statistically fatal in adulthood. The National Coalition of Anti-Violence Programs reports that 55 percent of all reported LGBT and HIV-affected homicide victims in 2014 are of transgender women, and 50 percent are of transgender women of color." But David French, who considered an independent presidential run last year as a conservative alternative to Trump, writes in the National Review (2/22, French, 696K) that the Obama Administration policy was "lawless and radical."

Advocates: High Court Rulings On Abortion, LGBT Matters Are Interlinked. Nancy Northup of the Center for Reproductive Rights and Rachel Tiven of Lambda Legal write in a Washington Post (2/22, 11.43M) op-ed that their organizations "won leading Supreme Court cases in recent years on sexual and reproductive rights" that "rest on a shared foundation of legal precedent, which is the often unseen root structure of the law that guides the decisions of judges at all levels." They write that any Supreme Court reversal on either issue affects the other.

Media Analyses: Trump Dismissive Of Angry Voters Confronting GOP Lawmakers.

Angry voters confronting Republican lawmakers around the country and the criticism of them from President Trump and the White House as planned actions by professional liberal activists garnered more than nine minutes of coverage on the network news broadcasts Wednesday – including as the lead story for ABC World News Tonight  (2/22, lead story, 4:45, Muir, 14.63M) – as well as heavy print and online coverage and cable commentary. The coverage – while not especially negative toward the President – generally portrays him as dismissive of the protesters, and likens the confrontations to the conservative opposition that confronted President Obama while he was in office.

The AP (2/22, Wyatt) reports that just as Republicans "benefited from rowdy town halls six years ago and harnessed a wave of discontent with Democrats to win seats in Congress," they are learning this week that "the left is happy to return the favor." Democrats and their allies across the nation "are spending this short congressional recess protesting elected Republican politicians who are avoiding the events that often turn into shouting matches." The "new left and left-leaning protesters are taking out their ire on Republicans and their links to President Donald Trump." Rep. Mark Sanford said on CNN's Situation Room  (2/22, 554K), "The President has broken every conventional political rule out there on things that one could say, and I think that to a degree has given people what they perceive to be license to be awfully rough and at times maybe crossing the line with regard to rudeness in some of these town hall meetings."

The Washington Post (2/22, Zak, Samuel, 11.43M) says lawmakers have "felt the wrath of liberals (and of some conservatives) who are terrified of Trump's divisive rhetoric and swift executive actions," and, like the Los Angeles Times (2/22, Barabak, Cherwa, 4.52M), cites examples from around the country. According to the Times, the "raucous gatherings have been the mirror image of the clamorous sessions that birthed the tea party movement early in President Obama's term, a conservative opposition that tormented him – and sometimes the GOP establishment – throughout his eight years in office." USA Today (2/22, Sullivan, Estepa, 5.28M) also provides examples.

McClatchy (2/22, Tate, 74K) says that even in his hometown of Louisville, Kentucky, Senate Majority Leader McConnell "couldn't escape frustrated constituents who weren't crazy about his plan to repeal Obamacare." Inside and outside a luncheon with local business leaders, McConnell "faced a large group of Kentuckians who demanded answers from their senator of more than 30 years." For his part, "McConnell acknowledged the protesters, calling their presence 'as American as apple pie.'"

The Los Angeles Times (2/22, Barabak, Cherwa, 4.52M) says the question "is whether the outpouring at town halls, the circuit-jamming phone calls to Capitol Hill and the email- and letter-writing campaigns are the start of a meaningful political movement or merely an angry spasm," and the answer "is unknowable until the next nationwide election in November 2018." On NBC Nightly News  (2/22, story 2, 2:15, Holt, 16.61M), correspondent Pete Alexander said lawmakers are "wondering whether this is an isolated moment or the start of a movement," while Trump "remains unimpressed, mocking so-called angry crowds, insisting many are planned out by liberal activists."

In its lead story, ABC World News Tonight (2/22, lead story, 4:45, Muir, 14.63M) highlighted a tweet from the President, which read, "The so-called angry crowds in home districts of some Republicans are actually in numerous cases planned out by liberal activists. Sad!'" The New York Post (2/22, Schultz, 3.82M) reports that White House press secretary Sean Spicer said Wednesday, "I think some people are clearly upset, but I think there is a bit of professional protester, manufactured base in there. ... But obviously there are people that are upset, but I also think that when you look at some of these districts ... it is not a representation of a member's district." Spicer added, "Just because they're loud doesn't necessarily mean there are many." The CBS Evening News (2/22, story 5, 2:20, Mason, 11.17M) similarly said the White House "claims professional outside agitators are partly to blame," but congressional correspondent Nancy Cordes, reporting from meeting being held by Sen. Bill Cassidy, said that if any "professional agitators were lurking in a line outside the Jefferson Parish Library today, we didn't meet them."

Politico (2/22, Cheney, 2.46M) reports that in addition to the ACA, "Donald Trump's relationship with Russia" is "animating" the town halls as "constituents and liberal activists are demanding to know what GOP lawmakers are doing to help or hinder investigations into the president's ties to Moscow and Russian interference in the 2016 election," suggesting that "the firestorm over alleged ties between Russian officials and members of Trump's campaign and administration has spread well beyond the Beltway." According to Politico, the interest of their constituents in the issue "could increase pressure on GOP lawmakers to pursue a serious and far-reaching probe," and will "test how far Republican are willing to go in openly challenging the new president, who has consistently dismissed the matter as 'fake news.'"

Rep. Marsha Blackburn said on CNN's Anderson Cooper 360 (2/22, 686K), "The anger, indeed, was real from the individuals that were in the room. What we found was so interesting – a little bit less than one-third in the room were constituents of mine." Blackburn added that some residents "were not able to get into the meeting and, of course, the reservation or the seats had been taken by those that were actually from outside of my district."

WPost A1: State Department "Sidelined" By Trump Administration.

According to a front-page story in the Washington Post (2/22, A1, Morello, Gearan, 11.43M), the Trump Administration has "largely benched the State Department from its long-standing role as the preeminent voice of US foreign policy, curtailing public engagement and official travel and relegating Secretary of State Rex Tillerson to a mostly offstage role." The Post reports that "decisions on hiring, policy and scheduling" are all being driven by the White House, which is "wary of the foreign policy establishment and struggling to set priorities and write policy on the fly." The "most visible change" is the "month-long lack of daily press briefings" and Tillerson's absence from White House meetings with foreign leaders. While acknowledging that "it is still early in Tillerson's tenure," the Post says "the biggest factor is the confusing lines of communication and authority to the White House, and Trump's inclination to farm out elements of foreign policy to a kitchen Cabinet of close advisers."

Elise Labott, meanwhile, said on CNN's Situation Room (2/22, 554K) that European diplomats are "very nervous" over the "mixed messages" being sent by the Administration, and those diplomats "don't know where to turn." Labott said there are "very few" career diplomats left at the State Department, "so they don't know who to talk to." According to Politico (2/22, Toosi, 2.46M), Tillerson "has asked his aides to find ways to improve his media profile, a request that comes as US diplomats increasingly worry about the direction of the State Department and whether their new boss has enough influence" with the President. A "State Department official said Tillerson's aides have asked staffers at the agency to draft a paper laying out ways he can engage with reporters, who have been given almost no access" to him, suggesting that he is "concerned about the perception that he is out of the loop on major foreign policy decisions" being made by the Administration.

Politico Analysis: Trump's Hiring Style "A Shock To Washington."

According to Politico (2/22, Dawsey, Stokols, 2.46M), President Trump's hiring style is "something

of a shock to Washington's political culture" for his intuitive decisions often based on first impressions. Politico says he cares most about "appearance, loyalty and a strength." When he does not make choices on a whim, Trump often consults a wide, and sometimes unexpected, array of opinions, says Politico. Sources close to the President assert that those who control the information he sees about nominees have significant power.

"Our Revolution": Trump Betrays Voters By Hiring "Wall Street Lackeys."

The Washington Post (2/22, Wagner, Merle, 11.43M) reports the spinoff group from Sen. Bernie Sanders' campaign called Our Revolution claims on its website President Trump's nomination of many Wall Street executives, particularly from Goldman Sachs, is "hypocritical" because of his promises "to look after working-class people." Trump proponents argue, however, that voters are more concerned with how the economy performs and whether they have jobs than which "Wall Street lackeys," as Our Revolution says, the President appoints to make policy. The Post also notes the Administration's efforts to weaken the Dodd-Frank Act which "could save the industry billions," although a Goldman Sachs statement says it has had "no involvement in the drafting of any executive orders."

Breitbart Profiles Deputy Chief Of Staff Katie Walsh.

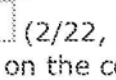
In a more than 2,600-word exclusive, Breitbart (2/22, 2.02M) profiles Deputy Chief of Staff Katie Walsh, saying that she, along with "other strong women on President Donald J. Trump's team," is "instrumental in making the White House function." According to Breitbart, Walsh is charged with "making sure that the key items President Trump and his inner team want to handle get on the schedule and that his time – and the time of the key people around him – is used to the fullest extent possible."

Local Police Concerned Immigration Orders Will Hinder Fight Against Gangs.

The New York Times (2/22, Robbins, Subscription Publication, 13.9M) reports local police are concerned that the Administration's immigration orders – especially the requirement that local law enforcement detain undocumented immigrants – could negatively impact the fight against gangs. The Times cites a statement from the International Association of Chiefs of Police last month that said it would "strongly oppose any initiative that would mandate that state and local law enforcement agencies play a role in the enforcement of federal immigration law." The Times highlights Suffolk County as an example of "wrestling with a conundrum facing police departments across the country" as they determine "how to shut down a violent gang when the immigrants they will need as witnesses and tipsters may be afraid to come forward."

White House Says Revised Immigration Order To Be Released Next Week.

NBC Nightly News  (2/22, story 4, 0:15, Williams, 16.61M) reported that the White House said its revised executive order that restricts immigration from seven countries will not be released until next week. Reuters (2/22, Rascoe) and Bloomberg Politics (2/22, Jacobs, 201K) report that President Trump had indicated that the order would be released this week.

The Hill (2/22, Fabian, 1.25M) indicates that the Administration did not provide a reason for the delay. However, John Roberts reported on Fox News' Special Report  (2/22, 1.53M) that he "was told this morning that it may be pushed to next week because they want to make sure...it passes legal muster." Roberts said the new order is "expected to target the same seven countries as the original one," and "will implement the same 50 percent cut in refugee admissions this year, limiting admissions to 50,000." However, "in a nod to the courts, the new order will drop the indefinite suspension of Syrian refugees." Instead, Roberts said, it "likely call for a temporary suspension of all refugees from any country until those countries can put in place a background security test that can pass US standards." In addition, the new order is expected to specifically exempt "legal permanent residents and other visa holders from the ban." Jim Sciutto said on CNN Wolf  (2/22, 224K) that "there has been a continuing contradiction among Donald Trump's advisers" on the content of the new order. Sciutto indicated that Stephen Miller has said that "the

changes to the new executive order were...going to be minor and technical." However, Sciutto added that Press Secretary Sean Spicer "is claiming that it is a whole different thing, it's not about the Muslim faith, it's actually about vetting."

Analysts Say Non-Substantive Change Might Not Satisfy Court. The Washington Post (2/22, Zapotosky, 11.43M) reports that analysts say that only making non-substantive changes to the order "could hurt the administration's bid to lift the court-imposed suspension" of the restrictions. Leon Fresco, who worked in the office of immigration litigation during the Obama Administration, said "it is very bad to say our intent here is to engage in the prohibited outcome" when trying to "moot out litigation."

Huckabee: Trump Is "Keeping A Campaign Promise" With Immigration Order. Mike Huckabee said on Fox News First 100 Days  (2/22), "I think it's as Donald Trump is keeping a campaign promise, one that the American people elected him to do." Huckabee compared the order to "lock[ing] your doors at night when you go to bed." Huckabee said, "Donald Trump is locking America's doors at night and he says if you would like to come in, knock on the door, we will come to the door. Just like in every neighborhood, we don't open the door and invite everyone and who knocks on the door. We'll check these folks out and see. That is common sense."

Lieu: Administration's Actions Are "Offensive, Un-American, And Cruel." Rep. Ted Lieu said on CNN Wolf  (2/22, 224K), "Having come to the United States as an immigrant, I find the Administration's actions offensive, un-American and cruel. It's going to separate children from their parents. It's going to break apart families. At least under George Bush, we had compassionate conservatism. This is cruel conservatism, and is going to lead potentially to large-scale deportations and that is not what is good for America and I hope people see about what's to happen and we stop it."

Media Analyses: Fear Of Deportation Impacting Lives Of Undocumented Immigrants.

The Los Angeles Times (2/22, Vives, 4.52M) reports the Administration "swept aside nearly all restrictions Tuesday on targeting for removal" of undocumented immigrants, leading to "heightened fears among people in this country illegally." Some of those individuals, the Times says, indicate "they are now preparing for the possibility of deportation." The Times says the developments "were reverberating on the streets of Southern California and beyond" and highlights personal stories of impacted undocumented immigrants. The New York Times (2/22, Yee, Subscription Publication, 13.9M) similarly says that the threat of deportation for undocumented immigrants in California's Central Valley "has now begun to distort every movement." The Times adds that this is a change from when deportation was mostly a "threat on paper."

WSJournal: DHS Immigration Memos Are Too Broad. The Wall Street Journal (2/22, Subscription Publication, 6.37M) editorializes that the recent immigration memos by DHS Secretary Kelly are too broad, as they will cost billions of dollars, expand the size of government, and increase government intrusiveness. The Journal says that while the US should deport undocumented immigrants who are criminals, spending these resources to identify and deport people committing low-level crimes is not worth the effort and creates a negative image. Instead, the Journal says that the US should focus on deporting people who commit major crimes.

CBS Features Teenage Refugees Who Want Trump To "Reconsider" Order. On the CBS Evening News  (2/22, story 10, 2:50, Mason, 11.17M), Mark Strassmann spoke to teenage immigrants who believe Trump "should reconsider" his immigration order. One teenager is shown saying, "America's like a savior. There's always, like, a second chance." A Somali war refugee said that officials making the policies "don't really think about who they're affecting. You leave everything in your old country just to get here, and then it's like a slap in the face."

Churches Facing Decisions On Whether To Offer Sanctuary To Undocumented Immigrants.

The Tennessean (2/22, Meyer, 407K) reports that "faith communities across" the country "have signed on to the growing sanctuary movement" by "agreeing to shield undocumented immigrants from deportation." However, the Tennessean says "not all congregations support the movement nor

think it's appropriate to go against the federal government." The Tennessean highlights churches that both support and have decided against becoming sanctuaries, adding that "the issue could become more pronounced in the months ahead."

House Speaker Visits US-Mexico Border.

NBC Nightly News  (2/22, story 6, 0:15, Holt, 16.61M) reported House Speaker Ryan on Wednesday went on a "fact-finding tour" of the US-Mexico border with Homeland Security officials. Ryan, according to the AP (2/22), visited McAllen, TX and came "face to face with some of the challenges that arise in building a wall." The AP says Ryan met with local officials and toured the area by boat, helicopter, and horseback. The New York Times (2/22, Flegenheimer, Subscription Publication, 13.9M) quotes Ryan as saying in a statement, "When you see with your own eyes the many challenges facing our law enforcement professionals along the border, it gives you even greater respect for the work that they do day in and day out." Ryan added, "But more tools and more support are needed for them to do their jobs effectively. Congress is committed to securing the border and enforcing our laws, and together with the Trump administration, we will get this done."

Drug Smuggling Prevalent Along "Areas With A Border Wall."

NBC Nightly News  (2/22, story 8, 2:15, Holt, 16.61M) reported, "President Trump has said that proposed border wall will help stop the skyrocketing overdose rate in the US, driven in large part by an increase in narcotics coming in from Mexico. But as NBC's Jacob Soberov found out along a section of border that already has high security, smugglers are putting US authorities to the test every day." Soberov reported, "The DEA says most narcotics entering the US are driven in, hidden in vehicles, through...legal border crossings." Soberov said of these crossings: "One thing these places all have in common, they're all areas with a border wall."

McAuliffe Vows To Veto Sanctuary City Prohibition.

The Washington Post (2/22, Schneider, Vozzella, Sullivan, 11.43M) reports the GOP-controlled Virginia Senate voted along party lines 21-19 Wednesday to approve a bill banning sanctuary cities that Governor Terry McAuliffe has vowed to veto. The Virginia ACLU called on McAuliffe to uphold his commitment to protect immigrant communities made in his letter last week.

McMaster Considering Reorganization Of NSC.

The New York Times (2/22, Baker, Subscription Publication, 13.9M) reports National Security Adviser McMaster is "considering a reorganization of the White House foreign policy team that would give him control of Homeland Security and guarantee full access to the military and intelligence agencies." One proposal under discussion "would restore the director of national intelligence and the chairman of the Joint Chiefs of Staff to full membership" to the NSC's principals committee, "according to two officials." But "left uncertain is what, if anything, will happen regarding" Chief Strategist Steve Bannon, who was made a member of the principals committee.

Former Under Secretary of State Tony Blinken told CNN's Anderson Cooper 360  (2/22, 686K) that Bannon's presence on the National Security Council has left it in disarray. Blinken said Bannon is "trying to have policy around and above the NSC without trying to get input. That is not a good recipe for good sound policy."

IRS Audits Drop For Fifth Straight Year.

The Wall Street Journal (2/22, Rubin, Subscription Publication, 6.37M) reports preliminary data released Wednesday shows budget cuts at the IRS have resulted in a fifth straight year of decreased tax audits of individuals, with 2016 the lowest since 2003. According to the data, the agency's audits of high-income households and businesses also declined, with its enforcement staffing down 30% since the 2010 peak, which the Journal attributes to spending cuts and an effort by the GOP to punish the IRS for its treatment of tea party organizations.

Authorities Close Down Dakota Access Protest Camp.

ABC World News Tonight  (2/22, story 2, 1:45, Muir, 14.63M) reported a "dramatic final showdown" as authorities moved to evacuate Dakota Access protesters camped out on Army Corps land, and one police officer indicated the area could soon face flooding. The CBS Evening News  (2/22, story 2, 1:20, Mason, 11.17M) said authorities arrested "several holdouts just after 4:00 p.m." In its lead story, NBC Nightly News  (2/22, lead story, 1:55, Holt, 16.61M) specified "about 100 defied orders to leave" and that the police were "peacefully" making arrests. The New York Times (2/22, Smith, Blinder, Subscription Publication, 13.9M) reports in a front-page story that one policeman indicated the authorities' reluctance to "mount an immediate raid."

According to the Los Angeles Times (2/22, Tchekmedyian, 4.52M), hundreds of protesters voluntarily left prior to the 2:00 p.m. deadline, "praying singing and beating drums." The Washington Post (2/22, Berman, 11.43M) reported video footage and images displayed on cable news and social media Wednesday showed camp structures on fire, which the AP reported was part of praying protesters' ceremony as they left the camp. Some said they would resist the eviction order. The Washington Times (2/22, Richardson, 272K) says the state of North Dakota has set up a travel-assistance center to "provide protesters with support as they prepare for their return home," including food, water, wellness assessments, lodging, and travel vouchers.

WPost: Montgomery County Role Model For Prosecution Of Child Abuse.

The Washington Post (2/22, 11.43M) writes in an editorial that the fact prosecutors secured three convictions in Montgomery County, Maryland in the past year for cases involving the death of very young children is notable, and it underscores State's Attorney John McCarthy's priority in fighting such crimes. The prosecution showed that "dynamic head movement and impact can do great damage to young brains and those who might suggest otherwise do a great disservice." The Post says resources the county put toward the effort should be mirrored in other jurisdictions.

DOJ IG Looks At Upcoming Challenges.

Federal News Radio (DC) (2/22, Thomas, 16K) reports that the Justice Department's Office of Inspector General (OIG) "has a lot on its plate in 2017 to ensure money and time are used wisely to combat fraud, waste, drugs and threats to national and cyber security." According to FNR, "some of the biggest challenges the department will face in upcoming months are keeping track of appropriated funds to federal, state and local law enforcement, managing overcrowded prison systems and safeguarding national and cyber security, said DoJ Inspector General Michael Horowitz on In Depth with the Justice Department. 'The challenge for law enforcement and the intelligence community in particular is on understanding where those attacks may come from and what's causing the issues to arise,' Horowitz told Eric White on the Federal Drive with Tom Temin. 'It's also a challenge to do that in a manner that is obviously consistent with our constitutional safeguards and protections.'"

Sterling Heights, MI To Allow Mosque Construction In Settlement With DOJ.

The New York Times (2/22, Victor, Subscription Publication, 13.9M) reports that "over the objections of some residents, a Muslim group won the fight to build a mosque in Sterling Heights, Mich., after the city on Tuesday settled a lawsuit by the Justice Department that accused officials of religious discrimination." The American Islamic Community Center "applied to Sterling Heights, about 16 miles from downtown Detroit, to build the house of worship in August 2015." According to the Times, "the planning commission rejected the application, citing concerns over the building's height, parking and noise," but "the lawsuit, filed in December – and the anti-Muslim language used by many residents who spoke at public meetings about the mosque – suggested that the rejection and the uproar were more about religion than by-the-book zoning details."

The Detroit Free Press (2/22, Warikoo, 1.01M) reports that "attorneys for the AICC cheered the settlements, calling them a victory for religious freedom and the Muslim-American community, which was concerned after the city in 2015 denied permission for the center to build a mosque on 15 Mile Rd between Mound and Ryan roads." Residents "who objected to the proposed 20,5000-

square-foot mosque believed it was not suited for the area, which they said was zoned more for residential use." Eastern Michigan US Attorney Barbara McQuade, "who handled the case along with the civil rights division of the Justice Department, also applauded the settlement. 'I grew up in Sterling Heights, and I am proud that the city is taking steps to protect the religious rights of all of its residents,' McQuade said in a statement. 'The law protects people of all religions from discrimination or unnecessary obstacles when they seek to build a place of worship.'"

Reuters (2/22, Ingram) reports that the Sterling Heights City Council "has approved a stalled proposal to build a mosque, a necessary step to settle discrimination lawsuits from Muslim residents and the U.S. Department of Justice." Reuters adds that "the council's unanimous vote late on Tuesday followed a raucous meeting where opponents were especially vocal." Sterling Heights Mayor Mike Taylor "said on Wednesday that one mosque opponent accused council members of working with 'terrorists.'" Reuters notes that "mosque opponents in Michigan and elsewhere had sought help from Attorney General Jeff Sessions and President Donald Trump," but the Justice Department on Wednesday "released a statement commending the approval of the mosque. 'Federal law protects the right of faith communities to build places of worship without discrimination or unreasonable burdens on their religious exercise,' said acting Assistant Attorney General Tom Wheeler, a Trump appointee overseeing the Civil Rights Division."

DOJ Joins Texas AG In Seeking Delay For Hearing On Voter ID Law.

The AP (2/22, Rauf) reports that the Justice Department joined Texas Attorney General Ken Paxton on Wednesday "in asking a federal court to delay a hearing on the state's voter ID law, the latest signal that the federal government might drop its opposition to the law now that Donald Trump is president." In a joint filing, the department and Paxton "asked to delay next Tuesday's hearing until summer because the Texas Legislature is considering changes to the existing law, which a federal court has found to be discriminatory." The AP notes that the Obama Justice Department had joined the lawsuit contesting the law. The AP adds that Senate Republicans in Texas this week "introduced a revised voter ID bill that could address problems courts have identified with the existing Texas law, namely the lack of an affidavit process for voters who are unable to obtain one of seven forms of state-approved photo identification."

DOJ: Massachusetts Town In Compliance With ADA.

The Fall River (MA) Herald News (2/22, Holtzman, 156K) reports from Swansea, MA that the Justice Department "informed town officials in a recent letter" that "Americans with Disabilities Act compliance on town buildings, including voting places, dating to a settlement agreement five years ago, has been completed. 'During this time, you have submitted documentation, photographs, reports and other evidence to demonstrate the town's progress in complying with the settlement agreement … the department is satisfied that the town has satisfactorily complied with the settlement agreement, and we are, therefore, closing our files on this matter,' says a Jan. 13 letter from Kevin Kijewski, deputy chief of the DOJ Disability Rights Section."

Deaf Woman Settles Lawsuit With NYC Police Over Denial Of Interpreter.

The New York Daily News (2/22, Rayman, 4.45M) reports that "a deaf and speech-impaired woman who sued the NYPD for allegedly denying her a sign-language interpreter while she was jailed overnight has won a $100,000 settlement from the city, the Daily News has learned." Opal Gordon "was arrested on Sept. 21, 2015 while leaving Manhattan Family Court," and she was accused of violating an order of protection. Gordon, 54, "who describes herself as 'profoundly deaf and speech-impaired,' claimed cops didn't explain why they collared her – and didn't provide a sign-language interpreter." The News notes that "the NYPD inked a consent decree with the U.S. Department of Justice in 2009 to improve its treatment of deaf people – including special training for officers and providing interpreters 24 hours per day," but "some members of the deaf community and their advocates maintain the department has failed to uphold the agreement."

INTERNATIONAL NEWS

Tillerson, Kelly To Discuss Immigration Issues With Mexican Officials.

Media reports previewing today's visit by Secretary of State Tillerson and DHS Secretary Kelly to Mexico overwhelmingly cast it as coming at time of tense relations between the two countries. Reports indicated they are likely to face criticism from Mexican officials over the Administration's newly announced immigration enforcement guidelines and plans to build a border wall. The AP (2/22, Lederman), for example, says the two officials are on "a fence-mending mission complicated by the actual fence [Trump] wants to build" on the border, and Mexico's government signaled Wednesday that "it was in no mood to be lectured by the new US administration."

NBC Nightly News  (2/22, story 7, 0:15, Holt, 16.61M) reported Tillerson and Kelly will meet with Mexican President Enrique Peña Nieto, "who last month canceled a meeting with President Trump after he insisted Mexico would pay for the border wall," and CNN's Situation Room  (2/22, 554K) reported the trip comes as "Mexican officials are already voicing concern about the new enforcement measures, not to mention the proposed border wall." However, White House press secretary Sean Spicer on Wednesday "insisted the relationship isn't under strain." Spicer said, "I would argue that we have a very health and I robust relationship with the Mexican government and Mexican officials and I think they would echo that same sentiment. ... I think the relationship with Mexico is phenomenal right now." The Washington Post (2/22, Olivo, 11.43M) says Spicer "played down the apparently deepening rift," and the CBS Evening News  (2/22, story 3, 1:55, Mason, 11.17M) quoted him as saying, "I think that Secretary Tillerson and Secretary Kelly are going to have a great discussion down there and walk through the implementation of the executive order." Reuters (2/22, Mason) also reports Spicer's comments.

AFP (2/22) reports Trump "has outraged Mexico," and "now he has sent Tillerson and...Kelly to Mexico City to smooth over tensions." Spicer told reporters yesterday, "It's significant that the president is sending the secretaries to Mexico so early in the administration. It's symbolic of the meaningful relationship that our two nations have."

While Tillerson and Kelly are seeking to "ease relations strained significantly by President Trump's politics and rhetoric," CNN's Situation Room  (2/22, 554K) reported that even before they arrived, Mexico delivered a "hard line," saying "they're not going to pay for any wall, [and] they're under no obligation to accept any deportees, except Mexican nationals." Saying the "timing could not have been stranger for the first visit of America's newest top diplomat to Mexico," Fox News' Special Report  (2/22, 1.53M) showed Foreign Minister Luis Videgaray saying, "I want to say clearly and emphatically that the government of Mexico and the Mexican people do not have to accept provisions that one government unilaterally wants to impose." Reuters (2/22, Alper, Rama) says Mexico "reacted with anger" to what Videgaray called "hostile" new US immigration guidelines, and the New York Post (2/22, Moore, 3.82M) described Videgaray as "defiant." The Washington Times (2/22, Dinan, 272K) also reports his remarks, which the Wall Street Journal (2/22, Schwartz, De Córdoba, Subscription Publication, 6.37M) says in a front-page story headlined "Top US Officials Get Chilly Reception in Mexico" do not bode well for Tillerson and Kelly.

The Los Angeles Times (2/22, Wilkinson, McDonnell, 4.52M) reports that "Mexican officials must walk a fine line: appeasing get-tough calls from an irate domestic audience, without further alienating the leaders of Mexico's key trading partner at a time when the nation's economy is already shaky." USA Today (2/22, Agren, Stanglin, 5.28M) likewise says the Mexican government "faces a tough balancing act between diplomacy with Trump to achieve a good outcome and standing up to the new president." Former Mexican Ambassador to the US Arturo Sarukhan told CNN's Situation Room  (2/22, 554K) that while "we have to recognize the fact that Secretary Tillerson decid[ing] to do his first bilateral trip to Mexico is an important gesture," deporting non-Mexican nationals to Mexico "is a nonstarter."

A Washington Post (2/22, 11.43M) editorial says "if the goal" of today's visit "was to widen bilateral cooperation and soothe the harsh feelings Mr. Trump has engendered with our neighbor and ally, the timing was pitiable."

Tillerson, Kelly Will Not Meet With Top Mexican Trade Official. The Wall Street Journal (2/22, Schwartz, Whelan, Subscription Publication, 6.37M) reports Tillerson and Kelly are scheduled to meet with the Mexican ministers of finance, interior, national defense, and the navy, but not with the nation's economy minister, Ildefonso Guajardo, who is expected to lead the

renegotiation of NAFTA.

Lieu: US-Mexican Relations At Historic Low. Rep. Ted Lieu said on CNN Wolf (2/22, 224K), "Sean Spicer is lying again. He said that US-Mexico relations are phenomenal. That is false. There have been large protests in Mexico against Donald Trump's policies and Mexican lawmakers just introduced legislation to say they are not going to buy US corn. These relations are at one of the worst points in US-Mexican history."

Trudeau Defends Plan To Give US Border Agents Greater Authority In Canada.

Reuters (2/22, Ljunggren) reports Canadian Prime Minister Justin Trudeau on Wednesday "defended plans" to allow US border agents based in Canada greater ability to question and search individuals entering the US by saying that travelers would have the protection of domestic laws. Trudeau said, "Canadian laws are in place, so there is extra protection when Canadians go through American customs in Canada." Reuters says Trudeau is "under pressure" from "left-leaning opposition New Democrats" who are concerned that US border guards "are already racially profiling Canadians" entering the US.

Reuters Poll: Republicans More Concerned With Leaks Than Administration's Ties To Russia.

McClatchy (2/22, Welsh, 74K) reports a new Reuters poll found that more Republicans are worried about leaks from the White House than the Administration's ties with Russia. The poll asked people to select "the most concerning" statement between "reports of conversations between Russia and the Trump team" or "leaks to the media about those conversations." Fifty-seven percent of Republican respondents said the leaks were most concerning, while 23 percent chose the conversations with Russia.

#TrumpRussia Hashtag Trending With More Than 76,000 Tweets. The hashtag #TrumpRussia was trending on Twitter Wednesday evening with more than 76,000 tweets as of 6:30 p.m.

THE BIG PICTURE

Headlines From Today's Front Pages.

Wall Street Journal:
Fed Minutes: Officials See Rate Increases 'Fairly Soon'
Treasury Secretary Steven Mnuchin Sees Tax Overhaul By August
Top US Officials Get Chilly Reception In Mexico
Sanders Loyalists Are Taking Over The Democratic Party One County Office At A Time

New York Times:
Trump Rescinds Rules On Bathrooms For Transgender Students
Immigrants Hide, Fearing Capture on 'Any Corner'
7 Earth-Size Planets Orbit Dwarf Star, NASA And European Astronomers Say
ATF Filled Secret Bank Account With Millions From Shadowy Cigarette Sales
Kim Jong-Nam's Death: A Geopolitical Whodunit
Inside Uber's Aggressive, Unrestrained Workplace Culture
North Dakota Arrests 10 As Pipeline Protest Camp Empties

Washington Post:
In Va.'s Trump Country, Pleas To Be Heard
State Dept. Sidelined In Trump's 1st Month
Earthlike Planets Orbiting Nearby Star
ISIS Exploits A Back Door Into Power
Trump Revokes LGBT Policy

Financial Times:
Stolen Gate Returned To Dachau Camp
Unilever To Review Business Following Kraft Heinz Bid
Largest Ever Group Of Habitable Planets Discovered
German Bond Yields Fall On French Election Worries

Washington Times:
GOP Looks To Trump To Help Bolster Import Tax
Mexicans Vow To Resist Crackdown From Trump
Conservatives Remain Unsure Of Trump After Divisive 2016
Trump Nullifies Obama's Order On Gender ID For School Restrooms
Syria "Safe Zones" Pose Dangers For Alliances
Divided By Identity, Democrats Look for "Glue" To Put Party Back Together

Story Lineup From Last Night's Network News:
ABC: Anti-Trump Protests; North Dakota Pipeline Protest; Pence-Anti-Semitism; Teenage Hikers Murder Suspect; California Teen-Police Feud; Severe Weather; Harrison Ford Flight Error; Airfare Discount; Gymnastics Team Doctor Sexual Abuse; Connecticut Plane Crash; Power Ball Lottery; NASA Planets Discovery; Documentary Planet Earth 2.
CBS: Gymnastics Team Doctor Sexual Abuse; North Dakota Pipeline Protest; Immigration Crackdown; Pence-Anti-Semitism; Anti-Trump Protests; Fighting ISIS Plan; Kim Jung-Nam Assassination; Nascar Season; NASA Planets Discovery; Teenage Refugees.
NBC: North Dakota Pipeline Protest; Anti-Trump Protests; LGBT Restroom Guidelines; New Immigration Order; Pence-Anti-Semitism; House Speaker-Border Check; Tillerson-Mexico Visit; Border Drug Smuggling; NASA Planets Discovery; Severe Weather; Teenage Hikers Murder Suspect; Health-Anti-Acid Side Effects; Gymnastics Team Doctor Sexual Abuse; Harrison Ford Flight Error; MLB New Rule; Princess Diana Fashion Tribute.

Network TV At A Glance:
Anti-Trump Protests – 9 minutes, 20 seconds
North Dakota Pipeline Protest – 5 minutes
Gymnastics Team Doctor Sexual Abuse – 3 minutes, 35 seconds
Pence-Anti-Semitism – 3 minutes, 5 seconds
NASA Planets Discovery – 2 minutes, 50 seconds

Story Lineup From This Morning's Radio News Broadcasts:
ABC: LGBT Restroom Guidelines; Anti-Trump Protests; North Dakota Pipeline Protest; California Teen-Police Feud; Power Ball Lottery.
CBS: LGBT Restroom Guidelines; Anti-Trump Protests; North Dakota Pipeline Protest; Roof Shooting Trial.
FOX: North Dakota Pipeline Protest; LGBT Restroom Guidelines; New Immigration Order; Severe Weather.
NPR: LGBT Restroom Guidelines; Tillerson-Mexico Visit; Pence-Anti-Semitism; Texas Inmate-Racial Bias; Wall Street News.

WASHINGTON'S SCHEDULE

Today's Events In Washington.

White House:
PRESIDENT TRUMP — Leads a listening session with manufacturing CEOs; speaks with Prime Minister Justin Trudeau of Canada by telephone; leads a listening session on domestic and international human trafficking; attends a dinner with The Business Council.
VICE PRESIDENT PENCE — Joins the President to participate in a listening session with manufacturing CEOs; delivers remarks at CPAC.
US Senate: 3:00 PM Senate Agriculture Committee field hearing on the Farm Bill – Field hearing

on 'Hearing from the Heartland: Perspectives on the 2018 Farm Bill', with testimony from The Clawson Ranch Partnership's David Clawson; Foster Dairy's Lynda Foster; France Family Farms' Amy France; Heinen Family Farms' Lucas Heinen; Tom Lahey Farm owner/operator Tom Lahey; Kansas Corn Growers Association Director Kent Moore; Peirce Farms owner/operator Cameron Peirce; Springer Family Foods' Michael Springer; Riverside Stock Farm owner/operator Kenneth Wood; and Kent Winter Farm owner/operator Kent Winter Location: McCain Auditorium at Kansas State University, 1501 Goldstein Circle, Manhattan, KS Manhattan http://agriculture.senate.gov/

On recess from 17 Feb – 27 Feb.

US House: 9:30 AM U.S.-China Economic and Security Review Commission hearing on China's advanced military technologies – U.S.-China Economic and Security Review Commission (USCC) hearing on 'China's Advanced Weapons', focusing on the advanced military technologies China is pursuing and its ability to develop them. Panelists include Dr James Acton (Carnegie Endowment for International Peace Nuclear Policy Program), Dr Andrew Erickson (U.S. Naval War College China Maritime Studies Institute), Mark Stokes (Project 2049 Institute), Richard Fisher, Jr. (International Assessment and Strategy Center), Dr Timothy Grayson (Fortitude Mission Research), Todd Harrison (Center for Strategic and International Studies Aerospace Security Project), Elsa Kania (Long Term Strategy Group), and Kevin Pollpeter (CNA) Location: Rm 419, Dirksen Senate Office Bldg, Washington, DC http://www.uscc.gov/ https://twitter.com/USCC_GOV

On recess from 17 Feb – 27 Feb.

Other: 10:00 AM Joint Chiefs Chairman Dunford speaks at Brookings – Joint Chiefs of Staff Chairman Gen. Joseph Dunford discusses 'Global threats and American national security priorities', hosted by the Brookings Institution Center for 21st Century Security and Intelligence Location: Brookings Institution, 1775 Massachusetts Ave NW, Washington, DC http://www.brookings.edu https://twitter.com/BrookingsInst

6:00 PM Dem Rep. Eleanor Holmes Norton hosts ACA Town Hall – Democratic Rep. Eleanor Holmes Norton hosts 'Affordable Care Act Town Hall', on protecting the ACA from Republican efforts to repeal the bill, and how repeal could impact residents on workplace insurance or the exchanges Location: One Judiciary Square, 441 4th St NW, Washington, DC www.norton.house.gov https://twitter.com/EleanorNorton

7:00 PM 2017 Intelligence and National Security Alliance Annual Achievement Awards Ceremony – 2017 Intelligence and National Security Alliance Annual Achievement Awards Ceremony, honoring Defense Intelligence Agency Deputy Division Chief for Counterintelligence Analysis Janna Scott-Tarman, Penn State University Applied Research Laboratory Graduate Research Assistant Sara Jamshidi, Department of the Treasury Insider Threat Program Manager Thomas Smith, Northrop Grumman Corporation Systems Engineering Associate Mandy Rogers, and Capt. Brigid Calhoun. DIA Director Lt. Gen. Vincent Stewart keynotes Location: U.S. Institute of Peace, Washington DC http://www.insaonline.org/ https://twitter.com/INSAlliance #INSAAchievement

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Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Friday, February 24, 2017 7:07 AM
To: James B. Comey
Subject: FW: FBI Public Affairs News Briefing Friday, February 24, 2017

b7E

From: Bulletin Intelligence [mailto:[redacted]
Sent: Friday, February 24, 2017 7:05 AM
To: [redacted]
Subject: FBI Public Affairs News Briefing Friday, February 24, 2017

Mobile version and searchable archives available at [redacted]

TO: THE DIRECTOR AND SENIOR STAFF

DATE: FRIDAY, FEBRUARY 24, 2017 7:00 AM EST

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- Alaska AG: US Cannot Overturn State's Marijuana Law.
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- Cyber Experts Warn That "Global Action Must Be Taken" On Cybersecurity Issues.
- Senator Calls For "Retro Approach" To Protecting Power Grid.
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- Report: Majority Of Hackers Claim To Be Able To Break Cyberdefenses Within Hours.
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- Russian Hacking Group APT 28 Profiled.

- Continuing Coverage: States Oppose Critical Infrastructure Designation For Elections Systems.

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- Local Leaders Comment On Possible Plans For FBI Expansion At Redstone Arsenal.
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- White House Says DOJ Will Crack Down On Recreational Marijuana.
- Media: Trump Calls Deportations "A Military Operation"; Kelly Quickly "Contradicts" Him.
- Trump Tweets "Chicago Needs Help" After Seven Homicides On Wednesday.
- Administration Reportedly Broadens Search For Fed Vice Chair For Bank Oversight.
- CNN: IC Concerned White House Wants Report Tailored To Justify Immigration Order.
- Illinois, Connecticut Officials Push Back On Trump's Immigration Enforcement Plans.
- Deportation Plan Dominates US Officials' Visit To Mexico.
- DeVos: Obama's Transgender Bathroom Guidance Was An "Overreach."
- Trump, Trudeau Discuss Border Cooperation.
- Southwest States May Hinder Trump's Border Wall.
- Former SOCOM Commander: Trump's Comments About Media A Threat To Democracy.
- O'Keefe Offering $10,000 For Evidence Of Wrongdoing By Media.
- Strassel: Conflict Over Pentagon Staff Hurting Efforts To Improve Pentagon.
- WPost: World Leaders Should Treat Public Health Issues Like National Security Threats.
- Republicans Expected To Use Congressional Review Act To Repeal Obama Agency Rules.
- Bannon Rips Media, Vows Trump Will Push Forward With Agenda.
- Law Professors File Misconduct Complaint Against Conway.
- Spencer Asked To Leave CPAC.
- Chamber of Commerce: Trump Should Halt, Evaluate Fiduciary Rule.
- Stocks "Wobbled" As Dow Rises For 10th Straight Day.
- State Department Says Press Briefings Will Resume "Soon."
- Under Fire At Town Halls, Republicans Hedge Their Support For Trump Agenda.
- Study: Anti-Muslim, Anti-Immigrant Hate Groups Thrive On Twitter.
- WSJournal: Gorsuch Confirmation Will Buttress Second Amendment Rights.
- WPost: Bowser's Experienced Police Chief Choice Newsham "Makes Sense."
- Arkansas Supreme Court Strikes Down City's LGBT Protections.
- SCOTUS Will Not Hear Ohio Man's Amish Hair-Cutting Case.
- Cruz Predicts Another SCOTUS Vacancy Later This Year.

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- Trump Wants US Nuclear Capabilities To Be At "Top Of The Pack."
- Trump Likes Two-State Solution, But Will Leave It Up To Israelis, Palestinians.
- Trump "Not Liking" Chinese And North Korean Military Moves.
- Kushner, Ivanka Trump Pushed To Remove Climate Deal Criticism From Executive Order.
- Swedish Minister Hits Back At Trump Criticism.
- Lebanon Fearful Being Caught Up In Trump's Iran Push.
- Duterte Critic Arrested On Corruption Charges.
- France's Le Pen Endorses Trump With "Nothing But Praise."
- Juncker: EU Will Work With Ireland To Prevent Hard Border Post-Brexit.
- NYTimes Analysis: European Governments, Like America, Less Welcoming To Migrants.
- Danish Man Who Burned Quran Charged With Blasphemy.
- Congress Urged To Withhold UN Funding.
- Krauthammer: Trump's "Two-Track" Foreign Policy May Work.
- Zakaria: US Can Help Save The Center.
- Super PAC Begins Ads Urging Flake, Heller To Back Investigation Into Trump's Russia Ties.
- Trump Says China "Grand Champions" Of Currency Manipulation.
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LEADING THE NEWS

FBI Rejected Priebus' Request To Contest Stories On Russia Contacts, Sources Say.

CNN (2/23, Sciutto, Perez, Prokupecz, Raju, Brown, 29.79M) reports online that "multiple" anonymous "US officials briefed on the matter" indicated "the FBI rejected a recent White House request to publicly knock down media reports about communications between Donald Trump's associates and Russians known to US intelligence during the 2016 presidential campaign." Sources indicated FBI Director James "Comey rejected the request for the FBI to comment on the stories...because the alleged communications between Trump associates and Russians known to US intelligence are the subject of an ongoing investigation." A White House official commented late Thursday that White House Chief of Staff Reince Priebus made the request only "after the FBI indicated to the White House it did not believe the reporting to be accurate."

USA Today (2/23, Cummings, 5.28M), the AP (2/24, Pace), the Huffington Post (2/23, 237K), the New York Daily News (2/24, Slattery, 4.45M), The Hill (2/23, Bolton, 1.25M), the International Business Times (2/23, Kreiter, 814K), the Daily Beast (2/23, 1.11M), and the New York Post (2/23, Perez, 3.82M) summarize the CNN report.

Jim Sciutto said on CNN's Situation Room  (2/23, 554K) that the White House "sought the help of the Bureau and other agencies investigating the Russian matter to say that the reports were wrong and that there had been no contacts." Evan Perez reported on CNN's Situation Room  (2/23, 554K) that US law enforcement officials said the White House request began when White House Chief of Staff Reince Priebus met with FBI Deputy Director Andrew McCabe the day after those media reports broke. However, White House officials disputed that account, "saying that McCabe called Priebus that morning" and said a New York Times story on the matter "vastly overstated what the FBI knows about these Russia contacts."

Perez later said on CNN's Situation Room  that communication between the White House and the FBI is "unusual because of a decade-old restriction on such contacts." Perez added, "the request from the White House is a violation of those procedures to limit communications with FBI on pending investigations."

Politico (2/23, Lima, 2.46M) says Democrats have "ripped" the White House over the reports. Rep. Andre Carson (D-IN) said on CNN's Situation Room  (2/23, 554K), "The fact that the Administration is using its authority to impose on the FBI in a way that is unlawful and unethical, quite frankly, disturbs me." Carson was later asked if the White House contact with the FBI should be investigated, to which he replied  , "Without a question. I think it goes along the lines of other questionable acts not only the violation of the emolument clause and other violations and general Flynn speaking to Russian diplomats." Sciutto said on CNN's Anderson Cooper 360  (2/23, 686K) that the FBI is still investigating the communications between Trump associates and Russian officials, as are the House and Senate Intelligence Committees, according to several members of those panels.

Ignatius: US, Allies Must Resist Russia Influence Efforts Or "Post-West Era" May "Be Next." In his Washington Post (2/23, 11.43M) column, David Ignatius says "we may be missing the forest for the trees" in the story about Russia allegedly attempting to influence the US election as the effort "is part of a much bigger tale of Russian covert action" that used Trump's campaign as a "witting" or "unwitting" "tool." Ignatius urges Americans to "pay attention" because "this is how the Russians try to subvert politics -- boldly, secretly and often corruptly." Ignatius adds that if the US and its allies "don't resist, a post-West era may indeed be next."

COUNTER-TERRORISM

New Orleans Jewish Community Center Evacuated After False Bomb Threat.

The New Orleans Times-Picayune (2/23, 656K) reports that on Thursday morning, the Jewish Community Center in New Orleans was evacuated "following a bomb threat, according to the New Orleans Police Department." However, "Mayor Mitch Landrieu tweeted just before 11 a.m. that the threat had been deemed 'non-credible,'" adding, "FBI is investigating. Be clear, anti-semitism will not be tolerated in NOLA." New Orleans JCC Executive Director Leslie Fischman "said they were outside for roughly 55 minutes before law enforcement cleared the building and allowed them to go back in," and that "this is the first threat the facility has received in her 21 years with the organization."

Analysis Highlights Difficulty Of Investigating Anti-Semitic Threats. TIME (2/23, 6.98M) contributor Katie Reilly provides an analysis of the challenges associated with investigating anti-Semitic threats. John Jay College of Criminal Justice adjunct professor James Mulvaney said, "Statistically, most of [the threats] are hoaxes. Realistically, you have to handle every one as if it's the real deal." The article highlights the increased level of threats since the election of President Trump. Reilly notes that the FBI has said it is investigating "possible civil rights violations in connection with threats to Jewish Community Centers across the country."

Jewish Americans Reportedly Concerned Trump Is Not Taking Threats Seriously. Vox (2/23, 1.15M) contributor Sarah Wildman provides an 1,800-word analysis of "the epidemic of bomb threats against Jewish organizations," saying there is a "genuine fear that the country has entered into a new era where anti-Semitism has left the shadows, and taken a new, louder, bolder place on the center stage of American society." Wildman says "Trump is in denial about the dangers of white supremacists and neo-Nazis," citing Anti-Defamation League (ADL) Co-Director Oren Segal as asserting "not monitoring white supremacists...creates a feeling among Jewish Americans that their concerns are not being taken seriously."

Ecoterrorist Admits To Firebombing MSU In 1992.

The Detroit Free Press (2/23, Wolcott, 1.01M) reports that twenty-five years after a firebombing at Michigan State University, Rodney Coronado "admits he was solely responsible," and that he intended to destroy the research of Richard Aulerich because he thought it was "funded by the commercial fur industry." The morning of the bombing, the Animal Liberation Front (ALF) – which has been designated a domestic terrorist organization by the FBI – "claimed responsibility in a press release" that Coronado said he wrote. In 1993, Coronado was indicted "on seven counts, ranging from conspiracy to commit crimes against the United States to malicious destruction and arson." However, "in exchange for pleading guilty for arson" at MSU, charges for "attacks in other states were dropped." Coronado now runs "Great Lakes Wolf Patrol, a nonprofit organization dedicated to ensuring people followed the rules when it comes to hunting wolves."

US Army Veteran Charged With Attempting To Support ISIL.

The Washington Post (2/23, Wootson, 11.43M) reports US Army veteran Robert Hester "was charged last week with trying to support the Islamic State as part of what he thought was a coordinated attack against civilian targets and military installations." According to an affidavit in US District Court in Missouri, "agents swooped in during a meeting with a man Hester believed was an Islamic State contact. ... But the man was actually an undercover FBI agent who had been building a case against the 25-year-old father of two." The Post highlights the uptick in arrests of people suspected to be connected to ISIL, noting that "at one point, the FBI made an arrest almost every week in connection with the group."

"Radicalized" Georgia Man Charged With Possession Of Ricin.

The AP (2/23) reports an indictment filed Wednesday alleges north Georgia man William Christopher Gibbs had ricin, a "biological agent and toxin" without registration required by law. The AP adds, "Federal prosecutors said after the arrest that the FBI had 'identified no evidence that any poisonous or toxic substances have been dispersed or that the public is at risk' in the case."

The Atlanta Journal-Constitution (2/23, Habersham, 1.41M) reports that Gibbs had become

radicalized online, saying, "Based on his social media profiles, Gibbs had recently become an adherent of the Church of Creativity, a largely internet-based holdover of the defunct Church of the Creator, a white supremacist, deeply anti-Semitic 'religion' that preaches racial warfare." US Attorney John Horn's office "charged Gibbs with one count of possession of a biological agent, a federal charge that carries a prison sentence of up to five years." The article notes the FBI's arrest last week "of Benjamin McDowell in South Carolina after he allegedly bought a gun and ammunition off a federal agent posing as a member of the Aryan Nations."

Sudanese Immigrant To Be Sentenced For Aiding Bombing Plot.

The Washington Post (2/23, Weiner, 11.43M) reports ahead of Friday's sentencing of Sudanese immigrant Mahmoud Elhassan, who admitted he drove Joseph "Farrokh to the Richmond Airport and then lied to agents about his friend's plans." Farrokh was "convicted in a bombing plot." The Post says, "At first" Elhassan "appeared to be an accessory to Farrokh's plans. But prosecutors now say Elhassan was the instigator, having been radicalized long before the two met." However, "Elhassan's attorneys say he...was shaped by trauma," a victim of a hostile upbringing. Elhassan faces up to 28 years in prison.

Boy, 14, Receives Extra TSA Screening, Told He's On Watch List.

The AP (2/23) reports 14-year-old New Hampshire boy Peter Haas said he received "extra screening and a pat down" from the TSA "at Logan International Airport last week" after agents told him he was on a US government watch list. The TSA responded that "it vets all airline passenger names against the watch lists, and that it uses a variety of screenings, including random selection." However, "Haas' mother, Pam Jaquith, said a supervisor said the screening wasn't random and she needed to contact the Homeland Security Department." The AP adds, "The FBI said it couldn't comment as to how his name ended up on the list."

FBI Agents Testify In Malheur National Wildlife Refuge Case.

The Oregonian (2/23, Bernstein, 894K) reports on Thursday's testimony in the Malheur National Wildlife Refuge case. FBI Agent Matthew Yeager testified regarding "a slew of photos and messages that he found on defendant Darryl Thorn's Facebook page, including Thorn's stated plan of 'sneaking back' onto the Malheur National Wildlife Refuge a year ago." FBI agent Ben Jones testified Jason "Patrick had various roles during the occupation, according to a Jan. 7, 2016, breakdown of responsibilities found on [Ammon] Bundy's cellphone. He was to be in charge of 'organization,' 'morale'...and 'Speakers Flyers.'" A US "Bureau of Land Management special agent and several refuge employees testified earlier in the day about how the occupation hindered their work."

Continuing Coverage: FBI Interviews Reveal Bomb Plot Role Of Al-Qaeda Chief.

Newsweek (2/23, Moore, 862K) continues coverage of FBI interviews with American Al-Qaeda chief and young Nigerian national Umar Farouk Abdulmutallab, revealed in documents obtained by the New York Times under FOIA, which show that Anwar al-Awlaki "directed the young Al-Qaeda member from the militant group's safe houses in Yemen." Awlaki had "told the Nigerian the attack must 'occur on board a U.S. airliner,' and even planned his journey." However, "the Nigerian's explosives, hidden in his underwear, failed to explode as the plane approached Detroit." The article adds, "The FBI flew Abdulmutallab's relatives to the U.S. to speak to him and increase the chances of him opening up about the plot...a technique which proved a success," which Newsweek speculates "is likely to add weight to claims that torture is an unnecessary--and ultimately ineffective--means of extracting information from suspects."

Analysis: Police Concerned Administration Is Ignoring Threats Of Far-Right Extremists.

The Washington Post (2/23, Holley, 11.43M) profiles the 2010 killings of West Memphis Police Department officer Brandon Paudert and his partner, Bill Evanswere, calling the shootings "a wake-up call for law enforcement, raising awareness about the threat far-right extremists pose to officers." The Post says "Paudert and other experts in homegrown extremist movements fear that

the Trump administration is ignoring that threat as officials shift federal resources to root out Islamic extremism." The article cites reports of Administration "plans to rename 'Countering Violent Extremism' (CVE) – a Department of Homeland Security program that funds local terrorism prevention efforts – to 'Countering Islamic Extremism' or 'Countering Radical Islamic Extremism.'" The Post adds, "Even now, with the sovereign citizen movement classified as a domestic terrorist threat, Paudert said, too many law enforcement agencies across the country remain ignorant about the threat."

Fact Check Analysis: Gorka "Botched Facts" About Former Gitmo Detainee.

An analysis from Fact Check (2/23, Farley, 59K) reports that in a Feb. 22 appearance on "Fox & Friends," deputy assistant to President Trump Sebastian Gorka "botched two facts...about a released Guantanamo Bay detainee responsible for a recent suicide bombing in Iraq." In a discussion about former Gitmo detainee Jamal al-Harith, "who perpetrated a recent suicide bombing in Iraq" for ISIS, Gorka claimed that when President Obama "released lots and lots of people that were there for a very good reason," almost "half the time, they returned to the battlefield." However, "current statistics don't back up Gorka's claim of a re-engagement rate of almost 50%." In addition, while "Gorka suggests that al-Harith was released from Gitmo by Obama," he "was not. Al-Harith was transferred out of Gitmo to Britain on March 9, 2004, under [President George W.] Bush."

Harith Spoke Of Hatred He Felt For American Military At Gitmo. The New York Post (2/23, Moore, 3.82M) reports that after being released from Guantanamo Bay in 2004, the British suicide bomber who recently blew himself up in Iraq told BBC that he hated the US military personnel he encountered. Jamal al-Harith said he "wanted to spit" in the face of an "American soldier" who "was taking off my chains," but "you have to hold yourself inside."

Terror Victims To Receive Compensation Checks From French Bank Settlements.

The Wall Street Journal (2/23, Barrett, Subscription Publication, 6.37M) reports victims of terror attacks against Americans, domestically and overseas, before 2001 will receive compensatory checks in the coming weeks from a $1.1 billion fund generated by settlements between the US government and French banks BNP Paribas SA and Crédit Agricole SA for admitted criminal wrongdoing by evading sanctions. The Journal says this constitutes a novel approach, linking wrongdoing to the issue of terrorism, and advocates hope it will become a model for the compensation of terror victims and their families.

European Welfare Benefits "Accidentally" Fund ISIS Militants.

USA Today (2/23, Hjelmgaard, 5.28M) reports welfare benefits from Denmark, Sweden, Belgium, France, and the UK have "accidentally" funded citizens who used the funds toward ISIS militancy. The Danish labor minister calls the $100,000 spent toward 29 citizens who went to fight in Syria a "huge scandal," and Belgium has reformed its system so that those convicted of terrorism can no longer receive benefits while in jail, preventing future funding of attacks like those in 2015 and 2016 in Brussels and Paris. USA Today reports that radical Islamic cleric Anjem Choudary encouraged UK terrorists to seek "jihadiseeker's allowance."

Benghazi Mood Optimistic As Authorities Near Defeat Of Militants.

According to the Washington Times (2/23, Gaitier, 272K), Benghazi is all but conflict-free, although the fragility of the UN-backed Government of National Accord may lead to a renewal of violence due to opposing Tobruk and Tripoli governments. The Times says citizens move freely with a mood of optimism in the soon-to-be Islamic militant-free city, and it describes artistic expression flourishing and an teenager's aspirations of becoming an aeronautical engineer instead of dying by terror violence like his cousins. Officials warn that though Salafist fundamentalists have helped fight terrorists, they will likely maintain a presence in the city by trying to "control" peoples' "way of thinking."

Pakistani Army's "Reject Disorder" Operation To "Indiscriminately" Target Terrorists.

The Washington Post (2/23, Constable, 11.43M) reports the Pakistani army's nationwide military operation to "indiscriminately" eliminate terrorism is the first time the government "has reluctantly agreed to allow the armed forces to enter Punjab province" with "special powers to hunt down, arrest and shoot suspected militants." The Post says the move comes "after years of appeasing certain Islamist militant groups for political and religious reasons" as Punjab is the "home of a variety of Islamist groups, including mainstream religious parties, sectarian movements officially banned for their violent methods, and anti-India militants who have been accused of a 2008 terrorist siege in Mumbai." According to the Post, army officials indicated the "Reject Disorder" operation includes sending 2,000 rangers into Punjab for the next 60-90 days.

Officials Say Trump's Efforts To Accelerate Fight Against ISIS May Include More Troops.

The Wall Street Journal (2/23, Lubold, Nissenbaum, Barnes, Subscription Publication, 6.37M) reports that US officials indicate that President Trump's strategy of accelerating the fight against ISIS will at least initially include more troops. The Journal says Trump will consider a range of options that are anticipated to include sending additional forces to Syria and Iraq, according to officials. The Journal adds that additional steps could include loosening battlefield restrictions, possibly by giving commanders more decision-making power on the use of forces in the field.

Dunford: US Must Address Flow Of ISIS Foreign Fighters.

Joint Chiefs Chairman Gen. Joseph Dunford on Thursday said that "the US and its allies must cut off ISIS terrorists from their pipeline of foreign fighters," according to Fox News' Special Report  (2/23, 1.53M). Dunford was shown saying, "We estimate probably over 100, 120 countries have provided 45,000 foreign fighters to just Syria and Iraq alone." He added that the US is "working in combination with local forces and coalition forces [to] drive the threat down."

Senators Urge Tillerson To Hold Assad Accountable For War Crimes.

The Washington Times (2/23, Howell, 272K) reports a bipartisan group of senators on Thursday called on Secretary of State Tillerson to hold Syrian President Bashar al-Assad and his allies accountable for war crimes, amid reports that 13,000 detainees were executed at a Damascus prison because they opposed the government. The 14 senators, who included Bob Corker and Ben Cardin, condemned the acts referenced in an Amnesty International Report and said that it combined with other reports to provide "sufficient documentation" to "charge Bashar al-Assad with war crimes and crimes against humanity." The Senators also asked Tillerson to explain how the US is working to document crimes against humanity and consider them in negotiations to end the Syrian conflict.

Al Qaeda-Linked Groups Control "Key Swaths" Of Syria's Idlib Province.

The Washington Post (2/23, A1, Sly, Zakaria, 11.43M) reports the Syrian province of Idlib "is falling under the control" of al Qaeda-linked groups "amid a surge of rebel infighting" that could lead to the end of the "moderate rebellion." The Post says the extremists "have closed ranks and turned against the US-backed rebels," placing them "in charge of key swaths of territory" in Idlib. The Post adds that moderates losing Idlib "has the potential to prolong – or at least divert – the trajectory of the war" as peace talks restart.

Turkish-Backed Rebels Seize Syrian Town Of Al-Bab From ISIS.

The Washington Post (2/23, Loveluck, Sly, 11.43M) reports the Turkish-backed Free Syrian Army seized the town of al-Bab from ISIS on Thursday. The capture of the town, the Post says, ends "a grinding offensive" that began in August with the intent of "push[ing] the extremist group from one of its final strongholds." The Post says that "victory in the Islamic State's final stronghold along the Turkish border would deepen Ankara's influence in an area" and allow Turkish-backed forces "to press on toward Raqqa." The AP (2/23, Abdul-Zahra Sinan Salaheddin) reports officials indicated that coalition troops accompanied the Iraqi forces, but "they didn't specify the nationalities" of the international forces.

The Hill: Gorka Made "Angry Phone Call" To Author Of Twitter Criticism.

The Hill (2/23, Beavers, 1.25M) reports White House adviser Sebastian Gorka, according to Newsweek, "made an angry phone call and threatened a lawsuit" over counterterrorism expert Michael Smith's critical tweets about him. The Hill says Newsweek's story includes "a recording of the lengthy phone call" that came after Smith "questioned Gorka's qualifications to be a national security adviser." The Hill says Gorka asked Smith "why this vitriol" was coming from him. Gorka said, "I look at your Twitter feed once or twice a day, and it's half a dozen tweets about me, and I've never even met you." Smith said that Gorka "asserted my tweets about him merited examination by the White House legal counsel."

CRIMINAL INVESTIGATIONS

Police Receive More Than 1,900 Tips In Delphi Murder Investigation.

ABC World News Tonight (2/23, story 7, 1:35, Muir, 14.63M) reported there were "more than 1,900 tips" from authorities' request for information on a recording of a man saying "down the hill," which was found on the cell phone of murder victim Libby German, who was reported missing along with Abby Williams after the girls went on a hike last week in Delphi, Indiana. The CBS Evening News (2/23, story 10, 2:00, Pelley, 11.17M) reported, "Over 100 local, state, and federal agents are working the case." The Indianapolis Star (2/23, Wilkins, 550K) reports similarly.

The AP (2/23) reports FBI SSA Robert Ramsey said "the FBI is using electronic billboards across Indiana to seek information in the killings." Ramsey "said the billboards are displaying photos of the teens, an image of a man considered the main suspect in the killings, and a telephone tip line to enable authorities to spread 'the widest blanket possible' in generating tips." According to the AP, "police said Thursday they've received about 3,900 tips in the killings."

On its website, WIMS-AM South Shore, IN (2/23) quotes FBI Assistant SAC Gregory Massa asking the public for assistance. Massa said, "Just think if you had an interaction with an individual who inexplicably canceled an appointment that you had together. Or an individual called into work sick and canceled a social engagement. At the time, they gave what would have been a plausible explanation. Did [an] individual travel unexpectedly? Did they change their appearance? Did they shave their beard, cut their hair or change the color of their hair? Did they change the way they dress?"

Former USA Gymnastics Coach Pleads Not Guilty In Michigan Criminal Proceedings.

The CBS Evening News (2/23, story 8, 0:20, Pelley, 11.17M) reported former team doctor for USA gymnastics Larry Nassar "pleaded not guilty to 22 criminal counts" relating to allegations of sexual abuse of nine young gymnasts who he treated at his home and medical facilities around Lancing, Michigan. CBS added, "Dozens of former athletes are suing him in civil court."

Man Arrested In 11-Year-Old Investigation Of Georgia Teacher's Disappearance.

The CBS Evening News (2/23, story 9, 0:25, Pelley, 11.17M) reported, "33-year-old Ryan Alexander Duke was arrested and charged with murder after investigators received a tip linking him to a former high school teacher and beauty queen, Tara Grinstead," who "disappeared 11 years ago" in Georgia and whose "remains have never been found." CBS noted, "Duke a student at the school where Grinstead taught."

FBI Arrests 13 In South Carolina Drug And Guns Investigation.

The AP (2/23) reports US Attorney Beth Drake announced "on Thursday that 13 people had been arrested on federal drug and gun charges" in Horry, Florence, and Charleston counties in South Carolina. The FBI and DEA "started investigating a large drug trafficking organization operating in the Myrtle Beach, Florence, and Charleston areas" in 2014, and "authorities say the group distributed heroin, fentanyl, cocaine and marijuana in South Carolina and also trafficked in firearms."

Prosecution Drops Some Charges In Former Utah AG's Public Corruption Case.

The Deseret (UT) News (2/23, Romboy, 362K) outlines Thursday's testimony in the trial over alleged public corruption by former Utah attorney general John Swallow, reporting that "the Salt Lake County District Attorney's Office dismissed three criminal charges against Swallow as it turned the case over to the defense." The article says the FBI provided an "elaborate...forensic accounts chart showing how the money flowed...to Swallow." FBI SA Jon Isakson "acknowledged that he spoke outside the scope of his authority when he talked about the Department of Justice Public Integrity Section's decision to not file federal criminal charges against Swallow and Shurtleff." FBI lawyer Doug Davis said "before the jury came in that Isakson said things he wasn't supposed to, but the Department of Justice wasn't willing to grant a waiver for him or other agents to testify about the declination letter."

Man Admits To Lying To FBI About Healthcare Contract For Alabama Jail.

The AP (2/23, Amy) reports Michael P. Goddard of Alabama admitted in a plea agreement filed Tuesday in federal court "to lying to FBI agents about a health care contract at a county jail in Alabama, signaling that a Mississippi prison bribery probe has spilled across state lines." Goddard admitted "that he received money from Mississippi-based Health Assurance in connection with a contract that the company had from 2007 to 2011 to care for inmates at the Jefferson County Jail in Birmingham." Goddard will "appear on March 16 in federal court in Birmingham."

Dallas County Commissioner's Public Corruption Trial Delayed On Day One.

The Dallas Morning News (2/23, Krause, 1.12M) reports that "after a speedy one-day jury selection, the federal corruption trial of" Dallas County Commissioner "John Wiley Price slowed to a crawl Thursday due to the hospitalization of a juror and the reading of a 107-page indictment. The trial will resume Monday morning." KTVT-TV Dallas (2/23, 72K) reports online that "the trial is expected to be very in-depth, with prosecutors presenting FBI evidence spanning more than a decade." The Dallas Business Journal (2/23, Subscription Publication, 43K) reports similarly.

Purported Whistleblower Says FBI Questioned Her Over Alleged Contracting Misconduct In Atlanta.

The Atlanta Journal-Constitution (2/23, Kass, 1.41M) reports former Jackson Equal Business Opportunity Manager Stephanie Coleman and her lawyer said "she was interviewed by the FBI months after she said she was fired by the city for blowing the whistle on contracting misconduct." Coleman "said the FBI also questioned her about Mitzi Bickers, an Atlanta political operative and former city employee who has emerged as a subject of the federal cash-for-contracts investigation in Atlanta that occurred from 2010 to 2015."

FBI Investigates Reported Death Threats Against Muslims By NC Conservative Activists.

The Charlotte (NC) Observer (2/23, Marusakj, 656K) reports spokeswoman Shelley Lynch of the FBI's Charlotte office said Thursday the agency "is investigating reported death threats against Muslims made at a meeting of conservative activists in Kernersville," North Carolina. The FBI said in a statement, "The FBI is aware of news media stories about a recent meeting in North Carolina where comments were reportedly made against the Muslim community. We are working with our local law enforcement partners to determine if a federal violation involving threats of violence that is not speech protected under the First Amendment has occurred. The safety and security of our citizens is a priority for the FBI, and we have been in contact with local community leaders to assure them we take potential threats of violence very seriously." Lynch said "The FBI began investigating the threats before [the Council on American-Islamic Relations] called on the agency to look into the remarks."

The Guardian (UK) (2/23, Green, 4.07M) also covers this story.

FBI Investigates Allegations Former WV Jail Guard Assaulted Detainees.

The AP (2/23) reports, "An indictment unsealed Wednesday charges 26-year-old Adam Joseph Neal Graham, of Elkins, with two counts of violating the detainees' rights" after the former jail guard

allegedly assaulted and injured "two suspects who were awaiting trial in 2015 at Tygart Valley Regional Jail in Barbour County," West Virginia. Graham was also charged with "submitting a fake incident report that one of the detainees attempted to spit on him." The AP mentions that the FBI investigated this case.

FBI Finds Virginia Girl Safe After Traveling With Estonian Man.

WJLA-TV Washington (2/23, 147K) reports online that spokespeople from the FBI and the Prince William County Police Department in Virginia indicated 15-year-old Makayla Phyllis Mattei "from Prince William County who was missing and was believed to be in danger has been found safe and unharmed in Virginia with" 21-year-old Meiti Metsla, "a man from Estonia with whom she had an 'online relationship.'" Authorities "said they are making arrangements to reunite the girl with her family in Dumfries." Officials added that Metsla "has been arrested on a felony charge of 'using a communication device to solicit certain offenses involving children.'"

Suspect In Possible Hate Crime In Kansas Charged With Murder.

The AP (2/23, Suhr) reports that on Thursday, Adam Purinton, who is "accused of opening fire in a crowded suburban Kansas City bar, killing one man and injuring two others in an attack that some witnesses said was racially motivated, was charged...with murder and attempted murder." Authorities "declined at a news conference to say whether the shooting was a hate crime although local police said they were working with the FBI to investigate the case." FBI SA Eric Jackson "said it was too early to determine" whether the shooting would be considered a hate crime. Jackson said, "This was a violent crime and we want the best prosecution that relates to this because there are victims of this crime and we want the community to know that...we're looking to make sure that the individual involved in this is held accountable for his actions."

FBI Arrests Man Wanted For 2005 Homicide In California.

The AP (2/23) reports that on Wednesday, the FBI "arrested a man on the top of Santa Rosa's list of most wanted criminals after a 12-year search." The AP explains, "The man was wanted for the Jan. 15, 2005 shooting death of 27-year-old Semere Girmai, of Santa Rosa," California. The killing "was allegedly motivated by a cocaine and methamphetamine distribution feud between the men, who had gang ties."

Feds Charge Alleged Cleveland Bank Robber Who Posed As Twin Brother.

The Cleveland Plain Dealer (2/23, 976K) reports the FBI said Thursday that suspected bank robber Mark Lloyd, who was "arrested at Cleveland City Hall last week while posing as his estranged twin brother was charged in federal court for sticking up two Ohio City banks." The FBI affidavit states that agents "ran his fingerprints and figured out his true identity, and he was arrested." In an interview with FBI agents, "Mark Lloyd admitted to using his brother Michael's ID since 2015, though his brother does not know that and that he has not spoken to his brother in some time." The suspect will appear in court this afternoon.

Report: Jacksonville Psychiatrist Raided By FBI Was Involved In Fatal Love Triangle.

WJAX-TV Jacksonville, FL (2/23, Bourne, 30K) reports online that a day after Wednesday's FBI raid of the office of Jacksonville psychiatrist Dr. Nikhil Nihalani, "an Action News Jax investigation uncovered a love triangle that ended in suicide, reportedly using the doctor's gun." A 2015 St. Johns County Sheriff's Office report said "Nihalani had an affair with his married employee Amanda Carlson," who "told deputies she took a gun from Nihalani's home because he'd been making suicidal threats." Then, "on Oct. 13, 2015, her husband shot and killed himself with that gun."

Sentencing Postponed For Man Convicted Of 1979 Killing Of NYC Boy.

The AP (2/23) reports that on Thursday, a NY judge postponed the sentencing of Pedro Hernandez, who was "convicted in a second trial of killing 6-year-old Etan Patz in 1979." The AP notes, "An earlier trial ended in a hung jury when a single juror did not want to convict." The defense "requested the delay to investigate whether a juror may have known during proceedings that

members of the first jury were in the audience."

The New York Daily News (2/23, Jacobs, 4.45M) says Hernandez's attorney Harvey Fishbein had asked for a one-week postponement. The New York Post (2/23, Saul, 3.82M) reports, "Prosecutors filed a letter strongly objecting, saying, 'The Patz family has waited almost 40 years for an answer to one of the most heart-wrenching questions a parent can ever be faced with: What happened to their child who disappeared.'" Hernandez faces life in prison. Newsday (NY) (2/23, Riley, 1.3M) reports similarly.

Police Arrest 24 In Protests Against Video Of Off-Duty Police Officer's Altercation With Teens.

In its lead story, NBC Nightly News  (2/23, lead story, 2:35, Holt, 16.61M) showed clips from two videos by witnesses that show an altercation Wednesday between an off-duty LAPD officer and a 13-year-old, who along with others who joined and watched the conflict walked across his lawn against the officer's wishes. The situation escalated when the officer interpreted the juvenile's threat of a lawsuit as "I'm going to shoot you," and the officer shot a warning shot. According to ABC World News Tonight  (2/23, story 6, 1:45, Muir, 14.63M), the teenager, who was arrested and released with another, said in an interview, "I thought I was going to die right there." Parents have sued the LAPD and Anaheim Police Department because the off-duty officer shot his gun too close to the teenagers. The Los Angeles Times (2/23, Etehad, Mather, 4.52M) reports police arrested 24 for failing to disperse, resisting arrest, and battery of a peace officer Wednesday night following demonstrations by more than 300 people in Anaheim over the videos. The city, which has received many concerned phone calls, has put the officer on administrative leave, and Mayor Tom Tait indicated in a statement that the city "is committed to a full and impartial investigation."

Authorities Arrest Nearly Three Dozen To Clear Out Dakota Access Protest Camp.

The AP (2/23) reports authorities cleared out and raze remaining buildings from the Dakota Access Pipeline protest camp in an operation that took about 3.5 hours. "Nearly three dozen" were arrested, though the CBS Evening News  (2/23, story 11, 0:25, Pelley, 11.17M) puts the tally closer to two dozen. The New York Times (2/23, Smith, Subscription Publication, 13.9M) says North Dakota State Highway Patrol Lt. Tom Iverson expressed dismay at having authorities enforce the deadline because it "puts us in harm's way. It puts others in harm's way," though there were no reports of injured parties. The Indigenous Environmental Network Executive Director Tom Goldtooth called the evacuation a "violent and unnecessary infringement" on protesters' constitutional rights. According to the Wall Street Journal (2/23, Connors, Subscription Publication, 6.37M), police in riot gear with weapons drawn entered the federal land on Humvees with a Customs and border Protection helicopter overhead Thursday morning to clear out remaining the camp.

Federal Judge Discloses Five Years' Worth Of Surveillance Requests In Washington.

The Washington Post (2/23, Hsu, 11.43M) reports Beryl A. Howell, chief judge of the US District Court in Washington, has released a list of all requests that US prosecutors made in Washington "to secretly collect certain data about Americans' telephone, email and Internet activity from 2011 to 2016." Of the 1,444 cases, only 15 have been unsealed, "even in part, years after the monitoring began." Still, journalist Jason Leopold who sued to unseal "unseal a much larger collection of information about court-ordered electronic surveillance in closed criminal investigations in the nation's capital," said he was "very pleased" with the release. Leopold and Katie Townsend, litigation director of Reporters Committee for Freedom of the Press, which has joined the case, said the released information "will aid researchers, lawmakers and the public in tracking the scope, evolution and expansion of government conduct."

Texas Man Sentenced To Life In Prison For Dealing Meth.

The San Angelo (TX) Standard-Times (2/23, 2K) reports that a San Angelo man "convicted of meth dealing was sentenced to life in prison without parole by a federal judge Thursday, Feb. 23."

Richard Jasso, 39, "was charged with one count of distribution and possession with intent to distribute 50 grams or more of methamphetamine and aiding and abetting." Jasso "was convicted at trial in November and has been in custody since his arrest on July 13, 2016, according to a news release from the U.S. Department of Justice." According to the Standard-Times, "the charge was enhanced because Jasso had two previous felony drug offenses." Jasso "was among a dozen people arrested by Drug Enforcement Administration, Texas Department of Public Safety and San Angelo Police Department officers during a July 2016 sweep in San Angelo."

US Charges Third LAX Baggage Handler With Drug Trafficking.

My News LA (CA) (2/23) reports that "a third former baggage handler at Los Angeles International Airport has been arrested and is facing federal charges of using his employee credentials to breach airport security for the purpose of smuggling cocaine on airplanes, it was announced Thursday." Alberto H. Botello, 23, of South Gate, CA "was arrested late Tuesday without incident by law enforcement officers from the Drug Enforcement Administration and the Los Angeles World Airports Police Department, according to the U.S. Attorney's Office." Botello "is charged in a federal indictment with conspiracy to possess with intent to distribute cocaine and to distribute cocaine, along with two co- defendants who are scheduled for trial next month." My News LA notes that Adrian Ponce, 28, and Alberto Gutierrez, 27, both of South Gate, "were also baggage handlers when they were arrested last April."

US Charges 13 From Missouri, Illinois With Drug Conspiracy.

The AP (2/23) reports from Hannibal, MO that 13 people from Missouri and Illinois "face federal charges for allegedly conspiring to distribute cocaine and other drugs in Hannibal and elsewhere in northeast Missouri." Federal prosecutors in St. Louis announced the arrests on Thursday, "a day after raids were conducted in Hannibal and the St. Louis area." The AP adds that "suspects include six people from Hannibal, four from St. Louis, and one each from Mexico, Missouri, Quincy, Illinois, and Swansea, Illinois." A federal indictment "accuses two men of obtaining cocaine from a source in Austin, Texas, and using couriers, often women, to transport the drug to Hannibal, where it was converted into crack cocaine for distribution."

Deaths Of Two Alaskans Found In SUV Ruled Accidental.

The AP (2/23) reports from Anchorage, AK that "state public safety officials have concluded that the deaths of two people near Soldotna in November were accidental." The bodies of Daniel Duck, 39, and Joni Pearcy, 52, "were found in a burned sport utility vehicle." The pair, from Soldotna, "were last seen Nov. 14 and reported missing Nov. 20." Officials announced on Wednesday "that impairment and the inhalation of carbon monoxide were factors in the deaths." The AP notes that the Bureau of Alcohol Tobacco Firearms and Explosives took part in the investigation.

US Charges Pennsylvania Man With Gun Theft.

The Harrisburg (PA) Patriot-News (2/23, 523K) reports from Williamsport, PA that "a man who had been accused of burglarizing a Lycoming County gun shop hours after he pleaded guilty in an unrelated case has been indicted on federal weapons charges." A federal grand jury on Thursday indicted Samuel Bozochovic, 35, of Williamsport, "on charges of theft of firearms, possession of a stolen firearms and possession of a firearm by a convicted felon," and with "possession with intent to distribute heroin." Bozochovic "is accused of breaking into R&J Welch gun store in the Muncy area on Feb. 8 and stealing 11 handguns."

Fugitive Shot By US Marshals Team In Michigan Expected To Survive.

MLive (MI) (2/23, 878K) reports that "a 31-year-old man wanted on a parole violation was shot during an attempted arrest by the U.S. Marshals Fugitive Task Force in Detroit Tuesday." Michigan State Police Lt. Michael Shaw "said the suspect, who hasn't yet been charged with any crimes, is recovering and expected to survive his injuries." Deputy Robert Watson of the US Marshals Service "told the Detroit News a member of the multi-agency task force shot the suspect after he rammed into a police vehicle about 9 a.m. Tuesday near Tuxedo and Linwood in west Detroit."

Alaska AG: US Cannot Overturn State's Marijuana Law.

The AP (2/23) reports from Anchorage, AK that "a representative for the Alaska attorney general's office said a change in how the federal government enforces its own marijuana laws would not affect state marijuana laws." The AP adds that Alaska's law "legalizing recreational marijuana wouldn't be overturned, Department of Law spokeswoman Cori Mills said Thursday after White House spokesman Sean Spicer suggested during a press briefing that President Donald Trump's administration might crack down on states that have legalized marijuana for recreational use. 'The federal law is one thing and the state has the right to enact laws in this area and those are perfectly constitutional,' Mills said. 'Our law wouldn't be overturned. But there is a different federal law, and how they want to enforce the federal law is up to the federal government. We'll just wait and see what sort of actions they take.'"

DOJ Reaches Settlement With Former Prosecutor Who Alleged Sex Discrimination.

The AP (2/23) reports from Spokane, WA that the Justice Department "will pay $225,000 to settle a sex discrimination lawsuit brought by a former prosecutor who alleged women were not treated equally in the U.S. Attorney's office in Spokane." The settlement, reached on Wednesday, "ends a lawsuit filed in 2015 by Katherine J. Bolton, who previously worked as a federal prosecutor in Spokane." Eastern Washington US Attorney Mike Ormsby "says he cannot comment on any aspect of the case." The AP notes that Bolton "worked for Ormsby," and that "she resigned in October 2015 following a controversy in which both Bolton and her co-workers blamed each other for a hostile work environment."

Two Greek Tanker Engineers Convicted Of Pollution Cover-Up In South Carolina.

The Charleston (SC) Post and Courier (2/23, Wren, 300K) reports that "the chief engineer of a chemical tanker that docked in North Charleston in 2015 has been found guilty in a jury trial of falsifying the ship's oil record book to cover up illegal pollution discharges." Panagiotis Koutoukakis, "a Greek national, faces up to 25 years in prison for two felony charges," and Herbert Julian, "who succeeded Koutoukakis as the ship's chief engineer, was found guilty of an obstruction charge that carries a maximum sentence of five years." The verdict on Wednesday "followed a three-week trial in federal court in Charleston," and "sentencing for both men will be scheduled after the federal government prepares a pre-sentencing report, probably in the next two or three months."

US Charges Washington Jail Guard With Tipping Off Drug Traffickers.

The AP (2/23) reports from Tacoma, WA that "a guard at the Aberdeen city jail has been arrested on allegations that he tipped off drug traffickers about police activities." Charles Andrew Stocker "was due to make an initial appearance in U.S. District Court in Tacoma following his arrest Thursday." Federal prosecutors "have charged him with three criminal counts, including aiding and abetting drug trafficking." According to the AP, "prosecutors say Stocker warned a drug dealer about someone who was working as a police informant, alerted two other dealers that police were listening in on calls at the jail, and agreed to hold money for one of the investigation's targets."

US Charges Florida Man For Role In Jamaican Lottery Scam.

The Jamaica Observer (2/23, 139K) reports that "a 49-year-old Florida man was arrested in Miramar, Florida, on mail and wire fraud charges in connection with the fraudulent lottery scheme tied to Jamaica." The arrest "follows the return of a 12-count indictment against him by a grand jury in the Southern District of Florida." The Justice Department announced on Thursday "that Claude Shaw aka Mac and Claude Mac, a US citizen residing in Florida, was charged with two counts of mail fraud and 10-counts of wire fraud in connection with a fraudulent lottery scheme tied to Jamaica." The indictment alleges that "the victims in the scam were instructed on how, and to whom, to send their money," and that "Shaw discussed plans to receive victims' money via text messages then send a portion to accomplices in Jamaica."

FINANCIAL CRIME & CORPORATE SCANDALS

Michigan Ponzi Schemer Sentenced to Five Years Incarceration.

The Traverse City (MI) Record-Eagle (2/23, Troutman, 84K) reports a US District Court Judge sentenced Michigan woman Sarah Frances Bolhuis to five years in prison for wire fraud and money laundering. The woman was "accused of running a 'Ponzi scheme' that bilked investors out of millions of dollars," and "more than 50 investors lost their savings, abandoned retirement plans and experienced financial stress thanks to Bolhuis, authorities contended." FBI agents said "the scheme lasted from 2006 to 2015."

Former PA Governor's Aide Disbarred After Guilty Plea In FBI Sting.

The Philadelphia Inquirer (2/23, Shaw, 586K) reports Pennsylvania's Supreme Court's disciplinary board said Thursday that "one of former Gov. Ed Rendell's top aides," John H. Estey, "who pleaded guilty last May to one count of wire fraud after being caught up in an FBI sting, has agreed to be disbarred." Court filings indicate "the FBI set up a phony business in 2009 to 'investigate allegations of public corruption in Pennsylvania'" and "the fake firm hired Estey and a top Harrisburg lobbying firm to help it obtain legislation to benefit its business, and made campaign contributions to further its goals." The undercover agents then "gave Estey $20,000 that he promised he would pass along as campaign contributions in his name, circumventing state laws that ban corporate gifts and the use of lobbyists as 'pass-throughs.'"

Former Comverse CEO Sentenced To 30 Months In Options Backdating Case.

Newsday (NY) (2/23, Riley, 1.3M) reports that Jacob "Kobi" Alexander, "the former CEO of Long Island software firm Comverse Technology who fled to Africa to avoid fraud charges, was sentenced Thursday in Brooklyn federal court to 30 months in prison." Alexander, 64, "an Israeli citizen who founded digital voicemail pioneer Comverse in 1982, returned last year to plead guilty to securities fraud after fleeing to Namibia in 2006 to evade prosecution for backdating stock options and trying to bribe an underling to take the fall. 'I really don't understand how someone as brilliant and accomplished and focused and respected as you could be so incredibly, abjectly foolish as to make some of the decisions you made,' said U.S. District Judge Nicholas Garaufis." Newsday adds that Alexander "claimed in a letter to the judge that he fled out of fear of a draconian sentence for a white-collar crime and fought extradition for a decade because he was 'terrified' by seeing his name on a Most Wanted list with Osama bin Laden."

Reuters (2/23) reports that Alexander's attorneys "had sought a prison term of no more than two years for the Israeli citizen, who has spent six months in custody after Garaufis rejected his request for release on a $25 million bond." Reuters notes that Alexander "is likely to be credited for the time he was held." Reuters adds that "the case was one of the last open U.S. prosecutions arising from government or internal investigations of backdating of stock options at over 200 companies, including Comverse, which was acquired in 2013 by former unit Verint Systems Inc."

CBS News (2/23, 4.4M) reports that in 2006, federal prosecutors "charged Alexander and other Comverse executives with a scheme to manipulate stock options." CBS adds that "the options' grant dates were allegedly falsified to coincide with a low point in the stock's value, thereby boosting the value of the stock option." Alexander "turned up in Namibia after having transferred tens of millions of dollars overseas," and "he lived comfortably there until last year, when he gave up an extradition fight and agreed to plead guilty in the U.S."

Bloomberg News (2/23, Hurtado, 2.41M) reports that "Alexander's decision to flee exacerbated the case and warranted imposing a prison term longer than the 24-month sentence, which to date had been the longest imposed for options backdating, the judge said. 'Corporate executives must know if they commit this type of crime, they will be punished swiftly and appropriately,' Garaufis said. 'They must know they cannot flee the jurisdiction to escape the criminal process, to buy a new life and evade the law.'" The New York Daily News (2/23, Moynihan, 4.45M) and the Wall Street Journal (2/23, Orden, Subscription Publication, 6.37M) also report.

CYBER DIVISION

Florida Man Pleads Guilty In Attempted Hack Of Clinton Foundation.

Reuters (2/23, Raymond, Layne) reports that a Florida man pleaded guilty on Thursday "pleaded guilty in a case stemming from an attempted hacking of the Clinton Foundation," months after he was sentenced to 42 years in prison "in the wake of child pornography discovered on his computers during the probe." Timothy Sedlak, 43, pleaded guilty in a Manhattan federal court "to attempting to access protected computers without authorization," and federal prosecutors "accused him of trying to gain access to an unnamed New York-based charitable organization's network." In a court filing obtained by Reuters "that summarized a US Secret Service interview in 2015 with Sedlak, an agent said he was questioned about notes they found referencing former Democratic presidential candidate Hillary Clinton and her daughter, Chelsea Clinton."

Cellebrite Announces Ability To Crack Apple Devices Running iOS.

The International Business Times (2/23, Dellinger, 814K) reports that on Thursday, Israel-based cybersecurity firm Cellebrite announced "it has added the capability to crack a number of locked Apple devices running iOS, including the iPhone 6 and iPhone 6 Plus." Cellebrite's Director of Forensics Research Shahar Tal "suggested Cellebrite has had the ability to crack iPhones for some time but was just announcing it publicly now." The IBT mentions that "it is believed that Cellebrite is the company the United States FBI tapped to help unlock the iPhone 5C that belonged to one of the killers involved in the San Bernardino, Calif. shooting in December 2015."

Nevada Public Safety Director Argues For Creation Of Cyber Defense Office.

Nevada Appeal (2/23, Dornan, 86K) reports that on Thursday, Nevada Public Safety Director Jim Wright argued for the "creation of a Cyber Defense Office that would bring together not only public safety agencies but other agency efforts in the war against hacking." According to Wright, "the office would treat cyber attacks in much the same way the Department of Public Services currently treats terrorism, natural disasters and other emergencies." He added that "the office would be located within" the Department of Public Safety, partly because it "has access to the FBI and national criminal information data." Wright said, "Most of these attacks have a criminal background so it's a natural fit for us."

Cyber Experts Warn That "Global Action Must Be Taken" On Cybersecurity Issues.

McClatchy (2/23, 74K) reports that "alarms over the state of the internet appear with greater frequency" due to malware, data theft, and digital weapons wielded by nation-states. McClatchy says, "Once a platform for enlightenment, the internet flirts with a dark age, industry leaders warn, and global action must be taken." McClatchy goes on to discuss Microsoft President Brad Smith's proposal for a "Digital Geneva Convention, an international agreement to protect civilians from the destructive uses by states of the digital sphere," adding, "Whether an international treaty or convention could slow the destructive currents that make the internet increasingly hazardous is subject of intense debate." Former cybersecurity czar J. Michael Daniel "said he worries that some authoritarian nations would distort such an accord" to control content, and "a better first step...would be further agreements of the sort that Obama reached with China's President Xi Jinping...which barred purely commercial hacking between the two nations, but not digital espionage."

Senator Calls For "Retro Approach" To Protecting Power Grid.

McClatchy (2/23, Hotakainen, 74K) reports, "Idaho Republican Sen. Jim Risch says it's time for a retro approach to protect the nation's power grid, relying more on humans and less on sophisticated technology as a way to thwart hackers." Risch "said the U.S. should heed the lesson of the 2015 cyberattack on Ukraine's power grid," namely that more damage was prevented because hackers couldn't gain physical access to all of the power grids' controls as some were manually operated. Risch and fellow Senate intelligence committee member Angus King "want Congress to pass a $10 million bill that would create a two-year pilot program to investigate more low-tech approaches that might frustrate hackers."

Google Cracks SHA-1 Cryptographic Algorithm.

Forbes (2/23, 15.17M) reports that Google "cracked an old cryptographic algorithm called SHA-1," a "significant" occurrence "because SHA-1 has been in use across the web for some time, largely to check the authenticity of digital artefacts flying around the internet." Forbes says Google had SHA-1 create the same hash for two different files, something that "shouldn't be possible." Forbes goes on to explain that the "second file" could be malware or a forgery. Nonetheless, Forbes says, "For some time now, major web companies have downgraded SHA-1 and won't use it to carry out those verification processes." Google "thinks its research should get all companies still using the algorithm to move away from SHA-1, which has long been deemed vulnerable."

Report: Majority Of Hackers Claim To Be Able To Break Cyberdefenses Within Hours.

ZDNet (2/23, 151K) reports, "The majority of hackers claim they can break through cybersecurity defenses and infiltrate their target's systems within hours, according to new research." A report from Nuix Black "says that more than three-quarters of hackers – 88 percent in total – who responded to the Nuix survey believe most network defenses can be breached within 12 hours." Furthermore, "roughly a third said that their activities were never noticed by their victims – and 17 percent of hackers claimed it would take them no longer than two hours to breach a target."

Bitcoin Hits "All-Time High."

According to USA Today (2/23, Weise, 5.28M), bitcoin "hit an all-time high of $1,163.59" on Thursday. USA Today reports on a "couple of factors" that "seem to be pushing the digital currency upwards," including the confirmation of Mike Mulvaney, "a long-time supporter of bitcoin," as OMB director. Furthermore, "There's also anticipation that the Securities and Exchange Commission will allow the first of three exchange-traded funds to launch."

UK National Arrested In Connection With Deutsche Telekom Cyberattack.

Yahoo! Tech (2/23, 1K) reports, "A 29-year old Brit has been arrested in connection with a cyber-attack that affected nearly a million Deutsche Telekom customers back in November." The suspect was arrested "at one of London's airports on Wednesday."

Coast Guard Admiral: Cyberwarfare Rules Of Engagement Poorly Defined.

Business Insider (2/23, 3.42M) reports, "Coast Guard Vice Adm. Marshall Lytle gave the perfect analogy that demonstrates how unique, and difficult it can be, for the US military to operate in the cyber realm." Lytle is quoted saying at the AFCEA West 2017 conference, "Cyberwarfare is like a soccer game with all the fans on the field with you and no one is wearing uniforms." BI adds, "Lytle's remark highlights the 'wild west' nature of the cyberwarfare," and "as Lytle explained, cyberwarfare doesn't have clear battle lines."

House Intelligence Staff Director: 2017 To Be A "Banner Year" For Congressional Cybersecurity Debates.

CyberScoop (2/23) reports House Intelligence Committee staff director Michael Bahar says, "It will be a banner year for cybersecurity debates in Congress – and that isn't necessarily a good thing." According to CyberScoop, "retrospective" efforts to investigate alleged Russian influence on the 2016 US election "are just a portion of the task ahead for lawmakers who handle cybersecurity issues." Bahar is quoted saying in a panel discussion, "For far too many industries, we are in a pre-Enron phase. If you think about Enron, what led to that was board members and senior executives at companies saying it looks fine and if it's an accounting issue, then take it to accounting. And I think that's where we are in many industries for cyber. ... And what I think that means is that a lot of it will be driven by what the courts do. And how Congress will respond to that."

Russian Hacking Group APT 28 Profiled.

The Financial Times (2/23, Jones, Subscription Publication, 1.39M) profiles the Russian hacking group APT 28, which western officials believe is connected to the country's military intelligence arm. Analysts said the group hacked the DNC and released information to undermine the US democratic system.

Continuing Coverage: States Oppose Critical Infrastructure Designation For Elections Systems.

In continuing coverage, eWeek (2/23, 668K) reports the National Association of Secretaries of State "adopted a resolution opposing the 'critical infrastructure' designation by the U.S. Department of Homeland Security." Their reasoning "was partly due to concerns of overreaching by the federal government and because the agency had refused to provide adequate information on the impact that the designation would have on the states, according to Kay Stimson, spokeswoman for the National Association of Secretaries of State (NASS)."

INTERNATIONAL RELATIONS

Hacked Texts Suggest Manafort Faced Blackmail Attempt From Ukrainian Official.

Politico (2/23, Vogel, Stern, Meyer, 2.46M) reports "undated communications, which are allegedly from the iPhone of" political consultant Paul Manafort's daughter suggest that Manafort "was the victim of a blackmail attempt while he was serving as Donald Trump's presidential campaign chairman last summer." One text "appears to come from a Ukrainian parliamentarian named Serhiy Leshchenko," in which he attaches "a note to Paul Manafort referring to 'bulletproof' evidence related to Manafort's financial arrangement with Ukraine's former president, the pro-Russian strongman Viktor Yanukovych, as well as an alleged 2012 meeting between Trump and a close Yanukovych associate named Serhiy Tulub." Leshchenko disavowed the texts in question and "Manafort denied brokering a 2012 meeting between Trump and Tulub and also point[e]d out that he wasn't working for Trump at the time." However, Manafort confirmed the authenticity of the texts as coming from his daughter's phone, saying he contacted a lawyer at the time they were received.

The Hill (2/23, Savransky, 1.25M) and Vanity Fair (2/22, Tracy, 6.22M) also cover Politico's report.

OTHER FBI NEWS

De Blasio To Meet With Prosecutors, FBI Friday.

The New York Times (2/23, Rashbaum, Subscription Publication, 13.9M) reports the "expansive criminal inquiry" on Mayor Bill de Blasio's 2013 campaign trading beneficial city action for donations "is most likely in its final stages" as the mayor is set to meet with FBI agents and federal prosecutors Friday to discuss more than a dozen topics in a session estimated to last four hours. The inquiry will focus on businessman and rabbi Moishe Indig, Harendara Singh, Gina Argento, and other donors under scrutiny. De Blasio spokesman Eric Phillips emphasized in a Thursday statement, "We are absolutely confident that the mayor and our City Hall staff have acted appropriately and well within the law at all times."

Local Leaders Comment On Possible Plans For FBI Expansion At Redstone Arsenal.

A 1,200-word report by Alabama Live (2/23, Gattis, 804K) says the FBI "is considering bringing hundreds, if not thousands, of jobs to Redstone Arsenal in what could possibly be a landmark economic development for Huntsville." Although "the plan exists on paper...it's not clear how close it is to becoming a reality or if the plan, conceived during the Obama administration, will change under President Trump. But some construction is already under way on Redstone." Huntsville/Madison County Chamber of Commerce Senior VP Mike Ward said, "I think the master plan that the FBI discussed at the Redstone Update is still notional and it remains so until the plan is funde[d]. Some parts of the plan have been funded and are being executed. We're hopeful that we will be able to advance this plan to make it a reality." US Rep. Mo Brooks (R-AL) "said he has heard many different estimates on potential jobs that could be associated with the FBI's growth in his hometown." The article notes, "FBI Director James Comey, in a visit to Redstone last year to formally open" the Terrorist Explosive Devices Analytical Center (TEDAC), "described Huntsville as a possible new 'center of gravity' for the bureau."

On its website, WAAY-TV Huntsville, AL (2/23, Martin, 2K) similarly quotes Ward's comments

on the possible FBI expansion in Huntsville.

FBI Director's Community Leadership Award Honors North Dakota Children's Advocacy Center.

KXMC-TV Minot, ND (2/23, 1K) reports online that the FBI Director's Community Leadership Award was presented to Shannon Hilfer and Jessica Ahmann of the Sanford Health community in North Dakota, who were honored for going "above and beyond" in their work with child abuse victims. Ahmann said, "The recognition just really shows that we do make a difference to these kids, and that's truly, like Shannon said, what it's all about. It's helping them get through this tough time."

OTHER WASHINGTON NEWS

DOJ Reverses Obama Order Phasing Out Private Contractors To Run Prisons.

Reuters (2/23, Beech) and the New York Times (2/23, Lichtblau, Subscription Publication, 13.9M) report the Justice Department has reversed an Obama Administration order that called for the phasing out of using private contractors to run federal prisons. Reuters says that Attorney General Sessions wrote in a memo made public Thursday that former President Obama's policy harmed the government's ability to meet possible needs of the prison system. Sessions said, according to Bloomberg News (2/23, Strohm, 2.41M), "The memorandum changed long-standing policy and practice, and impaired the Bureau's ability to meet the future needs of the federal correctional system." Politico (2/23, Ocasio, 2.46M) reports a Justice Department spokesman indicated that the new memo provides the Federal Bureau Of Prisons with more flexibility. The spokesman said in a statement, "This will restore BOP's flexibility to manage the federal prison inmate population based on capacity needs."

The Washington Post (2/23, Zapotosky, 11.43M) says that while the change is "a significant policy shift" from the Obama Administration, "the practical impact might be somewhat muted." The Post indicates that "most inmates are housed in state prisons, rather than federal ones" and the Obama Administration's decision to no longer use private facilities "only affected 13,000 prisons" that "hous[ed] a little more than 22,000 inmates." The Post adds that the original order "also did not apply to Immigration and Customs Enforcement and US Marshals Service detainees."

Media: Private Prison Sector Supported Trump During Election. Eamon Javers said on CNBC's Closing Bell (2/23, 142K) that the private prison sector has been "very close" to Trump and "saw something they very much liked in Donald Trump's administration." USA Today (2/23, Schouten, 5.28M) reports private prison companies "have contributed big sums to pro-Trump groups" and now "stand to make big gains under President Trump's new immigration orders." USA Today says private prison companies "see the potential for significant growth" with Trump and some GOP lawmakers "pushing to toughen penalties for undocumented immigrants who are deported and then re-enter the country illegally." USA Today highlights that GEO Group donated $250,000 to support Trump's inauguration and a subsidiary of the company gave $225,000 to a super PAC that spent about $22 million to help Trump. CoreCivic provided $250,000 to support Trump's inauguration.

White House Says DOJ Will Crack Down On Recreational Marijuana.

The Washington Times (2/23, Boyer, 272K) reports White House press secretary Sean Spicer indicated Thursday that the Justice Department will increase enforcement of the federal ban on the recreational use of marijuana, and he "compared recreational marijuana loosely with the opioid epidemic." According to McClatchy (2/23, Kumar, Hotakainen, 74K), a 2014 John Hopkins School of Public Health report shows "there's little evidence to connect marijuana to opioid addiction." Washington Gov. Jay Inslee vowed to defend his voters' pro-pot preferences earlier this month, and Nevada Senate Majority Leader Aaron Ford called on the state's attorney general to "vigorously defend" its laws.

The AP (2/23, Gurman) says Spicer's announcement is "a departure from the Trump administration's statements in favor of states' rights." According to the Los Angeles Times (2/23,

Halper, McGreevy, 4.52M), the Administration's options for enforcement could range from "largely symbolic gestures" to "filing injunctions seeking to nullify state legalization laws." The Washington Post (2/23, Wagner, Zapotosky, 11.43M) reports pro-cannabis organization and industry leaders' concern with Spicer's statement, with one noting, "Many of the states who helped elect President Trump just voted to also support recreational marijuana."

Media: Trump Calls Deportations "A Military Operation"; Kelly Quickly "Contradicts" Him.

President Trump's comment at a White House meeting of business executives that under his immigration policy, "we're getting really bad dudes out of this country at a rate that nobody's ever seen before" in "a military operation" draws considerable critical media attention, with every major story on the comment stating that DHS Secretary Kelly quickly followed by saying that no military force is being used. While the White House said the President was using the term figuratively, several sources use the contradiction between Trump and Kelly to highlight the difficulties the Administration has had with immigration policy.

ABC World News Tonight (2/23, lead story, 3:40, Muir, 14.63M) reported that the President called his "immigration crackdown...'a military operation' at the border." But "his own Homeland Security secretary had very different words about the operation." ABC's Matt Gutman: "At the White House today, President Trump declaring his new immigration crackdown" a success. Trump: "We're getting really bad dudes out of this country, and at a rate that nobody's ever seen before, and they are the bad ones, and it's a military operation." Gutman: "A military operation? Not according to Homeland Security Secretary John Kelly." Kelly: "No. Repeat, no use of military force in immigration operations. None." The CBS Evening News (2/23, story 2, 1:00, Pelley, 11.17M) said "there was some confusion today on immigration." CBS' Margaret Brennan: "The White House later tried to clarify, saying the President meant 'military operation' as an adjective to describe what they say is an efficient rate of deportation."

NBC Nightly News (2/23, story 4, 1:35, Alexander, 16.61M) reported that Trump was "contradicted quickly" by Kelly, who is in Mexico with Secretary of State Tillerson. USA Today (2/23, Agren, 5.28M) reports that Kelly "addressed an anxious audience of Mexican migrants living in the USA and Mexican officials preparing to receive an influx of deportees." Kelly said, "Everything that we do will be done in a legal way and with respect for human rights and the US justice system." The Wall Street Journal (2/23, Schwartz, Whelan, De Córdoba, Subscription Publication, 6.37M) reports that Kelly also said there would be "no mass deportations." The AP (2/23, Lederman) reports that while Kelly and Tillerson "tried to alleviate Mexico's concerns, Trump was fanning them further," offering "an altogether different message from Kelly and Tillerson, who traveled here to meet with top Mexican officials at a time of intense turbulence for US-Mexico relations."

The Washington Post (2/23, Rucker, 11.43M) says the President "celebrated what he called 'a military operation' to round up and deport undocumented immigrants who have committed crimes or caused violence." The Post says the phrasing "could raise eyebrows among immigrant rights advocates and even within" DHS. The Post says "a leaked DHS proposal last week to deploy Army National Guard troops to help apprehend undocumented immigrants was quickly denied by DHS leadership and the White House as being under consideration."

The Los Angeles Times (2/23, Memoli, 4.52M) writes that while Trump "speaks in terms of unadulterated success" on immigration policy, "few others in the administration go so far," and "a muddled picture has emerged on where the Trump administration is headed. Thursday offered a clear example of the problems that arise when Trump and his top aides send different messages." The Hill (2/23, Fabian, 1.25M) reports that White House press secretary Sean Spicer said Trump "wasn't speaking literally." Spicer said, "The President was using that as an adjective. It is happening with precision."

The New York Times (2/23, A1, Ahmed, Harris, Nixon, Subscription Publication, 13.9M) writes that Trump "has a penchant for dropping unwelcome surprises during visits between the United States and Mexico. Last month, on the first day of a trip to Washington by Mexico's foreign minister, Mr. Trump signed an executive order to build a wall between the two countries," and

earlier this week, just before the trip by the two secretaries, the Administration "released policies that vastly expanded the potential for deportation of undocumented immigrants." The Washington Post (2/23, Olivo, 11.43M) says "the visit by Tillerson and Kelly comes a month after a heated volley of tweets between President Trump and Mexico's president, Enrique Peña Nieto, over who should pay for a wall on the southern US border prompted Peña Nieto to cancel a White House visit."

The Washington Times (2/23, Boyer, 272K) says Trump "praised" DHS efforts "to arrest and deport more illegal immigrants Thursday, calling it 'a military operation' that is getting 'really bad dudes' out of the US." The New York Post (2/23, Halper, 3.82M) also reports that Trump "likened the removal of illegal immigrants in the US to a 'military operation.'" Politico (2/23, Nussbaum, 2.46M) says "the comment was surprising given that ICE and the border patrol are civilian, not military, organizations." Business Insider (2/23, Woody, 3.42M) says the comments "appear to contradict some White House efforts to downplay the scope and scale of his deportation plans."

The TIME (2/23, Beckwith, 6.98M) and Vanity Fair (2/22, Nguyen, 6.22M) websites also highlight the President's use of the term "military operation," while the Washington Times (2/23, Dinan, 272K) and Politico (2/23, McCaskill, 2.46M) have brief items focused on Kelly's remarks.

CBS Fact-Checks Trump's Deportation "Boasting." The CBS Evening News (2/23, story 3, 0:40, Pelley, 11.17M) reported, "The President's boasting go the better of him today. He said the US is deporting drug dealers and gang members 'for the first time.' And as you heard, he said they're being deported at a rate nobody has ever seen before. For the record, our research department spoke to an official at the Immigration and Customs Enforcement agency. In January of last year, there were 17,649 deportations. Last month, it was one thousand fewer. And last year, 58 percent had been convicted of serious crimes, such as drug dealing."

The Intercept (2/23, Devereaux) headlines a report "Donald Trump Plans To Bypass The Courts To Deport As Many People As Possible." Tennessee-based immigration attorney Greg Siskind said, "I see now what the plan is. Their plan is basically to have everybody thrown out of the country without ever going to court."

Newsweek Analysis: Trump's Deportation Policies Could Cost "Billions." Newsweek (2/23, Cadei, 862K) under the headline "Trump's Deportation Plans Would Cost Billions" that Trump's "plans to dramatically increase deportations are causing panic in immigrant communities across the country" and are also "likely to add billions of dollars to the tab for Trump's immigration crackdown, on top of the $21 billion that DHS officials have estimated it could cost to build the president's desired wall on the border with Mexico." Last year, Ben Gitis of the "center-right" American Action Forum estimated that it would cost $400 billion to $600 billion to deport all of those in the US illegally within two years. While Trump has not called for that, Newsweek says the additional staffing needs for increased enforcement could cost more than $1.5 billion.

Trump Tweets "Chicago Needs Help" After Seven Homicides On Wednesday.

The Chicago Sun-Times (2/23, Charles, 798K) reports seven homicides occurred in Chicago Wednesday, making it "the deadliest day of 2017 so far," and President Trump responded in a tweet that the situation is "totally out of control. Chicago needs help!" Six people were shot on the South Side and one was killed in Little Village. Among those killed were a young pregnant woman and a sexagenarian. Five of the shootings occurred in a two-hour span. According to the Chicago Tribune (2/23, Williams-Harris, Crepeau, Malagon, 2.54M), at least 495 people have been shot in Chicago so far this year, 60 more people than were shot over the same period a year ago. The Tribune provides details of the seven homicides Wednesday and notes that the West Side experienced the most violence last year. ABC World News Tonight (2/23, story 8, 0:15, Muir, 14.63M) also briefly reported on the story.

Administration Reportedly Broadens Search For Fed Vice Chair For Bank Oversight.

The Wall Street Journal (2/23, Tracy, Ackerman, Subscription Publication, 6.37M) reports that people familiar with the matter indicated the Administration has widened its search for the next Fed Vice Chair in charge of bank oversight. The Journal says the Administration is still considering David Nason, an executive in General Electric's financing arm, and met with US Bancorp chief

executive Richard Davis and Harvard Law School professor Hal Scott.

CNN: IC Concerned White House Wants Report Tailored To Justify Immigration Order.

Anderson Cooper said on CNN's Anderson Cooper 360  (2/23, 686K) that as the White House works "to provide a factual basis" for Trump's immigration order, there is "pushback of some in the intelligence community who have been given the job of evaluating the evidence information and who are worried that they're being asked to tailor the facts to fit a preordained conclusion." Jake Tapper added that "sources" told CNN's Pamela Brown "that there are those within the Department of Homeland Security who have concerns that intelligence at the department might be becoming politicized." A New York Times (2/23, Qiu, Subscription Publication, 13.9M) analysis examines "some of the more misleading claims Mr. Trump and his administration have made about the first iteration of the travel ban."

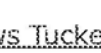
Also on CNN's Anderson Cooper 360  (2/23, 686K), Tapper cited a "senior White House official" who said that "the Department of Homeland Security and the Justice Department, quote, 'are working on an intelligence report that will demonstrate that the security threat for these seven countries [covered by President Trump's immigration order] is substantial, and that these seven countries have all been exporters of terrorism into the United States.'" However, "sources tell the CNN" that DHS' Office of Intelligence and Analysis "filed a report that disagrees with the view that blocking immigration from the seven countries strategically make nice sense. Some DHS officials have said they do not think nationality is the best indicator of potential terrorism." Tapper added that when it was asked about the matter, DHS "essentially disparage[d] its own intelligence division's report saying, quote, the Ina report does not include data from other intelligence community sources. It is incomplete."

Rep. Dan Donovan said on CNN's The Lead  (2/23, 320K) that the Administration "looked at the decision by the Ninth Circuit" and is "taking into account where the failures were in the first roll out of the first executive order and trying to make sure that they do the next executive order within the constitutional boundaries."

Illinois, Connecticut Officials Push Back On Trump's Immigration Enforcement Plans.

The Chicago Sun-Times (2/23, Grimm, 798K) reports that President Trump is "not going to get much help from Illinois" with his "ambitious plans to step up immigration enforcement and arrest and deport undocumented people at a record pace." Cook County Sheriff Tom Dart "said he had 'no interest' in devoting his deputies' time to arresting undocumented county residents, and Mayor Rahm Emanuel has consistently said Chicago will remain a 'sanctuary city.'" Meanwhile, state Attorney General Lisa Madigan "said her office is looking into ways to offer legal backup to smaller towns that want to continue their resistance to immigration laws," and Gov. Bruce Rauner "said he had no plans to deputize the Illinois State Police to enforce immigration laws."

The Washington Times (2/23, Ernst, 272K) says a memo to Chicago Public Schools principals from Chicago Chief Education Officer Janice Jackson "positioned CPS as a roadblock to ICE's mission to enforce federal laws governing border control, customs, trade and immigration." The memo, which was issued Tuesday, reads, "To be very clear, CPS does not provide assistance to US Immigration and Customs Enforcement (ICE) in the enforcement of federal civil immigration law. ... Therefore, ICE should not be permitted access to CPS facilities or personnel except in the rare instance in which we are provided with a criminal warrant."

Connecticut Gov. Dannel Malloy was asked on Fox News Tucker Carlson Tonight  (2/23) about his order to state law enforcement not to enforce federal immigration law. Malloy said, "There are federal laws that the federal authorities should enforce and there are state laws that the state authorities should enforce. We want the bad guys off the street, we want bad guys sent home. That's not the disagreement. The disagreement is the President can't order us to do federal work. Quite frankly, the federal government should do its own job and get it done. We are not standing in the way of that happening."

Clarke: Charge Sanctuary City Officials With Harboring Aliens. The Milwaukee Journal Sentinel (2/23, Glauber, 513K) reports that during a panel discussion at the Conservative Political

Action Caucus Thursday, Milwaukee County Sheriff David A. Clarke Jr. said "he has a way to put a stop to sanctuary cities – use a federal statute to charge local officials for harboring aliens." Said Clarke, "I'm telling you right now folks, you charge one mayor, one governor, one council president that adopts these laws, this stuff is going to end right away." Clarke argued that sanctuary cities "provide cover" for "criminal illegal aliens to continue to prey on not only law-abiding people but also illegal immigrants in this country."

Taub, Fisher: Proposed Deportation Rules Risk Creating "Fragmented" Society. In the New York Times (2/23, Subscription Publication, 13.9M), Amanda Taub and Max Fisher say the Administration's proposed deportation rules "risk creating an American underclass with parallels to others around the world," such as "slum residents in India, guest workers in oil-rich Persian Gulf states and internal migrant workers in China." The groups, Taub and Fisher say, "provide a cautionary tale for what could happen" if illegal immigrants "are forced deep into the shadows." The authors say that the undocumented immigrants are "stuck in a gray zone outside the legal system," making them "vulnerable to exploitation, including wage theft and sex trafficking." Taub and Fisher say the end result could be "a fragmented" society, rather than the "cohesive society" that the Administration seeks.

Deportation Plan Dominates US Officials' Visit To Mexico.

Bloomberg Politics (2/23, Cattan, 201K) reports Secretary of State Tillerson and DHS Secretary Kelly "wanted to focus on a range of bilateral issues, including trade, in a meeting with their Mexican counterparts" on Thursday in Mexico City, but instead "immigration concerns dominated" the meeting. In its lead story, ABC World News Tonight  (2/23, lead story, 3:40, Muir, 14.63M) reported Tillerson and Kelly arrived in Mexico at a time when that country is "furious with the Administration's new plan to deport some undocumented immigrants to Mexico, even if they are not Mexican." On CNN's Situation Room  (2/23, 554K), Elise Labott said "the Mexicans do seem to be caught off guard. Normally, you have the White House rolling out a policy several days before the visit. There is time for dust to clear and the aides to set the meetings." Nevertheless, Tillerson "called the talks productive."

NBC Nightly News  (2/23, story 4, 1:35, Alexander, 16.61M) reported that prior to their arrival, demonstrators set fire to a fake wall, and "many were demanding that the Mexican president refuse to meet with" the two US officials. Tillerson tried "to translate [Trump's] tough talk into diplomacy," saying, "Two strong sovereign countries from time to time will have differences."

Reuters (2/23, Alper, Torres) reports Mexican officials expressed "worry and irritation" about Trump's policies during talks with Tillerson and Kelly, "giving a chilly reply to the new administration's hard line on immigration, trade and security." Foreign Minister Luis Videgaray told reporters, "There exists among Mexicans worry and irritation about what are perceived to be policies that could be harmful for the national interest and for Mexicans here and abroad." The Washington Times (2/23, Dinan, 272K) says Mexican officials "scolded their American counterparts," using the meeting to "register their displeasure and demand that the US not increase the number of people deported to Mexico." The New York Post (2/23, Moore, 3.82M) says Videgaray also expressed "concerns" about "the rights of Mexicans living in the US."

According to the Los Angeles Times (2/23, McDonnell, 4.52M), Videgaray told lawmakers "in private comments" on Wednesday that Mexico is preparing for a long "battle" with the Trump Administration, and is "prepared to retaliate with new tariffs if necessary." He is quoted as saying, "We are here preparing for a battle that is going to be long. This is not going to be resolved in three days."

In his "Talking Points Memo" segment on Fox News' The O'Reilly Factor  (2/23, 767K), Bill O'Reilly said, "It's entirely Mexico's fault that millions of their own citizens feel they have to come here to earn a decent living. ... Mexico should take full responsibility for its inability to provide a decent economy for its own people and for failing to defeat the vicious drug peddling monsters. But they never will."

DeVos: Obama's Transgender Bathroom Guidance Was An "Overreach."

A day after the Trump Administration rescinded the Obama Administration transgender bathroom guidance, Education Secretary DeVos on Thursday told the Conservative Political Action Conference that the previous Administration's rules were "an overreach," USA Today (2/23, Estepa, 5.28M) reports. DeVos said, according to the Washington Times (2/23, Sherfinski, 272K), "Let me just say that this issue was a very huge example of the Obama administration's overreach to suggest a one-size-fits-all federal government approach, top-down approach to issues that are best dealt with and solved [at] a personal level and a local level."

The New York Times (2/23, Pérez-Peña, Subscription Publication, 13.9M) reports that before the decision was announced, DeVos "met with a representative of gay and transgender employees at the Education Department to warn of what was coming." While an aide "assured the employee that, as was widely reported, Ms. DeVos had resisted the move, according to people briefed on the Wednesday meeting," DeVos "gave no public sign that there had been a rift within the Trump administration, or that she had come up short." However, "people who have known and watched Ms. DeVos through the years...warn against thinking that she will be a meek team player." In her home state of Michigan, DeVos "earned a reputation as a driven, relentless and effective political fighter, using her family's vast fortune to reward allies and punish foes, and working behind the scenes to pass legislation and unseat lawmakers who opposed her."

ABC World News Tonight  (2/23, story 4, 0:40, Muir, 14.63M) reported that White House press secretary Sean Spicer said Thursday that "it's not a matter for the federal government to decide." Spicer: "I think it's not a question of whether it's a civil right, it's where it's appropriately addressed. And as I noted, it's appropriately addressed at the state level." The Washington Post (2/23, Brown, Balingit, 11.43M) says that in the wake of the Administration rescinding the guidance, "school officials from New York to Washington to Tulsa, Okla., moved quickly this week to assure their communities that they would continue to allow students to use bathrooms aligned with their gender identity." Meanwhile, other districts never complied with the guidelines and do not intend to do so now. The result is "a patchwork of policies on transgender student accommodations that varies widely across the country."

The Washington Times (2/23, Richardson, 272K) reports that in an indication of "how states might proceed" now that Trump has rescinded the order, the National Conference of State Legislatures says lawmakers in 12 states "are considering bills that would require transgender people to use bathroom and locker room facilities based on their 'biological sex' or birth gender." Matt Sharp, legal counsel for the Alliance Defending Freedom, said, "I think [the repeal is] going to give states the motivation to start considering laws creating a baseline of privacy for all students...and really bring this issue back to where it belongs, which is in the states and local schools that know their students best." In that same vein, the Los Angeles Times (2/23, Lee, 4.52M) says the Administration's step "has buoyed the hopes of supporters of so-called bathroom bills, but they still face opposition in many states, even conservative ones."

The Administration move is prompting criticism from several fronts. Bloomberg News (2/23, Hagan, 2.41M) says it has "provoked one more outcry from Silicon Valley." Tech firms including Apple, Facebook and Microsoft "released statements and tweets following the administration's announcement."

In an op-ed for the Washington Post (2/23, 11.43M), former Education Secretary Arne Duncan and former Assistant Education Secretary Catherine Lhamon write that the Administration decision "reflects a fundamental misunderstanding of the federal role in protecting the civil rights of students," confuses "states and school districts, and puts real, live children at greater risk of harm." They add that while the federal government "rightly defers to states and school districts" on "issues such as standards and curriculum," when "it comes to protecting students, the law is clear: Civil rights are paramount."

In an editorial, the New York Times (2/23, Subscription Publication, 13.9M) cites Trump's campaign promise "to protect lesbian, gay, bisexual and transgender Americans from violence and oppression," and says it is not surprising he has sided with Attorney General Sessions on rescinding the transgender bathroom guidance, because "has demonstrated time and again that his stated personal convictions are malleable." A Washington Post (2/23, 11.43M) editorial also criticizes the decision, saying that while Trump once "seemed able to see through this hysteria, expressing support for the rights of transgender people to 'use the bathroom that they feel is

appropriate' and saying Caitlyn Jenner was welcome to use whatever bathroom at Trump Tower she wanted," his endorsement of "the rollback of protections will inflict needless suffering on transgender students, a vulnerable population already subjected to harassment and bullying."

Decision Will Impact Supreme Court Case. USA Today (2/23, Wolf, 5.28M) reports that the Administration decision "could remove the controversial issue from the Supreme Court's docket this spring – or lead the justices to render an even more significant ruling." Next month, the Court is sent to hear Virginia high school student's legal fight to use the bathroom of his choice. However, a Federal appeals court in Richmond relied on the guidance last year "in ruling that Gavin Grimm should be permitted to use the boys' bathroom at his Gloucester County school, and the school district promptly appealed to the Supreme Court." The removal of that policy means the High Court can "vacate that decision and send the case back, or decide on their own which bathrooms are suitable under a 1972 federal law prohibiting sex discrimination." On Thursday, the Court "gave lawyers on both sides six days to submit their views on how best to proceed."

In an op-ed for the New York Times (2/23, Subscription Publication, 13.9M), Ria Tabacco Mar, a staff lawyer for the ACLU's Lesbian, Gay, Bisexual, Transgender and H.I.V. Project, argues that "the president and his executive agencies cannot change what Title IX says and means. Those jobs still belong to Congress and the federal courts." The Grimm case, Mar adds, "could neutralize the Trump administration's cruel blow to vulnerable transgender youth."

Report: One In 137 Teens Would Identify As Transgender. The New York Times (2/23, Chokshi, Subscription Publication, 13.9M) reports that "an analysis of state and federal data" shows that "nearly 150,000 American teenagers from 13 to 17 years old – or one out of every 137 – would identify as transgender if survey takers asked." The Times says the estimate, which was published in a report from Jody L. Herman, a scholar of public policy at the Williams Institute at the UCLA School of Law, and several co-authors, "stands to inform the fierce debate over the rights of transgender youth."

Trump, Trudeau Discuss Border Cooperation.

Reuters (2/23, Ljunggren) reports Canadian Prime Minister Justin Trudeau and President Trump on Thursday "discussed cooperation along the countries' shared border," Trudeau's office said in a statement without providing further details. Reuters notes that "dozens of asylum seekers, worried about Trump's plans for cracking down on immigration, have been crossing into Canada in recent weeks, putting a strain on border communities."

Southwest States May Hinder Trump's Border Wall.

The Wall Street Journal (2/23, Frosch, Subscription Publication, 6.37M) highlights efforts in Southwestern US states to hinder President Trump's efforts to build a wall along the US border with Mexico including legislation from New Mexico Democratic state lawmakers to prohibit the Federal government from acquiring the land to build the wall and California Lt. Gov. Gavin Newsom's discussion of using state and federal environmental laws to hinder stymie construction.

Salvadoran Woman Awaiting Emergency Surgery "Forcibly Moved" To Detention Facility. The Los Angeles Times (2/23, Demick, 4.52M) reports that ICE agents "forcibly moved" Sara Beltran-Hernandez, "a critically ill woman from El Salvador who was awaiting emergency surgery for a brain tumor" from a Texas hospital to a detention center, "raising concerns about President Trump's directive to more aggressively pursue people living in the country illegally." Beltran-Hernandez "was bound by her hands and feet and removed by wheelchair from Huguley Hospital in Fort Worth late Wednesday" and taken to "a detention facility in Alvarado, Texas." Attorneys representing the woman in an asylum petition "said they plan to file an emergency appeal in Texas to get their client returned to the hospital."

CBP Agents Ask For Flight Passengers' IDs In Search For Undocumented Immigrant. The Washington Post (2/23, Lowery, 11.43M) reports that US Customs and Border Protection "confirmed" on Thursday "that their agents requested to see the identification of domestic flight passengers landing at a New York airport Wednesday night as they searched for an undocumented immigrant who had received a deportation order to leave the United States." The agency said two CBP agents "asked passengers who had been on Delta Flight 1583 from San Francisco to show their identification while deplaning after landing at John F. Kennedy Airport at

about 8 p.m. Wednesday." The search "was conducted at the request of Immigration and Customs Enforcement, CBP said in a statement, but the person they were seeking was not on the flight." A CBP spokesperson "said that the undocumented individual, who they did not publicly identify, received a deportation order after multiple criminal convictions for domestic assault, driving while impaired, and violating a protective order."

Pew Poll Gauges How Hispanic Immigrants See Their Place In US. The AP (2/23, Holland) reports that a Pew Research Center survey taken in December and January and released Thursday found that "more than half of Hispanic immigrants who were neither born in the United States nor have a permanent resident card said they were concerned about their place in the United States, even before the Trump administration made clear its intentions to aggressively crack down on illegal immigration." According to the survey, "55 percent of Hispanics surveyed who were foreign born and neither US citizens nor legal residents – a group Pew said was the most likely to be in the country without authorization – said they had serious concerns about their place in America after President Donald Trump's election." Among "Hispanic lawful permanent residents," 49 percent had the same concerns. Meanwhile, 59 percent of US-born Hispanics "said they were confident about their place in America, along with 60 percent of those US citizens who were foreign-born."

Former SOCOM Commander: Trump's Comments About Media A Threat To Democracy.

The Washington Times (2/23, Ernst, 272K) reports Ret. Adm. William McRaven, the former head of Special Operations Command, said Tuesday that he views President Trump's comments about the media as possibly "the greatest threat to democracy" in his lifetime. The current University of Texas system chancellor told members of the school's communication college that efforts to characterize the media as an "enemy" must be challenged. The Daily Texan quoted McRaven as saying, "We must challenge this statement and this sentiment that the news media is the enemy of the American people."

Ginsburg Says Reporters "Trying" To Tell "Truth," Praises Women's March. The AP (2/23, Hananel) reports Supreme Court Justice Ruth Bader Ginsburg told BBC's "Newsnight" in a Thursday interview that she reads the Washington Post and the New York Times daily and "reporters are trying to tell the public the truth." While Ginsburg did not comment on President Trump directly, the AP says, the Justice "said she was encouraged" by the women's march in Washington. Ginsburg said, "I've never seen such a demonstration, both the numbers and the rapport of the people in that crowd." She added, "There was no violence, it was orderly. So yes, we are not experiencing the best times, but there is reason to hope that we will see a better day."

O'Keefe Offering $10,000 For Evidence Of Wrongdoing By Media.

The Washington Times (2/23, Richardson, 272K) reports "conservative sleuth" James O'Keefe "is ramping up his effort to take down the mainstream media" by asking "ordinary citizens to go undercover and expose wrongdoing in newsrooms" across the US. O'Keefe said he will award $10,000 to any person who provides evidence of "corruption, malfeasance and wrongdoing" in the press. O'Keefe said in a video, "If you have hidden audio recordings, videotapes or documents inside of a newsroom or media institution, and the material is good enough, I will pay you $10,000."

Strassel: Conflict Over Pentagon Staff Hurting Efforts To Improve Pentagon.

In her Wall Street Journal (2/23, Subscription Publication, 6.37M) column, Kimberley Strassel says conflict between the White House and Defense Secretary Mattis over who to appoint for senior level Pentagon positions risks leaving Mattis without the necessary staff to carry out needed changes for the military. Strassel argues that while Mattis' desire not to consider politics when choosing his staff has merit, the positions ultimately report to the President and carry out his vision.

WPost: World Leaders Should Treat Public Health Issues Like National Security Threats.

In an editorial, the Washington Post (2/23, 11.43M) says that Bill Gates' address at the Munich

Security Conference Saturday "should have caught everyone's attention" because he said world leaders should equate the urgency of public health issues with the urgency of national security threats. While it may be impossible to anticipate the next "fast-moving [wave] of peril," Gates argued that more support should go toward research on speeding up vaccine development with genomics and more time and resources should be spent on surveillance to identify the outbreak of diseases before epidemics spread. A third priority should be exercises and training "the way the military prepares for war," said Gates.

Republicans Expected To Use Congressional Review Act To Repeal Obama Agency Rules.

Roll Call (2/23, Mejdrich, 63K) reports that congressional Republicans "are expected to send a stream of bills...to President Donald Trump's desk, using a process to repeal agency rules known as the Congressional Review Act," which "allows Congress to repeal certain rules of the previous administration under a fast-track process that requires only a simple majority in the Senate." The Act also "states that a rule 'may not be reissued in substantially the same form, and a new rule that is substantially the same as such a rule may not be issued, unless the reissued or new rule is specifically authorized by a law enacted after the date of the joint resolution disapproving the original rule.'"

Bannon Rips Media, Vows Trump Will Push Forward With Agenda.

Coverage of the joint appearance Thursday by Chief Strategist Steve Bannon and Chief of Staff Priebus at the annual Conservative Political Action Conference – which included reports on all three major network newscasts – focuses heavily on two themes: First, Bannon's excoriation of the media and his vow that President Trump is committed to following through on his campaign promises; and second, Bannon and Priebus seeking to put to rest reports of a rift between the two men.

In the lead story for the  CBS Evening News (2/23, lead story, 2:55, Pelley, 11.17M), Margaret Brennan reported that Bannon, making "a rare appearance," portrayed "himself as a revolutionary." Bannon was shown saying, "There's a new political order that's being formed out of this, and it's still being formed. But if you look at the wide degree of opinions in this room, whether you're a populist, whether you're a limited-government conservative, whether you're a libertarian, whether you're an economic nationalist, we have wide and sometimes divergent opinions. We are a nation with a culture and a reason for being. And I think that's what unites us." Brennan added, "Bannon, a former Goldman Sachs banker who previously ran conservative website Breitbart, repeatedly attacked the media, which he referred to as 'the opposition party.'"

On  ABC World News Tonight (2/23, story 3, 1:25, Karl, 14.63M), Jonathan Karl reported that in "rare public comments," Bannon, "dubbed 'the Great Manipulator' by the TIME magazine" and who "may be the President's most powerful and controversial aide," said that President Trump "won't moderate his views and won't back down from an all-out battle with his opponents." Referring to the media, Bannon was shown showing, "If you think they are going to give you your country back without a fight, you are sadly mistaken. Every day, every day it is going to be a fight."

On  NBC Nightly News (2/23, story 2, 2:30, Holt, 16.61M), Lester Holt reported that Bannon made "a rare public appearance." NBC's Hallie Jackson added, "Stepping out of shadows of the West Wing, one of the President's most trusted advisers in a rare public appearance." Jackson described the "controversial" Bannon as "the power behind the populist brand that propelled Donald Trump to victory."

The New York Times (2/23, Peters, Subscription Publication, 13.9M) reports that when Bannon on Thursday "appeared in public...for the first time since the president was sworn in, it was to deliver, in his own combative way, a message of soothing reassurance to the conservative activists" at CPAC. Bannon told the crowd "not [to] believe the 'corporatist globalist media' that was 'crying and weeping' on election night and is still 'dead wrong' about what the Trump administration is doing. Inside the White House, Mr. Bannon said, everything is going according to plan. The 'deconstruction of the administrative state' has just begun."

The Washington Times (2/23, Sherfinski, 272K) reports that Bannon and Priebus "assured conservatives" that Trump "will keep pressing on 'all of those promises' that got him elected,

rejected reports of chaos within the White House and accused a hostile press of trying to undermine the new administration." The Times adds, "The joint appearance of" the pair "seemed designed to combat reports of discord within the White House – a characterization Mr. Priebus called 'ridiculous' and Mr. Bannon called 'dead wrong.'"

The Washington Post (2/23, Rucker, Costa, 11.43M), describing Bannon as "the reclusive mastermind behind...Trump's nationalist ideology and combative tactics," reports that Bannon delivered "a fiery rebuke of the media and [declared] that the new administration is in an unending battle for 'deconstruction of the administrative state,'" by which he meant "the system of taxes, regulations and trade pacts that the president says have stymied economic growth and infringed upon US sovereignty."

Breitbart (2/23, Spiering, 2.02M) reports that the crowd "applauded and cheered when Bannon spoke of the deconstruction of the administrative state, cutting cabinet agency regulations that were choking business growth. 'The way the progressive left runs is that if they can't get it passed, they're just going to put it in some sort of regulation in an agency,' he said. 'That's all going to be deconstructed.'"

The Los Angeles Times (2/23, Bierman, 4.52M) reports that during "a rare public appearance together," Bannon and Priebus "agreed on one common enemy: the media." The Times says Priebus, "who is often described as 'embattled,' said he has grown 'conditioned' to the media counting Trump out: during the presidential campaign, the transition and the first month of the presidency. 'The biggest misconception is everything that you're reading,' Priebus said." Bannon, meanwhile, "consistently called the media 'the opposition party.'"

Reuters (2/23, Cowan, Sullivan) reports that Bannon, making "a rare public appearance," urged "conservatives to unite behind [Trump] as he presses his agenda." Bannon told "the gathering, 'We want you to have our back' in upcoming battles, and [denounced] media criticism of Trump."

The Huffington Post (2/23, Bobic, 237K) reports that Bannon "denounced the 'corporatist, globalist media' for being 'adamantly opposed to an economic nationalist agenda'" being pushed by Trump. Bannon "repeated a reference to the media as the 'opposition party,' and bashed it for being 'always wrong' about the workings of the administration." Priebus concurred with the assessment, "adding that he hoped the relationship between the press and the White House would improve. 'It's going to get worse,' Bannon said."

The Wall Street Journal (2/23, Bender, Subscription Publication, 6.37M) reports that Bannon pledged that Trump's budget proposal would make good on the President's campaign vows. Said Bannon, "We have a team that's just grinding it through on what President Donald Trump promised the American people. And the mainstream media better understand something – all those promises are going to be implemented." The Washington Times (2/23, Ernst, 272K) quotes Bannon as saying of Trump, "He's laid out an agenda with those speeches, with the promises he made, and our job everyday is just to execute on that." Bannon added, "And he's maniacally focused on that."

Bannon, Priebus Dispute Reports That They Are At Odds With Each Other. The Hill (2/23, Kamisar, 1.25M) reported that while Bannon was "portrayed by 'Saturday Night Live' as the Grim Reaper" and "on the cover of Time magazine as 'the great manipulator,'" during Thursday's "rare public appearance," he "presented a softer image." The Hill added that Bannon "was relaxed and smiling on the convention hall stage next to a chipper Priebus," as the pair "sought to temper Bannon's public image and rebut reports of discord between the administration's top two advisers."

USA Today (2/23, Jackson, 5.28M) says that both men "disputed media reports casting them as rivals in Trump's political court, and each said they are working together to advance the president's ambitious agenda." USA Today adds, "Moderator Matt Schlapp – chairman of the American Conservative Union, which sponsors CPAC – seemed amused by the Bannon/Priebus pleasantries, saying at one point, 'you guys have been so kumbayah.'"

McClatchy (2/23, Glueck, 74K) reports, "Despite several weeks of often-rough headlines for the administration and rampant chatter about tensions between Bannon and Priebus, the two men sought to project unity." Said Priebus, "In regard to us two, the biggest misconception is everything you're reading," adding, "We share an office suite together, we're basically together from 6:30 in the morning until about 11:00 at night."

Law Professors File Misconduct Complaint Against Conway.

The Washington Post (2/23, Horwitz, 11.43M) reports that a group of law professors has filed a misconduct complaint against Conway, "who was admitted to the D.C. Bar in 1995." The letter, from 15 professors who specialize in legal ethics, "said Conway should be sanctioned for violating government ethics rules and 'conduct involving dishonesty, fraud, deceit or misrepresentation.'" The professors "cite several incidents, including a television interview in which Conway made the 'false statement that President Barack Obama had 'banned' Iraqi refugees from coming into the United States for six months'" after the "Bowling Green Massacre," as well as "the use of her position to endorse Ivanka Trump products." They argue that while Conway once "understood her ethical responsibilities as a lawyer and abided by them." She "is currently acting in a way that brings shame upon the legal profession."

Spencer Asked To Leave CPAC.

The Washington Times (2/23, Sherfinski, 272K) reports that "ethno-nationalist 'alt-right' movement" leader Richard Spencer "was booted from the Conservative Political Action Conference (CPAC) on Thursday." American Conservative Union spokesman Ian Walters said, "He's not welcome here." Spencer posted a video online in which he "said he was 'expelled' from the event and had been 'politely asked to leave.'"

The Washington Post (2/23, Weigel, 11.43M) says that in his speech to the conference, ACU executive director Dan Schneider "challenged the media to stop referring to the 'alt-right,'...as conservative." Schneider said, "There is a sinister organization that is trying to warp its way into our ranks. ... We must not be deceived by [a] hateful, left-wing fascist group." He continued, "They hate the Constitution. They hate free markets. They hate pluralism. ... Fascists tend to want big government control."

Chamber of Commerce: Trump Should Halt, Evaluate Fiduciary Rule.

US Chamber of Commerce Center for Capital Markets Competitiveness President and CEO David Hirschmann and Randel Johnson, the chamber's senior vice president of labor, immigration and employee benefits, write in a USA Today (2/23, 5.28M) op-ed that President Trump's request to review the Labor Department's "well-intentioned, but poorly designed, fiduciary rule" is "a necessary first step in halting the rule's implementation and calling for an evaluation of its true impact." Hirschmann and Johnson say the rule's "rushed compliance period, severe consequences and compliance burdens" hinder small businesses' retirement plan offerings, and its flawed enforcement mechanism will lead to "frivolous lawsuits."

USA Today: Existing "Commonsense" Fiduciary Rule "Should Not Even Be Controversial." In an editorial, USA Today (2/23, 5.28M) argues the fiduciary rule the Administration has put under review is "not an onerous regulation," but rather a "commonsense rule" that "should not even be controversial." The fiduciary rule is a "simple measure that is needed to boost savings rates," and its end "will simply make brokerages richer at the expense of unsophisticated savers," says USA Today.

Stocks "Wobbled" As Dow Rises For 10th Straight Day.

The AP (2/23) reports that stocks "wobbled Thursday as investors changed course and tempered their expectations for faster economic growth." The Dow added 34.72 points to close at 20,810.32 and the S&P 500 rose 0.99 points to finish at 2,363.81, while the Nasdaq ended the day 25.12 points lower at 5,835.51. USA Today (2/23, Shell, 5.28M) says Thursday was the first time in nearly four years that the Dow "finish[ed] higher 10 consecutive trading days."

Scott Pelley said on the CBS Evening News  (2/23, story 5, 1:40, Pelley, 11.17M) that "many people" are referring to it as "the Trump Rally." Jim Axelrod added that "industrial companies are expecting an increase in infrastructure spending as we saw today when the President met with manufacturing executives to discuss jobs." The President "has signaled he will push for an infrastructure spending bill, and, of course, everyone likes the signals on corporate tax reforms and regulation rollbacks." Early Thursday evening, Trump tweeted a Fox Business story headlined, "S&P 500 Edges Higher After Trump Renews Jobs Pledge." As 11:30 p.m., the post had

been retweeted more than 6,000 times and liked more than 32,000 times.

A separate USA Today (2/23, Shell, 5.28M) analysis says that while "optimism is on the rise as investors cheer better economic numbers and stronger corporate profits," Lamar Villere, co-manager of the Villere Balanced Fund, warned, "The first time one of Trump's major economic policy platforms gets shut down by Congress, you might get the market to say, 'Hmm, maybe this won't happen.' The market could start to get shaky. ... You could have a pullback, as it would remove one of the main reasons for the rally." USA Today goes on to list other factors "that could roil the market."

State Department Says Press Briefings Will Resume "Soon."

The Washington Times (2/23, Taylor, 272K) reports the State Department is "pushing back against criticism from former senior officials and journalists over the lack of press conferences and other media access" at the department since Secretary of State Tillerson was sworn in three weeks ago. "The Department of State continues to provide members of the media a full suite of services," acting spokesman Mark Toner said, asserting that the department had "answered 174 questions from reporters in the [US] and around the globe in the past 24 hours alone." Toner also said "regular press briefings" will resume "soon" as officials explore ways to try and open them digitally to a wider group of reporters.

Under Fire At Town Halls, Republicans Hedge Their Support For Trump Agenda.

The Washington Post (2/23, Weigel, 11.43M) reports that town halls being held this week during the congressional recess "have repeatedly found Republicans hedging their support for" President Trump's "agenda – and in many cases contradicting their own past statements. Hostile questions put them on record criticizing some of the fights...Trump has picked, or pledging to protect policies such as the more popular elements of Obamacare. And voters got it all on tape, promising to keep hounding their lawmakers if they falter." As one example, the Post says that Sen. Chuck Grassley, asked during a town hall whether he backs an investigation of "Trump's tax returns," offered "a qualified 'yes.'"

On the CBS Evening News (2/23, story 4, 2:15, Pelley, 11.17M), Scott Pelley reported, "Congressional Republicans are getting an earful in their town hall meetings." CBS' Nancy Cordes added, "The question for Republicans this week: How strongly to defend the President. ... When they're already dealing with Democratic anger over plans to repeal Obamacare."

Politico: Republicans Divided On Whether Paid Protesters Behind Raucous Town Halls. Politico (2/23, Nelson, 2.46M) reported, "A rift has opened up among Republicans over whether paid protesters are the root cause of raucous town halls, with the White House fueling the narrative that organized, disruptive sympathizers of Hillary Clinton are the culprits." Politico said GOP lawmakers "have taken different stances in the debate." For example, Grassley has argued "there's no 'evidence' that paid protesters are disguising themselves as angry constituents." However, "others have adopted a stance more in line with the White House's," with Rep. Jason Chaffetz, for instance, contending "that Democrats were 'bullying' in a 'concerted effort' to create chaos."

Under the headline "Takeaways From A Week Of Raucous Town Halls," Politico (2/23, Cheney, 2.46M) reported, "Some Republicans – including White House aides – have complained that the protests popping up at town halls have been orchestrated by liberal activists, perhaps by paying out-of-district residents to pack GOP events. But lawmakers who showed up weren't so sure they were facing an artificial resistance."

In another report, Politico (2/23, Nelson, 2.46M) said that Counselor to the president Kellyanne Conway, appearing Thursday on Fox News, "dismissed the angry crowds that have filled town hall meetings hosted by GOP lawmakers across the country as little more than the venting of frustration by a directionless Democratic Party." Said Conway, "Some people are upset with an election result they didn't see coming. And the fact that this president, a man of action and impact is actually keeping his promises at very fast clip early in his administration."

WSJournal: Many At GOP Town Halls New To Political Activism. Under the headline "America's Rowdy Town Halls: More Organic Than Organized," the Wall Street Journal (2/23, Tau,

Andrews, Subscription Publication, 6.37M) reports that the White House and leading Republicans have for the most part contended the angry crowds showing up at GOP town halls are the product of professional organizers and activists who are being paid. However, the Journal says interviews it conducted, both with attendees of a town hall held this week by Rep. Leonard Lance and audience members at similar events across the US, found that a number of those people had never taken part in a town hall or political activism of any sort.

Sen. Bernie Sanders said on  CNN's Out Front (2/23, 409K), "If you don't have the guts to face your constituents, you shouldn't be in the United States Congress. If you need police at the meetings, that's fine, have police at the meetings, have security at the meetings. But don't use that as an excuse to run away from your constituents after you support repealing the Affordable Care Act, doing away with pre-existing conditions. If you're going to do all those things, answer the questions your constituents have."

Meanwhile, a number of reports on the topic focus on various GOP lawmakers across the country. CNN (2/22, Williams, Murphy, 29.79M) reported on its website, "After testy town halls" held by Republican lawmakers such as Chaffetz and Grassley "went viral, some GOP politicians are staying clear of town hall-style events in their home districts." In response, "constituents have turned to some creative ways to voice their displeasure." For example, referring to Rep. Paul Cook, CNN said, "Missing congressman notices have been photographed on milk cartons and posted to the @WhereIsPaulCook Twitter account and website."

The AP (2/23) reports that Rep. Martha McSally "held a town hall-style meeting in Sahuarita," taking "questions from a loud but largely non-confrontational audience Thursday at a church that seats about 300. Organizers of a competing town hall in Tucson had repeatedly invited McSally, but she refused to attend that event," saying "activists wanted an opportunity to verbally berate members of Congress in a public setting and" calling "the attempt a 'political ambush for political theater.'" On its website, CNN (2/23, Fox, 29.79M) reported that McSally "broke with her party and President Donald Trump on a handful of occasions and yet failed to assuage the progressives in the audience who screamed at her to 'answer the question.'"

In another dispatch, the AP (2/23) reports, "A sometimes hostile crowd peppered" Rep. David Young on Thursday "with questions about the Affordable Care Act, environment and other issues at a public forum in Urbandale." The AP says an audience member asked Young "if health care would remain affordable for his 1-year-old son, who was born with a serious health problem. The crowd jeered Young as he sidestepped giving 'a definite answer' but said the boy wouldn't be denied care."

Study: Anti-Muslim, Anti-Immigrant Hate Groups Thrive On Twitter.

USA Today (2/23, Eversley, 5.28M) reports a study released this week by the community security research organization Safe Home this week shows hate groups targeting Muslims and immigrants had the largest number of followers on Twitter, and the number of likes and comments on hate group tweets was higher in 2016 than any year since 2008. Geographically, the Southern states of Arkansas, Mississippi, and Tennessee are home to the highest number of hate groups per capita, with South Dakota and Montana not far behind.

WSJournal: Gorsuch Confirmation Will Buttress Second Amendment Rights.

The Wall Street Journal (2/23, Subscription Publication, 6.37M) editorializes that the 4th Circuit Court of Appeals' ruling this week upholding Maryland's ban on military-style weapons underscores the importance of confirming Judge Neil Gorsuch to the Supreme Court, arguing that with Gorsuch on the court, a new majority will soon be in place to reinforce the court's ruling in DC v. Heller, in which it upheld the individual right to bear arms.

WPost: Bowser's Experienced Police Chief Choice Newsham "Makes Sense."

The Washington Post (2/23, 11.43M) editorializes that Mayor Muriel Bowser's Thursday announcement that Peter Newsham will succeed Cathy Lanier as D.C. police chief, pending D.C. Council approval, "makes sense" for his help "transforming the department into a model agency." Noting his 28-year commitment to the D.C. force, the Post says he worked closely with police

chiefs in the reform and professionalization of the force that has led to "a declining crime rate, the pioneering use of data and a department held out as a national example of how to make community policing work." The Post estimates that Newsham will survive inquiry into the "blemishes on his record" because he has learned lessons that put "him in good stead" to fulfill police chief responsibilities.

Arkansas Supreme Court Strikes Down City's LGBT Protections.

The AP (2/23, DeMillo) reports from Little Rock, AR that the Arkansas Supreme Court on Thursday "struck down a city's ordinance banning discrimination based on a person's sexual orientation or gender identity, but it stopped short of saying whether a state law aimed at prohibiting such local LGBT protections is constitutional." The court "reversed a judge's decision that Fayetteville's anti-discrimination ordinance didn't violate a state law prohibiting cities from enacting protections not covered by state law." The AP adds that Fayetteville, "a liberal enclave in northwestern Arkansas, is one of several cities that approved local protections for lesbian, gay, bisexual and transgender people in response to the 2015 law." In the unanimous ruling, "the justices rejected the argument that Fayetteville and other cities with such ordinances have made, that such protections are covered elsewhere in state law."

SCOTUS Will Not Hear Ohio Man's Amish Hair-Cutting Case.

The AP (2/23) reports that the Supreme Court "won't review the case of the Ohio leader of a breakaway group that was accused in hair- and beard-cutting attacks on fellow Amish." Defense attorneys "challenged the constitutionality of the federal hate crimes law and how a kidnapping allegation was used to stiffen the sentence for 71-year-old Samuel Mullet Sr.," who "petitioned the Supreme Court after a federal court rejected his appeal last May." Mullet's attorney, Ed Bryan, said "he is disappointed by the high court's decision this week not to take up the case." Prosecutors "said some of the victims in the 2011 attacks were awakened in the middle of the night and restrained as others cut their hair and beards, which have spiritual significance in the Amish faith," and "prosecutors alleged the motive was religious, while the defense attributed it to family disputes."

Cruz Predicts Another SCOTUS Vacancy Later This Year.

The Washington Post (2/23, Sullivan, 11.43M) reports that in "one of his most prominent political appearances in months," Sen. Ted Cruz predicted at the Conservative Political Action Conference Thursday "that there will be another vacancy on the Supreme Court later this year" and "appeared to suggest that a departure of one of justices from the liberal wing of the court would trigger the opening." Cruz said, "The Scalia seat is defense. ... We're not going to get any better than Justice Scalia. The best we can do is preserve constitutional victories like upholding the Second Amendment. . . . I think we'll have another Supreme Court vacancy this summer. If that happens, as much as the left is crazy now, they will go full Armageddon." Cruz reiterated those comments in an interview with Fox News' Special Report  (2/23, 1.53M), saying, "I think the odds are very good we will see a [Supreme Court] vacancy this summer. If not this summer, next summer. ... The next vacancy, which is going to be the opportunity to shift the course of this court, to put a five justice majority of constitutionalists on the court – that's going to be Armageddon and we need to be prepared to make the case to the American people."

INTERNATIONAL NEWS

Military Leaders Want Higher Level Talks With Russia About Air Operations Over Iraq, Syria.

The Washington Post (2/23, Lamothe, 11.43M) reports that senior US military officials "want to elevate talks with Russia about air operations over Iraq and Syria" in an effort to prevent mid-air collisions. However, the Post says that the prospect of discussions on the issue are "complicated by concerns at the Pentagon that doing so will make it look like Washington and Moscow have begun to collaborate on the battlefield." A 2015 agreement between the US and Russia "called for the use

of specific communication frequencies and the establishment of a phone hotline" to deconflict operations, but Lt. Gen. Jeffrey Harrigian indicated the existing agreement has not provided US officers many options when there are points of contention between the two military forces. Harrigian said, "Our perspective has been that there needs to be another layer that allows us to have a more senior-level discussion, and we've got to work through where that layer is."

Treasury Department Sanctions Two Nusra Front In Syria Leaders.

The AP (2/23, Schectman) reports the Treasury Department on Thursday placed two Nusra Front in Syria leaders – Iyad Nazmi Salih Khalil and Bassam Ahmad al-Hasri – on its sanctions blacklist. The US says the men helped oversee the group's operations in Syria, with Khalil acting as its third-highest ranking official.

Syrian Peace Talks Resume.

The AP (2/23, Soguel, Keaten) reports talks to end the Syrian conflict restarted on Thursday with UN envoy Staffan de Mistura saying the negotiations present an opportunity to end the war and give hope to country's population. Mistura said, "The Syrian people all want an end to this conflict and you all know it." Mistura added, "They are waiting for a relief of their own suffering, and the dream of a new road out of this nightmare to a real and normal future in dignity." Mistura indicated that he will hold separate talks with each side as they try to create a plan that would lead to discussions about governance, a new constitution, and elections.

Iraqi Forces Seize Most Of Mosul Airport.

ABC World News Tonight (2/23, story 9, 0:45, Muir, 14.63M) reported that Iraqi forces on Thursday were "taking control" of the airport in Mosul, and the New York Times (2/23, Callimachi, Gordon, Subscription Publication, 13.9M) says the troops seized most of the facility. The Times says the progress is "an important milestone" in the effort to recapture the western half of Mosul and "is a promising start to what is expected to be a difficult and bloody fight." US Brig. Gen. Matthew Isler said Iraqi forces are "most of the way through the airfield," which New Zealand Brig. Gen. Hugh McAslan said is "ahead of schedule of where we thought they would be."

NBC Nightly News (2/23, story 7, 1:45, Holt, 16.61M) reported "the offensive is not over" and it "could take another two or three days to secure the airport." The CBS Evening News (2/23, story 7, 2:10, Pelley, 11.17M) showed CENTCOM Commander Gen. Joseph Votel saying that while the operation "might" go "faster if we did it ourselves," he is "pretty convinced the way we are approaching this, this campaign this time, working through our partners, is kind of the right way of doing it." Votel added that the Iraqis "own this" and "we are helping them, helping them to fight, but we are not fighting for them."

Trump Wants US Nuclear Capabilities To Be At "Top Of The Pack."

NBC Nightly News (2/23, story 3, 0:55, Holt, 16.61M) reported that in an interview with Reuters on Thursday, President Trump "doubled down in his desire to beef up the nation's nuclear punch." ABC World News Tonight (2/23, story 2, 1:15, Muir, 14.63M) said Trump "declared he wants the United States to be the world's dominant nuclear power." Trump: "It would be wonderful. A dream would be that no country would have nukes, but if countries are going to have nukes, we're going to be at the top of the pack." Jonathan Karl said Trump's comment comes after Russia violated a 1987 nuclear treaty by deploying a new cruise missile, which the President called "a big deal." In his interview with Reuters (2/23, Holland), Trump called New START "a one-sided deal." Said the President, "Just another bad deal that the country made, whether it's START, whether it's the Iran deal. ... We're going to start making good deals."

Trump Likes Two-State Solution, But Will Leave It Up To Israelis, Palestinians.

In an interview with Reuters (2/23, Holland), President Trump said Thursday that he "likes the concept of a two-state solution to the Israel-Palestinian conflict," but "stopped short of reasserting

a US commitment to eventual Palestinian statehood and instead said again" he would be "satisfied with whatever makes both parties happy." Said the President, "I like the two-state solution. But I ultimately like what the both parties like." Reuters says the comments "put a new twist" on a statement he made earlier this month at a news conference with Israeli Prime Minister Benjamin Netanyahu that could "send a signal to both sides, as well as the international community, that the principle...will not be discarded if the Trump administration moves forward, as he has promised, with an initiative to restart long-stalled peace efforts."

Haley Meets With Parents Of Slain Israeli Soldier. The AP (2/23) reports Ambassador Haley met Wednesday with the parents of an Israeli soldier "whose remains have never been returned after he was killed in Gaza." Haley told Leah and Dr. Simcha Goldin "that she'd work with them and Israeli diplomats to advocate for the return, the US Mission said."

Israel Bars Human Rights Watch. The Washington Post (2/23, Booth, 11.43M) reports Israeli has barred an American investigator from Human Rights Watch from entering the country, saying Thursday that the group is "systematically anti-Israel" and works as a propaganda tool for the Palestinians. Officials at the rights group "denounced the decision to deny entry to Omar Shakir," an Iraqi-American.

Trump "Not Liking" Chinese And North Korean Military Moves.

In an interview with Reuters (2/23) on Thursday, the President said he is "not liking" recent military moves by China and North Korea. Said Trump, "I know exactly what's going on between China and North Korea and everybody else. But I don't like talking about military strategy in newspapers. ... I'm not liking it. This didn't take place under the Trump Administration, this took place under the Obama Administration. Many things took place that should not have been allowed. One of them is the building of a...massive military complex in the middle of the South China Sea." Politico (2/23, Lima, 2.46M) reports that while Trump "praised China for halting coal imports from North Korea, he stressed the country's importance in avoiding escalating matters" with Pyongyang, saying, "Whether they say so or not is up to them, but they have tremendous control over North Korea. I think they could solve the problem very easily if they want to."

Satellite Images Show Reinforced Chinese Surface-To-Air Missile Sites On Disputed Islands. The Washington Post (2/23, Gibbons-Neff, 11.43M) reports on its website that new satellite images show the Chinese military "shoring up its defenses on a disputed island chain in the South China Sea, adding what appears to be reinforced launch sites for surface-to-air missiles on at least three atolls." The existence of the new launch sites was first reported by Reuters on Wednesday, and on Thursday, "photos of the nearly completed structures were obtained" by CSIS.

North Korea Mocks China For "Dancing To US Tune." The Wall Street Journal (2/23, Cheng, Wong, Subscription Publication, 6.37M) reports North Korea criticized long-time ally China in a state-media commentary published Thursday. The commentary, published by the state-controlled Korean Central News Agency, didn't specifically name China, instead referring to "a neighboring country, which often claims itself to be a 'friendly neighbor'." According to the piece, the unnamed country is "styling itself a big power, is dancing to the tune of the US."

Malaysia: Kim Jong-Nam Killed By VX Nerve Agent. The New York Times (2/23, Paddock, Sang-Hun, Subscription Publication, 13.9M) reports Malaysian police announced Friday that the poison used to kill Kim-Jong-Nam, the half-brother of the North Korean leader Kim Jong-Un, was VX nerve agent, which is considered a chemical weapon under Chemical Weapons Conventions of 1997 and 2005. Police said samples taken from Kim's skin and eye were identified as the deadly nerve agent. The Washington Post (2/23, Fiffield, 11.43M) says the finding adds "to the increasing pile of evidence suggesting that Kim Jong Un's regime in North Korea was behind the brazen and public attack on Kim Jong Nam in a Kuala Lumpur airport terminal last week." CNN's Situation Room (2/23, 554K), however, reported that North Korea is "pushing back strongly" against claims that the regime ordered Kim Jong-Nam's assassination.

A Wall Street Journal (2/23, Subscription Publication, 6.37M) editorial urges the Trump Administration in the wake of Kim Jong-Nam's assassination to label North Korea a state sponsor of terrorism.

Kushner, Ivanka Trump Pushed To Remove Climate Deal Criticism From Executive Order.

The Wall Street Journal (2/23, Harder, Nicholas, Subscription Publication, 6.37M) reports President Trump's son-in-law, Jared Kushner, and daughter Ivanka Trump pushed to have language critical of an international climate deal removed from a soon to be released executive order, according to multiple sources. The President s expected to sign within days at least two executive orders dismantling former President Obama's climate and environmental regulations.

UN Climate Chief Seeks Meeting With Tillerson. Bloomberg News (2/23, Shankleman, 2.41M) reports UN climate chief Patricia Espinosa "is not taking no for an answer as she travels next week to Washington in the hope of meeting" with Secretary of State Tillerson. But so far, she has not received a response. "The process has been difficult for them to get started, so I don't know if I will be able to see the Secretary of State this time," Espinosa told reporters. State Department spokesman Noel Clay "said he had nothing to confirm at this time."

Scientists Urge Trump To Withdraw From UN Climate Agency. According to the Washington Times (2/23, Richardson, 272K), "more than 300 scientists have urged President Trump to withdraw from the UN's climate-change agency, warning that its push to curtail carbon dioxide threatens to exacerbate poverty without improving the environment." In a letter to the President, MIT professor emeritus Richard Lindzen called on the US and other nations to "change course on an outdated international agreement that targets minor greenhouse gases," starting with carbon dioxide.

Swedish Minister Hits Back At Trump Criticism.

Reuters (2/23, Ahlander) reports Sweden "hit back" on Thursday at criticism from President Trump, "defending its generous immigration policies and saying the diversity from thousands of asylum seekers would build a stronger society." Justice and Migration Minister Morgan Johansson told Reuters in an interview, "The next time I hope the president, if he's going to speak about Sweden, is better informed about what the conditions really are here," noting that unemployment figures continue to fall and public finances are in sound order, despite record number of immigrants.

Max Karlsson, a 22-year-old Swede who has been running the @Sweden account on Twitter since Monday, writes in the Washington Post (2/23, 11.43M) that "fact-checking a president is an unusual task, but even people in power have to be held responsible for making unverified claims — and President Trump is no exception." Karlsson says "Trump's remarks, echoing those of high-level xenophobes, are reckless and not to be thrown around lightly. It's surreal seeing the leader of the free world actually believing that Sweden in going down the drain, making comments that risk increasing polarization and, on a larger scale, dehumanizing migrants and ignoring the human right to asylum."

Lebanon Fearful Being Caught Up In Trump's Iran Push.

The Wall Street Journal (2/23, Trofimov, Subscription Publication, 6.37M) reports that as President Trump seeks to step up pressure on Iran, Lebanon – home to Tehran ally Hezbollah – fear it will get caught up. Ali Bazzi, a lawmaker from the Shiite Amal bloc allied with Hezbollah, warned that it would be counterproductive for the US to halt aid to the Lebanese army.

Duterte Critic Arrested On Corruption Charges.

The New York Times (2/23, Villamor, Subscription Publication, 13.9M) reports that a Philippine court on Thursday ordered the arrest of a senator who had been "the leading domestic critic" of President Rodrigo Duterte and his anti-drug campaign "on charges that she took bribes from imprisoned drug traffickers." The senator, Leila de Lima, denied the charges, "saying they amount to political persecution."

France's Le Pen Endorses Trump With "Nothing But Praise."

French "far-right" presidential candidate Marine le Pen told the AP (2/23, Ganley) Thursday she "has nothing but praise" for President Trump, citing "the promotion of a form of intelligent protectionism, of economic patriotism" and his "rupture with total free trade imposed on the world." Le Pen said, "There is no (untoward) international fallout" from the President's actions, after

laying out her proposed foreign policy approach that focuses on "France going it alone."

Juncker: EU Will Work With Ireland To Prevent Hard Border Post-Brexit.

The AP (2/23) reports EU Commission President Jean-Claude Juncker said Thursday the commission and "the Irish government will work closely" to avoid the establishment of "hard borders" on the island post-Brexit. Irish Prime Minister Enda Kenny says the peace accord with the UK does not allow for a hard border that would restrict travel.

NYTimes Analysis: European Governments, Like America, Less Welcoming To Migrants.

The New York Times (2/23, Smale, Subscription Publication, 13.9M) interprets Germany's wiretapping approval and mass deportation Wednesday as "a clear sign of the stiffening political headwinds that have made Europe, like America, a less welcoming place for migrants." Although Sweden, the UK, Italy, and Hungary are all "restricting their welcome to strangers," Germany's steps are "more assertive," says the Times, noting this is a year in which Chancellor Angela Merkel faces a tough election challenge. Amnesty International is among the organizations who criticize European states for being too harsh on migrants "simply seeking a better life or striving to escape war and persecution."

Danish Man Who Burned Quran Charged With Blasphemy.

The New York Times (2/23, De Freytas-Tamura, Subscription Publication, 13.9M) reports that a Danish man who burned a Quran and posted a video of it on Facebook has been charged with blasphemy, "a striking decision by prosecutors in a country that is largely secular but has grappled with the role of Islam in public life." According to the Times, the decision "stunned many" in the country, which has not convicted anyone of blasphemy since 1946.

Congress Urged To Withhold UN Funding.

Ron Prosor, a former Israeli ambassador to the UN, writes in the Wall Street Journal (2/23, Prosor, Subscription Publication, 6.37M) that Congress should withhold its funding to the UN until the world body returns to its core values, becomes more efficient, and halts its frequent attacks on American values and allies.

Krauthammer: Trump's "Two-Track" Foreign Policy May Work.

Charles Krauthammer writes in his column for the Washington Post (2/23, 11.43M) that the set-up of the Administration is "a glaring contradiction," with the heads of State, Homeland Security, the CIA, and especially Defense and the national security adviser representing "mainstream American internationalism," while the President is "inexperienced, untraditional, unbounded" in his approach to foreign policy. Krauthammer argues that so far, the "good-cop, bad-cop" maneuvering seems like it might work a la Nixionian "madman theory," like in cases of China, NATO, free trade, and the Israeli-Palestinian resolution. The risk is that "a two-track, two-policy, two-reality" approach to foreign policy is "unsettling and has the potential to go totally off the rails."

Zakaria: US Can Help Save The Center.

Fareed Zakaria writes in his column for the Washington Post (2/23, 11.43M) that amidst the "rise of radical forces on the left and right around the globe," "the center is rising again." Zakaria presents the likelihood that France's Emmanuel Macron will win the second round of the presidential election as a primary example. Macron is "emphatically in favor of free markets, globalization, the European Union and the transatlantic alliance," meanwhile being "an outsider, a reformer and a charismatic politician." German Chancellor Angela Merkel, with her 11-year reign, is also a bastion of centrism, says Zakaria, who notes she lags behind a left-of-center Martin Schulz, "who is even more pro-European, cosmopolitan and globalist." The US will play a critical role in maintaining, or not, an environment where the center can flourish.

Super PAC Begins Ads Urging Flake, Heller To Back Investigation Into Trump's Russia Ties.

Roll Call (2/23, Pathé, 63K) reports the Democratic super PAC American Bridge 21st Century is launching a two-week digital ad campaign that targets Sens. Jeff Flake and Dean Heller, "urging them to back an independent investigation into President Donald Trump's ties to Russia." The super PAC, Roll Call says, plans to expand the campaign to other platforms as it targets "engaged voters" of all parties. The ads call on voters to petition the senators to seek the investigation.

Trump Says China "Grand Champions" Of Currency Manipulation.

Reuters (2/23, Holland, Lawder) reports President Trump on Thursday characterized China as the "grand champions" of currency manipulation. Trump said during an interview with Reuters that he has not "held back" in accusing China of manipulating the yuan, despite "not acting on a campaign promise to declare" Beijing a currency manipulator on its first day. Reuters adds that Trump's comments came hours after Treasury Secretary Mnuchin "pledged a more methodical approach to analyzing Beijing's foreign exchange practices." Mnuchin told CNBC that he is not prepared at this time to make a determination on China's currency practices.

China Replacing Three Senior Economic Officials. The Wall Street Journal (2/23, A1, Wei, Wong, Subscription Publication, 6.37M) reports that people familiar with the matter say that Chinese President Xi Jinping will be announcing changes to his economic team as China contends with domestic financial risk and tension with trading partners. The Journal says that with China's top banking regulator, commerce minister, and top economic planning official all at the retirement age of 65, two close associates of Xi and a well-known technocrat will replace them. Shandong Province Governor Guo Shuqing is expected to become the commissioner of the China Banking Regulatory Commission (replacing Shang Fulin), Vice Commerce Minister Zhong Shan will become Commerce Minister (replacing Gao Hucheng), and He Lifeng will head the National Development and Reform Commission (replacing Xu Shaoshi).

Trump Convenes Meeting Of Executives To Shape Economic Policies.

NBC Nightly News  (2/23, story 6, 2:05, Holt, 16.61M) reported President Trump "met with the CEO of two dozens manufacturing companies" on Thursday and "asked for their help in coming up with the ways to bring back jobs that are lost to foreign competitions." The New York Times (2/23, Davis, Subscription Publication, 13.9M) reports the meeting is "giving powerful business leaders a potentially influential hand in shaping his still-evolving economic policies." Trump told the group, "My administration's policies and regulatory reform, tax reform, trade policies will return significant manufacturing jobs to our country." Trump added, "Everything's going to be based on bringing our jobs back – the good jobs, the real jobs. They've left and they're coming back. They have to come back." Trump said his campaign vow on taxes, jobs, and infrastructure helped him win the election and he "dispatched his cabinet and senior staff to gather input from the executives on what those packages should look like." Reuters (2/23, Shepardson, Gibson) reports the executives each attended one of four breakout sessions with Administration officials to discuss a variety of topics including conflict minerals regulations, a lack of qualified workers, export regulations for defense products, vocational training and business taxes.

Javers: Trump Was "Suggesting That A Strong Dollar Could Be Bad" For Caterpillar. Eamon Javers said on CNBC's Closing Bell  (2/23, 142K) that "we saw the President making some comments" during the meeting "that you don't typically hear from the President of the United States." Javers added that "to my ear that sounded a little bit like the President was suggesting that a strong dollar could be bad for Caterpillar in terms of the exports that the President's trying to encourage here. That's not something you usually hear from presidents." Javers continued, "Typically Treasury secretaries say the United States has a strong dollar and that's our policy, but here you're seeing a little bit of a shift here on the part of a White House that wants to emphasize exports over imports."

GE CEO Recounts Trump's Golf Hole-In-One During "The Apprentice" Negotiations. The Washington Times (2/23, Boyer, 272K) reports that during the meeting with executives, the President "prodded" General Electric CEO Jeffrey Immelt to talk about the time Trump shot a hole-in-one on the golf course. The Times says that Immelt "dutifully told the tale of their golf outing in 2004" during negotiations between Trump and NBC for "The Apprentice" show. Immelt said,

"President Trump goes up to a par three on his course. He looks at the three of us and says, 'You realize, of course, I'm the richest golfer in the world.' And then gets a hole-in-one." Immelt added, "I have to say, you know, I've seen the magic before." Trump then explained that he "actually said I was the best golfer of all the rich people, to be exact. But then I got a hole-in-one. So it was sort of cool."

NYTimes Analysis: Trump's Economic Policies Leading To "Fear" In Aerospace Industry. The New York Times (2/23, Johnson, Subscription Publication, 13.9M) reports that President Trump's discussion of "border tariffs and new trade deals" has led to "fear" in the aerospace industry that the policies "could raise the cost of American airplanes bought by foreign airlines or governments," leading to a trickle-down impact on the entire supply chain. The Times highlights Boeing as an example, saying that suffering sales or profits could impact the company's "nerve-system supply chain" which is composed of "more than 13,000 companies" in the US and "more than 1.5 million jobs."

Lane: US Business Leaders Must Speak Out Against Harmful Policies. In a Wall Street Journal (2/23, Subscription Publication, 6.37M) op-ed, Bill Lane – Caterpillar's former director of global government affairs – says that while US business leaders are praising or at least not pushing back against President Trump's efforts to prevent jobs from leaving the country, they realize that the approach would hurt their companies in the long run. Lane says the time has come for corporate America to speak out against policies that could hurt the US economy, while also continuing to support beneficial strategies.

THE BIG PICTURE

Headlines From Today's Front Pages.

Wall Street Journal:
China Shakes Up Top Economic Team Ahead Of Power Shuffle
US Talks With Mexico Clouded By Mixed Message
Where Are The Toilets? Order Glut Stretches Giant Jet Makers To Limit
America's Rowdy Town Halls: More Organic Than Organized

New York Times:
Weakened Democrats Bow To Voters, Opting For Total War On Trump
Stephen Bannon Reassures Conservatives Uneasy About Trump
Trump Vowed To Protect The Safety Net. What If His Appointees Disagree?
As Kelly And Tillerson Visit Mexico, Their Reassurances Differ From Trump's Stance
Bathroom Case Puts Transgender Student On National Stage
South Korea, Next Olympics Host, Went Shopping In North America To Build Its Hockey Teams

Washington Post:
Extremists Gain Strength In Syria As Rebels Falter
Few Homes Available For Millennials Ready To Buy
Cancer Patients Fear Possible Repeal Of Health Act
New Bethesda Project Stirs Up Old Ghosts
Bannon Presses "Deconstruction"

Financial Times:
Geert Wilders Suspends Dutch Election Appearances
Electric Carmakers On Alert As Funds Hoard Cobalt
Trump Appointee Gary Cohn To Stay Clear Of Goldman Matters
US Retreats From Trump Pledge On China Currency

Washington Times:
Advisers Assure Conservatives Trump Will Press On "Promises" That Got Him Elected
Mexico Chides US Immigration Policies, Admits Route For Illegal Immigrants
Trump's Order Gives A Boost To Bathroom Bills In 12 States

CPAC Expels "Alt-Right" Leader, Declares War On Movement
As Other Countries Eye Exit, Iceland Debates Joining EU
Mood In Benghazi Optimistic As Authorities Slowly Defeat Militants

Story Lineup From Last Night's Network News:
ABC: Trump-Immigration Crackdown; Trump-Nuclear Arsenal; Bannon-Trump Comment; Trump-LGBT Bathroom Guidelines; Kansas Racial Shooting; California Officer-Teen Feud; Teenage Hikers Murder Investigation; Chicago Deadliest Day; Iraq Mosul Offensive; Severe Weather; Landing Gear Failure; Female Jogger Murder Investigation; Whale Sighting; Powerball Lottery; Oscars Award.
CBS: Bannon CPAC Appearance; Trump-Immigration Crackdown; Deportation Rate; Town Hall Protests; Wall Street-Trump Rally; US Farming Crisis; Iraq Mosul Offensive; Gymnastics Team Doctor Sexual Abuse; Georgia Teacher Murder Investigation; Teenage Hikers Murder Investigation; North Dakota Pipeline Protest; Alan Colmes Dies; NCAA Basketball News; Civil Rights Photographer.
NBC: California Officer-Teen Feud; Conservative Political Action Conference; Trump-Nuclear Arsenal; Trump-Immigration Crackdown; Treasury Secretary-Tax Reform; US Manufacturing Jobs; Iraq Mosul Offensive; Severe Weather; Powerball Lottery; Health-Migraines; Alan Colmes Dies; Landing Gear Failure; Tiger Drone Attack; Grey Garden For Sale.

Network TV At A Glance:
Trump-Immigration Crackdown – 6 minutes, 15 seconds
Iraq Mosul Offensive – 4 minutes, 40 seconds
California Officer-Teen Feud – 4 minutes, 20 seconds
Bannon CPAC Appearance – 4 minutes, 20 seconds
Teenage Hikers Murder Investigation – 3 minutes, 35 seconds
Trump-Nuclear Arsenal – 2 minutes, 10 seconds
Severe Weather – 1 minute, 25 seconds

Story Lineup From This Morning's Radio News Broadcasts:
ABC: Trump-Nuclear Arsenal; DC Officers Shot; Conservative Political Action Conference; Kansas Racial Shooting.
CBS: Trump-Nuclear Arsenal; Kim Jung-Nam Assassination; Marijuana Legalization; Trump-Immigration Crackdown; Private Prison; Wall Street News.
FOX: Conservative Political Action Conference; Trump-Manufacturing Meeting; Trump-LGBT Bathroom Guidelines; DC Officers Shot.
NPR: Conservative Political Action Conference; Trump-Immigration Crackdown; Marijuana Legalization; Kim Jung-Nam Assassination.

WASHINGTON'S SCHEDULE

Today's Events In Washington.

White House:
PRESIDENT TRUMP — Makes remarks at CPAC; signs an Executive Order; meets with Governor John Kasich of Ohio; meets with President Pedro Pablo Kuczynski of Peru.
VICE PRESIDENT PENCE — Hosts the Governors Luncheon; delivers keynote remarks at the Republican Jewish Coalition Annual Shabbat Dinner.
US Senate: On recess from 17 Feb – 27 Feb.
US House: 9:30 AM House of Representatives convenes for pro forma session Location: Washington, DC http://www.house.gov/
On recess from 17 Feb – 27 Feb.
Other: 8:30 AM POLITICO State Solutions Conference – POLITICO Seventh Annual State Solutions Conference, featuring conversations with governors on approaches their states have taken to address complex problems. Speakers at morning session (8:30 AM EST) are Puerto Rico Governor Ricky Rossello, Colorado Governor John Hickenlooper, Alaska Governor Bill Walker, Utah Governor Gary Herbert, and Kansas Governor Sam Brownback. Speakers at afternoon session

(1:30 PM EST) are Florida Governor Rick Scott, Arkansas Governor Asa Hutchinson, New Hampshire Governor Chris Sununu, Connecticut Governor Dannel Malloy, Montana Governor Steve Bullock, and Idaho Governor Butch Otter Location: Microsoft Innovation & Policy Center, 901 K St NW, Washington, DC www.politico.com https://twitter.com/POLITICOEvents #POLGOvs

Republican Governors Association Winter Meeting – Republican Governors Association Winter Meeting, with speakers including U.S. Ambassador to the U.N. and former South Carolina Governor Nikki Haley and Wisconsin Governor Scott Walker Location: Fairmont Hotel, Washington, DC www.rga.org https://twitter.com/The_RGA

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Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Monday, February 27, 2017 7:20 AM
To: James B. Comey
Subject: FW: FBI Public Affairs News Briefing Monday, February 27, 2017

b7E

From: Bulletin Intelligence [mailto:[redacted]]
Sent: Monday, February 27, 2017 7:08 AM
To: [redacted]
Subject: FBI Public Affairs News Briefing Monday, February 27, 2017

Mobile version and searchable archives available at [redacted]

TO: THE DIRECTOR AND SENIOR STAFF

DATE: MONDAY, FEBRUARY 27, 2017 7:00 AM EST

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- Al Qaeda Affiliate Claims Responsibility For Attacks On Syrian Security Offices.
- Saudi Arabian Minister Meets With Iraqi Leaders To Repair Sectarian Divide.
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- Rogin Calls For More Comprehensive Strategy On Afghanistan.

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- Duterte Seeks To Lower Age Of Criminal Responsibility In Anti-Drug Campaign Expansion.
- Macron Leads In French Pre-Election Polls.
- Guatemala Expels Dutch Vessel, Abortion Advocates.
- WSJournal A1: Japan's Post-Bubble Generation Diminishes Stimulus Efforts.
- WPost A1: Trinidad's Feminist Movement Focuses On Misogyny At Carnival.
- O'Hanlon Calls For Permanent Neutrality As NATO Expansion Alternative.
- Former, Current US Leaders Clarify Foreign Policy Inconsistencies.
- US Cancels Planned Back-Channel Talks With North Korea.
- NYTimes A1: China To Construct Naval Base Near Pentagon's Camp Lemonnier.
- Indian Foreign Minister To Meet With Administration Officials In Washington.
- NYTimes A1: UN-Backed Tribune Dismisses Case Against Cambodian Grandma.
- Iran's Navy Begins Drill Near Strait Of Hormuz.
- Power Honors Late Russian Diplomat Vitaly Churkin.
- Trump's Rhetoric Elicits Resurgence Of Mexican Nationalism.
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LEADING THE NEWS

Trump Condemns FBI Leaks Of Priebus' Request On Alleged Russian Contacts.

President Trump on Friday demanded that the FBI crack down on leaks after reports emerged that Chief of Staff Reince Priebus allegedly asked the bureau to publicly refute claims that Trump's associates and campaign staffers were in contact with Russian intelligence agents, a move that potentially violates White House communication procedures with the bureau in ongoing investigations. The New York Times (2/24, Davis, Subscription Publication, 13.9M) reports Trump "assailed the FBI as a dangerously porous agency" and "charg[ed] that leaks of classified information from within its ranks were putting the country at risk." He tweeted, "The FBI is totally unable to stop the national security 'leakers' that have permeated our government for a long time," adding, "They can't even find the leakers within the FBI itself. Classified information is being given to media that could have a devastating effect on U.S. FIND NOW."

The CBS Evening News  (2/24, lead story, 2:40, Pelley, 11.17M) reported Trump later "said that the news media should not be allowed to use anonymous source. 'You'll see stories dry up,' he said, 'like you've never seen before.'" Correspondent Margaret Brennan said the CBS News "confirmed the FBI Counterintelligence Division is leading an investigation into whether Trump associates were coordinating with Russian officials during the 2016 campaign," and, "The New York Times drew the ire of the White House for writing about constant contacts between Trump aides and Russian intelligence." Then, Brennan reported, CNN claimed on Thursday evening that "Priebus pressured the FBI to publicly refute the story."

Jonathan Karl of ABC World News Tonight  (2/24, story 5, 3:45, Muir, 14.63M) reported Trump "basked in the glow of a friendly crowd" at the CPAC, but then "slammed his own top law enforcement agency for failing to stop what he called illegal leaks." Karl said Trump "is especially outraged at a New York Times story quoting unnamed US officials alleging repeated contacts between the Trump campaign and Russian intelligence," and "is furious about new reports Priebus pressured the FBI to knock the story down. Such pressure could violate longstanding policy prohibiting White House interference in ongoing investigations." Karl added, "But ironically, the White House itself today organized a briefing for reporters on the story and insisted that officials be quoted anonymously."

In its lead story, CNN The Situation Room (2/24, 6:02 p.m. ET, Blitzer, 554K) reported, "In the midst of all the media criticism in the White House, the White House confirmed the essence of the story, that they did speak to the FBI for the communications and did ask the FBI in knocking down the stories describing them." CNN said as of Friday night, however, the White House continues "vehemently defending" the actions.

The AP (2/24, Pace) reported that White House Press Secretary Sean Spicer maintained "Priebus had little choice but to seek Comey's assistance in rebutting what Spicer said were inaccurate reports about contacts during last year's presidential campaign." Spicer said, "I don't know what else we were supposed to do." Spicer told CNN, "We didn't try to knock the story down. ... We asked them to tell the truth," the Washington Post (2/24, Wagner, 11.43M) added. The Post said that according to Spicer, the conversation that took place between Priebus and the FBI was "innocuous." He also criticized the CNN and AP reports, saying, "What you guys have done is indefensible and inaccurate," the Wall Street Journal (2/24, Mann, Subscription Publication, 6.37M) reported.

Fox News (2/24, 11.07M) reported online that the White House confirmed that Priebus spoke with FBI Deputy Director Andrew McCabe. The White House, however, claimed that McCabe initiated the communications to inform the Trump Administration that the New York Times' reporting on Trump campaign contacts with Russia had contained inaccuracies. Roll Call (2/24, Bennett, 63K) reported that according to an Administration official, McCabe told Priebus following a meeting on an unrelated topic that the reporting about the Trump campaign's contacts with Russia was "bull----." Priebus, the official said, asked McCable what could be done about the reporting as the White House was "getting crushed" on the story. "McCabe later called back and said the agency would not be able to put out a statement, telling Priebus, 'We'd love to help but we can't get into the position of making statements on every story,'" Roll Call said. According to the official, FBI Director Comey later confirmed McCabe's comments. Slate (2/24, 1.83M) reported that according to the White House, McCabe and Comey "gave Priebus the go-ahead to discredit the [New York Times] story publicly." The Hill (2/24, Fabian, 1.25M) reports that according to the White House, FBI officials gave the Administration permission to cite McCabe and others as "senior intelligence officials" in discussions of the Times' coverage.

In video footage broadcast by CNN The Situation Room (2/24, 5:03 p.m. ET, Blitzer, 554K), Priebus asserted, "I've talked to the top levels of the intelligence community and they have assured me that that New York Times story was grossly overstated and inaccurate and totally wrong." Justice correspondent Pamela Brown quoted former Attorney General Eric Holder as writing in 2009 that contact between the White House and FBI should only happen when "it is important for the performance of the President's duties and appropriate from a law enforcement perspective." Brown added that DOJ memos "preclude FBI officials and White House officials from talking directly about pending investigations." CNN (2/24, Jarrett, 29.79M) reported online that in an interview with the network, former Attorney General Alberto Gonzales explained that the White House and Justice Department should limit their contacts to avoid pressure being placed on the latter and avoid "the appearance of political influence with respect to an investigation or prosecution." According to Politico (2/24, Arnsdorf, 2.46M), previous administrations prohibited "staff from discussing specific investigations and enforcement cases without clearance from the White House counsel" in order to avoid the "appearance of political tampering with law enforcement." The piece said it is not clear if the rules have now changed with the Trump Administration.

TIME (2/25, Calabresi, 6.98M) reported that the "back-and-forth" between the White House and FBI "may have broken internal rules" set in place by previous Administrations. "After President Nixon's scandals in the early 1970s, the Carter Administration imposed rules designed to prevent the FBI from meddling in politics, and to keep politicians from meddling in criminal investigations," Time said. The Clinton, George W. Bush, and Obama Administrations also limited contact between White House and Justice Department staff. Comey and McCabe may additionally have violated Regan-era rules "that require the Attorney General's approval for most contacts between the FBI and the White House regarding foreign intelligence matters that involve domestic political activities," Time added.

NBC Nightly News' (2/24, story 2, 2:45, Holt, 16.61M) Hallie Jackson reported, "Priebus broke no laws by having that conversation with the FBI official, despite Democratic concerns it may have amounted to political interference in an investigation into Russia's meddling with the election." Jackson added Trump is "going after 'leaks' he blames on the agency," even though he repeatedly cites "unnamed sources to slam political opponents, attacking those today, too."

In video footage broadcast by Fox News' Special Report (2/24, 6:04 p.m. ET, Baier, 1.53M), Trump suggested media organizations "shouldn't be allowed to use sources unless they use somebody's name." Correspondent Howard Kurtz reported, "The President is referring to a Washington Post story on Mike Flynn's pre-inauguration contacts with the Russian ambassador and the false account he gave to Vice President Pence." Kurtz added that the story "was later confirmed for the Administration and led Mr. Trump to fire his national security adviser." Kurtz said sources' anonymity is "crucial to investigative reporting" and sources' protection.

Also reporting were Reuters (2/24, Heavey, Chiacu, Stephenson), The Hill (2/24, Hensch, 1.25M), the Los Angeles Times (2/24, Lee, 4.52M), The Guardian (UK) (2/24, 4.07M), the Wall Street Journal (2/24, Ballhaus, Subscription Publication, 6.37M), the Washington Times (2/24, Boyer, 272K), and the CNN (2/26, Bradner, 29.79M) website.

White House Request On Russia Contacts Probe Puts Comey Again In "Political Crosshairs." Politico (2/25, Meyer, Stokols, Bender, 2.46M) reported that while FBI Director Comey "refused" the White House's request that the bureau "publicly refute news reports that associates of President Donald Trump, including campaign staff, engaged in possibly illegal contacts with Russian intelligence," their interaction "puts Comey squarely in the political crosshairs – again." According to Politico, the Washington Post on Friday said "that after Comey refused to get involved, the White House successfully turned to other intelligence officials, as well as to congressional Republicans with access to intelligence reports on the Russia probes, for help pushing back on the Feb. 14 New York Times story, which alleged months-long contacts between Trump associates and Russian intelligence."

The AP (2/25, Tucker) similarly says Comey is "in a familiar spot these days – the middle of political tumult," given he is "facing new political pressure as White House officials are encouraging him to follow their lead by publicly recounting private FBI conversations in an attempt to dispute reports about connections between the Trump administration and Russia."

Himes, Castro Back Congressional Probe Of Russian Contacts, Priebus' FBI Contacts. Rep. Jim Himes (D-CT) told CNN The Situation Room (2/24, Blitzer, 554K) that his House Intelligence Committee should investigate officials' contacts with Russia. Himes said "if in fact the White House is correct and that there was no contact with Russians and there is just nothing to see there, they should be out in front saying, let's do this investigation, let's show everything, let's get the documents out, let's move on so we can start talking about infrastructure." Himes accused the White House of instead "acting in exactly the opposite way" and "doing everything they can to delegitimize the study to say that the truth doesn't matter, and continuing to be dishonest about it. That is not the activities of a group of people who, in fact, don't have anything to hide."

Himes also told CNN The Situation Room (2/24, 5:22 p.m. ET, Blitzer, 554K) that Priebus "asked the FBI to help color a story was hardly classified national security information. What is a threat to this country, of course, is when Iran and China and North Korea see the President of the United States attacking his own security services, his own intelligence community, you can only imagine what the leaders of those countries are thinking, knowing that the United States President is apparently at war with the very people who will advise him on the motion sensitive questions of whether there is a threat to the United States, whether there is a terrorist threat, what the Russians are doing, what the Chinese are doing." He cautioned, "The President of the United States has got to stop publicly attacking the patriotic men and women who put their lives at risk to keep this country safe."

Former President Obama's senior adviser, David Axelrod, told CNN The Situation Room (2/24, 6:30 p.m. ET, Blitzer, 554K) that he agreed with Himes in that "it's hard to understand how

the story about the White House chief of staff calling the FBI to try and enlist them in quelling a story that discomfited the President is a national security matter or a classified matter." Axelrod continued, "But the underlying story is one that should be further explored by the congress and others, and that is did the chief of staff call over there for that purpose." The Hill (2/24, Greenwood, 1.25M) reports that Axelrod tweeted Friday, "If @BarackObama [chief of staff] had called the FBI to knock down a story on an ongoing probe of the president's allies, Congress would have raised hell."

Rep. Joaquin Castro (D-TX), also on the Intelligence Committee, told CNN The Situation Room (2/24, Blitzer, 554K) that he would "absolutely" like to see both the House and Senate committees investigating "everything from Gen. Flynn's contacts with the Russians, to other campaign advisers who may have had contacts and relationships with the Russians, and now perhaps the White House possibly trying to strong arm the FBI into shaping the news coverage about the story." He added, "It's hard to give the Administration the benefit of the doubt because they have been so hostile to the press and the intelligence agencies to the CIA before, and today Donald Trump unloading on the FBI."

Democrats React To Preibus' Communication With FBI, Pelosi Seeks Probe. House Minority Leader Nancy Pelosi stated the Justice Department "must probe reports that...Priebus asked the FBI to push back on media coverage linking figures from...Trump's campaign to Russian intelligence," The Hill (2/24, Hensch, 1.25M) reported. In a Friday statement, Pelosi wrote, "The Trump White House has been caught trying to pressure the FBI into undermining a vital national security investigation into explosive ties between senior Trump officials and Russian intelligence agents, an action which is in violation of Department of Justice rules and may be illegal." She added that "Priebus has committed an outrageous breach of the FBI's independence."

CNN (2/25, Killough, 29.79M) reported online that Sen. Bob Casey tweeted, "The notion that @POTUS Admin would call @FBI & ask them to publicly downplay an ongoing investigation into Russia ties is deeply disturbing."

USA Today (2/24, Jackson, Johnson, 5.28M) reported that former CIA official and independent presidential candidate Evan McMullin Twitted about Trump's statements regarding Priebus' contact with the FBI, writing: "This seems like presidential confirmation that the White House asked the FBI to help cover Trump campaign ties to Russian officers."

The Hill (2/26, Savransky, 1.25M) reports that in comments to CNN, New Jersey Gov. Chris Christie on Sunday seemingly tried to excuse the White House's contact with the FBI by mentioning the existence of a "learning curve." Christie said, "I don't think the chief of staff will ever have that kind of conversation with the FBI, with an FBI personnel again, nor should he." Though Christie said he doubted that Priebus did anything wrong, he suggested his actions could be perceived by some observers as improper.

Issa Demands Special Prosecutor For Investigation Into Alleged Russian Contacts. In ABC World News Tonight's (2/25, lead story, 2:45, Llamas, 14.63M) lead story, David Kerley on Saturday reported Rep. Darrell Issa (R-CA) called for a special prosecutor to investigate possible contacts between Trump's campaign associates and Russia. In video footage, Issa called for Attorney General Jeff Sessions to recuse himself because he "was on the campaign and" was appointed by Trump. NBC Nightly News' (2/25, story 5, 0:20, Diaz-Balart, 16.61M) Kelly O'Donnell reported that while "Issa is a Trump supporter," the lawmaker is worried Sessions "is too close to the President to oversee this kind of investigation."

The Washington Post (2/25, Wang, 11.43M) reported that in an appearance on HBO's "Real Time with Bill Maher," Issa, a senior member of the House Judiciary Committee and former chair of the House Oversight Committee, "seemed to agree with [host Bill] Maher that Sessions should not be involved," saying, "You cannot have somebody, a friend of mine, Jeff Sessions, who was on the campaign and who was an appointee. ... You're going to need to use the special prosecutor's statute and office." According to the Post, Issa "added that it would also be inappropriate for Sessions to pass the investigation on to the deputy attorney general. He then explained, in a lengthy tangent, that Russia needed to be investigated 'because they are bad people.'"

Politico (2/25, Wright, 2.46M) reported Sen. Mark Warner (D-VA), the ranking member of the Senate Intelligence Committee, "said Saturday he called Chairman Richard Burr...and CIA

Director Mike Pompeo to express his concerns" about the investigation. In a statement, Warner asserted, "I will not accept any process that is undermined by political interference. ... I am consulting with members of the Intelligence Committee to determine an appropriate course of action so we can ensure that the American people get the thorough, impartial investigation that they deserve, free from White House interference."

Senate Intelligence Committee's Probe Into Russia's Election Meddling Garners Bipartisan Support. Bloomberg Politics (2/24, Strohm, 201K) reported a Senate Intelligence Committee investigation into Russian efforts to influence the presidential election "is still in its early stages," but "shaping up as an unexpectedly bipartisan effort." Republican lawmakers "don't want to be seen engaging in a cover-up," but want to prevent the investigation from escalating "the way GOP efforts to probe the Benghazi attacks did during the Obama administration." Armed Services Chairman John McCain (R-AZ) "has been strongly critical of Trump's talk about making deals with Russian President Vladimir Putin and has said he wants a thorough probe of Russia's conduct during the election." Sens. Roy Blunt (R-MO), Tom Cotton (R-AR), Marco Rubio (R-FL), however, "have been notably more hawkish on Russia than Trump." Sen. Chris Murphy (D-CT) said he was encouraged about the probe's direction, but he still wants an independent commission to investigate the allegations.

Poll Suggests Americans' Concerns Over Trump-Putin Relations Are Growing. The Wall Street Journal (2/24, Bender, Subscription Publication, 6.37M) reported a Wall Street Journal/NBC News poll suggested 38 percent of Americans are concerned Trump's relations with Russian President Vladimir Putin are too friendly and inappropriate for Trump's position, an increase of five percentage points over polling results last month. Nearly one-third of respondents claimed they had not formed an opinion on the matter, although about half indicated that they believe Congress should investigate campaign staffers' contacts with Russia and whether the nation interfered in the presidential election.

Cillizza: Trump's Focus On "Leaks" Misses Important Point About Priebus-FBI Communication. Reporter Chris Cillizza wrote in the Washington Post (2/24, 11.43M) that when CNN broke the story that Priebus had reached out to an FBI official to "to encourage him to talk without attribution to reporters about recent allegations that the Trump campaign had been in regular contact with Russian intelligence officials," Trump's response was to say, "Things are being leaked. ... It's a criminal action – criminal act – and it's been going on for a long time. Before me. But now it's really going on." Cillizza said "Trump is totally missing the point," which is that "it's against the rules for the White House to contact the FBI for matters like that, not that someone at the FBI leaked out the fact that it happened." Instead, said Cillizza, Trump is "making the conversation all about leaks" and "turning the conversation more in his favor."

Politico Magazine Analysis: Leaks Will Get Worse For Trump Administration. A Politico Magazine (2/24, Hess) analysis cited the late New York Times reporter James Reston, who it says "set the standard for Washington coverage in the second half of the 20th century" and who is credited as saying "a government is the only known vessel that leaks from the top." The piece highlighted the first top level leak of the Trump Administration, which was the draft executive order titled "Detention and Interrogation of Enemy Combatants," which "called for a review of the Obama-era policy that shuttered secret detention prisons known as 'black sites,' where interrogation teams tortured prisoners." Politico said that "it will get worse for Trump when the budget and major pieces of legislation gain center stage."

WPost: Separation Between White House, FBI Must Be "Honored." The Washington Post (2/24, 11.43M) editorialized "it looks bad" that Priebus asked FBI Deputy Director McCabe if the FBI would be willing to publicly state that the story on Trump's campaign contacts with Russia was "overblown." The Post said the "Justice Department issued guidelines in 2007 and 2009 limiting contact between the White House and federal investigative entities." The Post argued "the principle of separation that these rules represent should be honored with particular care when communications might relate to an investigation of the president or his circle."

Amid Calls For Special Prosecutor, Trump Says "Russia Talk Is Fake News."

The White House on Sunday continued to deny links between President Trump's campaign and the Russian government while also saying it is too early to determine if Attorney General Sessions

should recuse himself from an investigation into the issue. Media coverage focuses on President Trump's tweeted comments about the issue and Congressional calls – including by Rep. Darrell Issa – for a special prosecutor to be appointed.

Politico (2/26, Conway, 2.46M) says that "after a weekend of thorny questions and barbed Democratic criticism surrounding ties" between his campaign and Russia, Trump "took to his favorite platform Sunday to fight back." Trump tweeted, according to The Hill (2/26, Savransky, 1.25M), "Russia talk is FAKE NEWS put out by the Dems, and played up by the media, in order to mask the big election defeat and the illegal leaks!"

The AP (2/26) reports the White House "is dodging questions" about whether Sessions should recuse himself from the investigation and the Washington Post (2/26, Wagner, 11.43M) says deputy press secretary Sarah Huckabee Sanders indicated it would be premature to conclude that the Attorney General should appoint a special prosecutor. Sanders said, "I don't think we're there yet. Let's work through this process. You guys want to jump to the very end of the line." Sanders added, "We're confident whatever review that Congress wants to do, that's the first step." Sanders said on ABC's This Week (2/26, Stephanopolous, 6.61M) that the Administration is "confident that" that any Congressional investigation is "going to come to the same conclusion – that we had no involvement inn any of this."

ABC World News Tonight (2/26, story 2, 1:55, Llamas, 14.63M) reported "calls for an independent prosecutor...[were] growing louder" on Sunday as "prominent Republican" Issa "weigh[ed] in" and called for a special prosecutor. Issa is shown saying, "You're going to need to use the special prosecutor's statute and office." Issa added, according to USA Today (2/26, Jackson, 5.28M), that Sessions "can't just give it to your deputy. That's another political appointee."

However, Kelly O'Donnell reported on MSNBC's Weekends with Alex Witt (2/26, 222K) that "we're not seeing any traction from other Republicans on that subject yet." O'Donnell added, "That could come in time, but at this stage, we're just not seeing it." On ABC's This Week (2/26, Stephanopolous, 6.61M) House Oversight Committee member Rep. Jim Jordan said the intelligence committees should be allowed to "work" on the investigation before a special prosecutor is needed. Jordan said, "If there's more investigation that's needed, I'm on the Oversight Committee, we've never been shy about digging into issues and we'll do that. No one's ever accused me of going easy on my own party."

On NBC's Meet the Press (2/26, Todd, 157K), Sen. Tom Cotton also urged allowing lawmakers to work through the process. Cotton said the Senate Intelligence Committee "has been examining Russia's attempt to undermine our interests around the world" since he has been a member. Cotton added, "We have said that we will undertake in a bipartisan fashion an inquiry into everything that Russia tried to do in our election process last year. If that leads to potential contacts between Trump associates and the Russian government, then we'll explore those, as well." Cotton continued, "I am confident we'll proceed wherever the facts take us." Politico (2/26, Conway, 2.46M) reports that Cotton said the issue of a special prosecutor is "way, way, getting ahead of ourselves." NBC Nightly News (2/26, story 2, 2:40, Snow, 16.61M) showed Cotton saying there are "no allegations of any crime occurring" and not "even indication there is criminal investigations under way by the FBI."

McClatchy (2/25, Schofield, 74K) reports Congressional Democrats "are questioning whether recent comments from leading Republicans, made at the request of the White House, have compromised" the lawmakers' investigations. McClatchy says both Sen. Richard Burr and Rep. Devin Nunes "have issued statements saying they have done nothing improper." Jack Langer, a spokesman for Nunes, said the congressman was not influenced by the White House request and his "comments were entirely appropriate."

The Washington Times (2/26, Richardson, 272K) says Democrats indicate that Chief of Staff Priebus' conversation with the FBI about the investigation "is the latest hindrance to an impartial investigation." Reuters (2/26, Chiacu) reports House Minority Leader Pelosi said Sessions "must recuse himself." Pelosi, on ABC's This Week (2/26, Stephanopolous, 6.61M) said, "You have seen a flurry of activities that are completely inappropriate, encouraging lawmakers, encouraging officials to say something is one way or another. Let's have the investigation and find out the truth.

And we have been calling, we now have 100 Democrats plus one Republican on a bill for an outside, independent commission to study the personal, political, and financial relationship between President Trump and the Russians."

Brennan Calls For Congress To Investigate "With Vigor," "Bipartisan Support." Bloomberg Politics (2/26, Brody, 201K) reports former CIA Director Brennan called for Congressional committees to "pursue this investigation with vigor and with the appropriate amount of bipartisan support." Brennan said on CBS' "Face the Nation" that "it's very important that the investigation be done in a bipartisan fashion," adding, "If it's only one party that's going to be leading this, it is not going to deliver the results that the American people need and deserve."

Christie: No Need For Special Prosecutor In Russia Probe. Politico (2/26, Conway, 2.46M) reports that New Jersey Gov. Chris Christie said on Sunday "that he does not think a special prosecutor is needed to investigate allegations about Trump's relationship with Russia. 'The Justice Department over the course of time has shown itself, with the professionals that are there, to have the ability to investigate these type of things,' Christie told CNN's Jake Tapper on 'State of the Union.' 'This is whether you're a Republican or a Democrat, we've seen it happen on both sides, when a special prosecutor gets involved, the thing gets completely out of control. And I think that doesn't serve anybody's purposes.'"

Bloomberg's Talev: White House Communication "Ill Conceived," But Not "Nefarious." Margaret Talev of Bloomberg Politics said on CNN Inside Politics (2/26, 303K), "I'm not ready do describe nefarious effect to any of this. ... If we hear any hint or whisper that this Administration is laying heavily on the FBI, on the CIA, on other agencies to reach conclusions that they haven't reached, that's one thing. I think this is a sort of an ill conceived chain of communication, to try to figure out if all the stuff people were telling them behind the scenes could emerge in public on record."

Sattler: Time For Democrats "To Start Talking Impeachment." In a USA Today (2/26, 5.28M) op-ed, The National Memo columnist Jason Sattler says President Trump's efforts to influence investigations into his contacts with Russia are the equivalent of "Watergate with a Congress even more interested than the president in covering up potential high crimes and misdemeanors." Sattler says "it's time for Democrats to start talking impeachment" despite it being "less likely to happen under this Congress than the president giving up basic cable to learn Ancient Greek so he can read some Plutarch."

Protesters In Boston Demand Investigation. The AP (2/26) reports about 200 protesters in Boston on Sunday "demand[ed] an investigation into allegations" that Trump's campaign was in contact with Russia. The AP says the demonstrators "chanted slogans, waved signs and heard from speakers who said the public deserves to know about any ties between Trump's campaign and Russia."

COUNTER-TERRORISM

Kansas Man Pleads Not Guilty In Plot To Bomb Somali Refugees.

The AP (2/24, Hegeman) reports the lawyer for Kansas man Patrick Stein, accused of planning an attack on Somali refugees, said his client "believed then-President Barack Obama would declare martial law and not recognize the validity of the election if Donald Trump won." The AP says Stein and two others charged with him have pleaded not guilty and that the defense claims Stein took a "self-defensive posture." However, "Assistant US Attorney Anthony Mattivi told the court that Stein conducted surveillance on the apartment complex wearing a bulletproof vest and while armed with a handgun and assault rifle." The Philly (PA) (2/24, Hegeman, 942K) posts the AP's coverage to its website.

Minnesota Group Aiding Somalis "Proud" Of Decision To Reject Federal Grant.

The AP (2/25, Forliti) reports that a Minnesota non-profit, Ka Joog, is one of several that has rejected funding from the Federal government designed to counter violent extremism. The AP says the group "works to improve the lives of young Somalis" and that they "knew the stakes were high" when they rejected the funding, with the career mentoring and job placement program

possibly being canceled. The organization, according to the piece, "is proud of its decision." They plan to start fundraising beginning this April "to try to make up for the half-million dollars it turned down."

Virginia Man Gets 11 Year Prison Sentence For Helping Another Man Join ISIS.

Reuters (2/24, Simpson) reports 26-year-old taxi driver Mahmoud Amin Mohamed Elhassan of Woodbridge, Virginia received an 11 year sentence Friday "for trying to help another man join the Islamic State militant group in Syria," according to the Justice Department. Reuters says Elhassan pleaded guilty to driving Joseph Hassan Farrokh to Richmond, from where Farrokh intended to fly "to the Middle East to fight for Islamic State, with Elhassan to follow him at a later date, the Justice Department said in a statement."

Pentagon Requests Expanded US Involvement Against Somali Extremists.

The AP (2/26, Baldor) reports senior US officials said the Pentagon asked the White House to expand US special operation forces' ability to battle al-Shabab militants in Somalia, a measure that would grant "the military greater flexibility to launch airstrikes against extremists that appear to be a threat." The officials said the proposal included elements that would also allow special operations forces greater flexibility on whether to accompany local troops and ease restrictions on when the US can use airstrikes against the al Qaeda-affiliated group. The officials said Defense Secretary Mattis approved the proposed recommendations and forwarded them to the White House in early February, but no final decision has been made.

Administration's Plans To Designate Iran's IRGC As Terrorist Organization Have Stalled.

Officials told Reuters (2/24, Walcott, Spetalnick) on condition of anonymity that the Administration's proposed designation of Iran's Islamic Revolutionary Guard Corps as a terrorist organization stalled after defense and intelligence officials warned that the measure could escalate US-Iranian tensions. "The Iranians are a major source of trouble ... but those kind of moves would only help the hardliners" and undercut moderate leaders, one official explained. The resignation of Gen. Michael Flynn, "one of the Trump White House's leading Iran hawks," on Feb. 13 complicated a decision on the proposal, the officials added. The discussion is still in play, they claimed, but on hold.

French President Criticizes Trump For Remarks On European Terrorist Attacks.

The New York Times (2/25, Rubin, Subscription Publication, 13.9M) reports French President François Hollande criticized President Trump's remarks to the Conservative Political Action Conference on Friday, in which Trump implied European terror attacks were a consequence of open border policies. "I think it's never a good idea to show the least disapproval with respect to an ally," said the "usually mild-mannered" Hollande. Hollande did not comment on Trump's claim that the terror attacks in Paris and Nice negatively impacted France's tourism industry; however, the Times notes Paris suffered a mere 1.4 percent decline in visitors since 2014. Paris Mayor Anne Hidalgo commented on Twitter that American tourists have placed 30 percent more reservations this year than last year.

French Judges Place Two Suspects Under Formal Investigation For Plotting Attack.

Reuters (2/25, Labbé) reports French authorities arrested two people on Tuesday on "charges of criminal conspiracy to commit a terrorist act, and possession of weapons." On Saturday, a judicial source revealed French judges launched a formal investigation into the people on suspicion that they were either plotting an imminent terror attack in France, or were planning to travel to Syria. The judicial source also indicated that the two detained suspects may be connected to suspects arrested in a Feb. 10 raid in Montpellier. A third person was arrested along with the two other suspects but later released.

French Lawmakers Criticize Deradicalization Centers As "Total Fiasco."

The Washington Post (2/24, McAuley, 11.43M) reports the French Senate issued a bipartisan report in which it described the government's attempts to "deradicalize" former and potential terrorists as

a "total fiasco," according to senator Philippe Bas. The report included "a firm condemnation of the planned network of 12 deradicalization centers," dubbed Centers for Prevention, Integration and Citizenship, and criticized the programs as too hastily designed and lacking the proper due diligence.

White House Says Trump Might Support Investigation Of Yemen Raid.

Reuters (2/26, Mutikani) reports White House deputy press secretary Sarah Huckabee Sanders on Sunday said President Trump might support an investigation into last month's raid in Yemen that killed al Qaeda militants, but also led to the death of Navy SEAL William "Ryan" Owens. ABC World News Tonight (2/26, lead story 3:30, Llamas, 14.63M) showed Sanders saying that while she has not "had the chance to speak with him directly" about the issue, she "would imagine that he would be supportive of that."

The New York Times (2/26, Schmitt, Subscription Publication, 13.9M) reports that Owens' father, William, told the Miami Herald that he refused to meet with Trump on the day his son's body was returned home and said the government "owes my son an investigation." The father said, "Don't hide behind my son's death to prevent an investigation."

Northern Sinai's ISIS-Led Insurgency "Stoking Panic" Among Coptic Christians.

The AP (2/26, Rohan) reports the ISIS-led insurgency in Egypt's northern Sinai town of el-Arish recently pledged to increase attacks on minority Coptic Christians and their holy sites. The ISIS affiliate's December suicide bombing of a Cairo church and murders of two Christians on Tuesday are "stoking panic among Christians," prompting hundreds of them to flee to Ismalia in the Suez Canal. The shift of ISIS' tactics to target the Christians also "poses a fresh challenge to President Abdel-Fattah el-Sissi's government to put down an IS-led insurgency in northern Sinai and prevent spillover" into mainland Egypt. Human rights activists expressed alarm over the recent displacements and the overall decline of Coptic Christians from about 5,000 before the 2011 Arab Spring uprising to fewer than 1,000. The activists suggested the displacement of Coptic Christians evidences the government's failure to protect the minority population, which comprises about 10 percent of Egypt's population and has "always been a favorite target of Islamic extremists."

Terrorist Behind The Upcoming "Day Without A Woman" Protest.

The New York Post (2/25, Smith, 3.82M) reports on the "Day without a Woman" strike that is being called for on March 8. The Post says the vibe of the strike will be different than that of the women's march in January and that "the brains behind the movement are calling for a 'new wave of militant feminist struggle.' That's right: militant, not peaceful." A manifesto by the group organizing the strike was co-authored, the Post says, "by, among others, Rasmea Yousef Odeh, a convicted terrorist." The Post highlights "Odeh, a Palestinian, was convicted in Israel in 1970 for her part in two terrorist bombings, one of which killed two students while they were shopping for groceries." She spent 10 years in jail before coming to the US and faces a court hearing this spring for immigration fraud.

McMaster: Muslims Who Commit Acts Of Terror Are "Un-Islamic."

The New York Times (2/24, Landler, Schmitt, Subscription Publication, 13.9M) reports National Security Adviser McMaster on Thursday told the National Security Council that the moniker "radical Islamic terrorism" was not helpful because Muslims who commit terrorist actions are "un-Islamic," according to sources at the meeting. The Times says McMaster's remarks indicate he "might move the council away from the ideologically charged views of" his predecessor, Gen. Michael Flynn. Furthermore, the Times writes, McMaster's language "is closer to the positions of former Presidents Barack Obama and George W. Bush," who both "took pains to separate acts of terrorism from Islamic teaching, in part because they argued that the United States needed the help of Muslim allies to hunt down terrorists."

COUNTER-INTELLIGENCE

FBI Investigating Online University For Possible Ties To Chinese Military.

In a Fox News' Special Report  (2/24, 1.53M) exclusive investigative report, Catherine Herridge reported, "In December 2012, the FBI raided the northern Virginia offices of UMT, the University of Management and Technology. The online school advertises as military friendly, helping vets complete new and advanced career. That same day, agents raided the home of UMT's academic dean, J. Davidson Frame, and his wife, UMT president Yanping Chen Frame." Military veteran Stephen Rhodes assisted the FBI in its investigation into the UMT leaders' ties to the Chinese military. Chen has repeatedly "denied being a colonel in the Chinese military." Former diplomatic security agent Ray Fournier said if Chen misrepresented those ties on her immigration petition documents, "then we have a false statement, and where that comes into play most assuredly is in the arena of passport fraud." Rhodes said he is concerned veterans' military information could be compromised because of Chen's role at UMT.

CRIMINAL INVESTIGATIONS

De Blasio Questioined By Federal Prosecutors Over Campaign Fundraising.

The AP (2/24) reports that New York City Mayor Bill de Blasio "met about four hours with authorities as part of his administration's continued cooperation with the probe by the office of" Manhattan US Attorney Preet Bharara, Phillips said in a statement. De Blasio (D), "did not speak to reporters when he left the law offices of his attorney Friday afternoon," and "those seen entering the building before the meeting included Andrew Goldstein, the head of Bharara's public corruption unit, and Assistant U.S. Attorney Russell Capone." The AP adds that "two people with knowledge of the probe" said "the mayor faced questions about whether people were promised favors in return for donations to his 2013 mayoral campaign," and that "investigators are also trying to learn whether promises were made to donors to de Blasio's since closed nonprofit, the Campaign for One New York."

The New York Times (2/24, Rashbaum, Subscription Publication, 13.9M) reports that "about a half-dozen prosecutors and several F.B.I. agents were present, a person with knowledge of the session said." The prosecutors "included Mr. Bharara's deputy, Joon H. Kim, and the chief and deputy chief of the office's Public Corruption Unit," while the FBI agents "included the chief of the Public Corruption Squad handling the case."

Reuters (2/24, Allen) reports that de Blasio "has repeatedly said he and his campaign staff have done nothing wrong and that he was cooperating with prosecutors from the U.S. attorney's office in Manhattan in their yearlong criminal investigation."

The New York Post (2/24, Schram, 3.82M) reports that "hard-charging US Attorney Preet Bharara sent a message to Mayor de Blasio Friday – trotting out the same prosecutors who took down Sheldon Silver and Dean Skelos to interrogate Hizzoner about his campaign fund-raising activities. 'Preet's office is a force to be reckoned with, but these prosecutors he rolled out for this case are a big deal and very competent, indicating that they are taking this matter very seriously,' a federal law-enforcement source told The Post."

The New York Daily News (2/25, Slattery, 4.45M) reports that de Blasio "skipped town Saturday to spend time with fellow Dems following his highly anticipated sit-down with federal prosecutors from U.S. Attorney Preet Bharara's office."

The New York Post (2/24, 3.82M) editorializes that "now it's up to both prosecutors to bring this year-long investigation to a swift conclusion, one way or the other," as "New Yorkers deserve to see a resolution as quickly as possible and not have it hanging over this year's election."

The New York Post (2/25, 3.82M) editorializes that "even after his sitdown Friday with prosecutors," de Blasio "still hasn't explained just how he'll pay the lawyers representing him in multiple corruption probes," that is, "whether his legal defense fund – which will cover his costs from investigations into the possible sale of City Hall favors to his donors – will take money from people doing business with the city."

The Wall Street Journal (2/26, Gay, Orden, Subscription Publication, 6.37M) reports the meeting fueled speculation that a yearlong investigation into his fundraising may be reaching its conclusion.

Prosecutors Probing Possible De Blasio Role In Re-Opening Of School Run By

Fundraiser. The New York Daily News (2/26, Durkin, 4.45M) reports that federal prosecutors "are looking into whether" de Blasio "intervened to get a vacate order lifted on a Hasidic school on behalf of an influential rabbi who raised money for him." Moishe Indig, "a leader of the Satmar sect, supported de Blasio's 2013 campaign and co-hosted a fundraiser for him, and his ties to the mayor have come under scrutiny by investigators who grilled de Blasio for four hours Friday." The Daily News adds that Stephen Witt, "founder of the website Kings County Politics, which first reported the allegations, said he turned over notes to U.S. Attorney Preet Bharara's office in December documenting charges that the mayor ordered city officials to allow the school buildings to re-open after they were shut down for building code violations."

The New York Post (2/26, Short, Bain, 3.82M) reports that Indig "allegedly asked City Hall to lift a Satmar school's partial vacate order in December 2014, sources said. 'They just found out about it and they're looking at it,' said one City Hall source familiar with the inquiry. 'This info came late to them.'" The Post adds that New York City building inspectors "had found several 'illegal classrooms' in the basement of the Sanford Street school and issued a partial vacate order on Dec. 18, 2014, for a 'failure to maintain the building,' city building records show," and "six days later, on Christmas Eve, the order was rescinded when Brooklyn Building Commissioner Ira Gluckman inspected the premises himself, records show." The Post reports that "one source close to Indig, whose Aroni Satmar sect ran the school, said the Hasidic power broker called the mayor at the time and asked him for assistance."

NYC Official Who Approve Housing Deal Dismissed. The New York Post (2/26, Short, 3.82M) reports that "a top city official who approved the 2015 sale of a Lower East Side nursing home to a condo developer was fired Friday, only hours after Mayor de Blasio was questioned by federal prosecutors in a probe of the mayor's fund-raising, according to the Wall Street Journal." Ricardo Morales, deputy commissioner of the Department of Citywide Administrative Services, "OK'd the removal of a deed restriction on Rivington House, allowing it to be sold and turned into a luxury condo." According to the Post, "a DCAS spokeswoman said the leadership change had nothing to do with the mayor's interview with the US Attorney's Office and was 'in the works for some time.'"

NYTimes Analysis: De Blasio Has "No Credible Challenger" For Primary. According to the New York Times (2/26, Goodman, Subscription Publication, 13.9M), New York Mayor Bill de Blasio has "no credible challenger" within the Democratic Party for the September primary election, despite having approval ratings below 50 percent almost eight months ago. The Times notes that some potential challengers would have to step down from their current office to run, while others are waiting to see what comes of the federal investigations of the mayor's administration. Still others are reluctant because de Blasio is "progressive enough" but not too far left, says one political science scholar, and "he doesn't have exploitable weaknesses," says another expert.

Judge Rules Reporter Will Not Have To Testify At Oregon Refuge Trial.

The AP (2/24, Dubois) reports from Portland, OR that "a former Oregon Public Broadcasting reporter won't have to testify at the ongoing conspiracy trial of four men who joined Ammon and Ryan Bundy at last winter's armed occupation of a national wildlife refuge, a federal judge ruled Friday." The AP adds that "asserting journalist's privilege, Oregon Public Broadcasting and reporter John Sepulvado fought a government subpoena to testify about whether his January 2016 story about occupation leader Ryan Bundy was authentic and accurately depicted Bundy's point of view." The AP notes that Attorney General Sessions "approved the subpoena shortly after his confirmation." Defense attorneys "contend Bundy's statements to Sepulvado shouldn't be admitted as evidence because it's unknown what questions were asked and what responses were omitted during the editing process."

Nearly 100 Headstones In Philadelphia Jewish Cemetery Broken, Overturned.

ABC World News Tonight (2/26, story 6, 0:20, Llamas, 14.63M) briefly reported "a disturbing incident at a Jewish cemetery in Philadelphia," and police "are trying to track down" the vandals, said the CBS Weekend News (2/26, story 4, 0:20, Quijano). USA Today (2/26, Toppo, 5.28M)

explains that vandals broke or overturned between 75 and 100 headstones at Mount Carmel Cemetery. Detective Shawn Thrush told the Philadelphia Inquirer the acts were "beyond vandalism."

According to the Washington Post (2/26, Kaplan, 11.43M), Aaron Mallin was visiting his father's grave Sunday morning when he discovered the vandalism and reported it to the police. Investigators say they do not have surveillance footage or any leads that would help determine whether it was the work of "drunken kids" or a hate crime. The New York Times (2/26, Chokshi, Subscription Publication, 13.9M) reports Philadelphia Mayor Jim Kenney said the perpetrators would be "prosecuted to the fullest extent of the law" because "hate is not permissible in Philadelphia." Gov. Tom Wolf and Sen. Bob Casey also denounced the act. Reuters (2/26, Simpson) says the Anti-Defamation League is offering a $10,000 reward for leads, and Israeli Foreign Ministry spokesman Emmanuel Nahshon tweeted a message in support of authorities' capacity to "catch and punish [the] culprits" of the "shocking" and worrisome "desecration."

Two Indians Shot At Kansas Bar Raises Fears In India Of Mistreatment In US.

The New York Times (2/24, Eligon, Blinder, Najar, Subscription Publication, 13.9M) reported on its front-page that a shooting on Friday at a Kansas bar "left one Indian engineer dead and another injured" and "escalated into an international incident amid fears that the attack was motivated by bias and hate." The Times says that the FBI is investigating the shooting of Srinivas Kuchibhotla and Alok Madasani as a possible hate crime, while in New Delhi, "India's government expressed shock" and new fears have emerged "about the treatment of foreigners in the United States."

White House spokesman Sean Spicer, however, said on Friday that while the shooting was tragic that linking it to President Trump's rhetoric is absurd and that it is too early to know a motive, Reuters (2/24, Rascoe) also reports.

The family of the Indian men shot "said they feared that an atmosphere of fear and xenophobia in the United States means the country is not a safe place for Indians," the Washington Post (2/24, Gowen, Lakshmi, 11.43M) reports. A relative of Kuchibhotla, Venu Madhav, said, "There is a kind of hysteria spreading that is not good because so many of our beloved children live there. ...Such hatred is not good for people." The Los Angeles Times (2/24, Bengali, 4.52M) adds Kuchibhotla was remembered in his home town of Hyderabad "as a devoted son who loved life in the United States and took frequent trips with his wife to visit Indian friends living in other cities."

CBS Weekend News (2/26, story 3, 1:55, Quijano), the Wall Street Journal (2/24, Mahtani, Subscription Publication, 6.37M), and Reuters (2/24) also reported on this story.

FBI Considers Hate Crime Investigation Into Fatal Shooting Of Indian Immigrant. In a lead story for NBC Nightly News (2/25, lead story, 2:55, Diaz-Balart, 16.61M), Morgan Radford reported the FBI is considering whether to investigate the fatal shooting of an Indian immigrant in Kansas this week as a hate crime. Police accused 51-year-old Adam Purinton of shooting and killing Srinivas Kuchibhotla and wounding Alok Madasani. Radford commented, "This is just the latest in a series of suspected crimes targeting religious or ethnic minorities." The AP (2/24) reports that according to witnesses, prior to opening fire, Purinton yelled "get out of my country." Hours later, the former air traffic controller "reportedly told a bartender in another town that he needed a place to hide because he had just killed two Middle Eastern men."

Indian Students Rethink Studying In US Following Kansas Shooting. The Washington Post (2/25, Gowen, 11.43M) reported the shooting of two Indians in Kansas has left many Indian graduate students rethinking studies in the US. The Post said that "concern over the troubled US political climate, beginning with its rhetoric-charged presidential campaign, has reverberated through India's thriving industry for test preparation and admissions coaching, which prepares students for study abroad." According to the piece, "the possible hate crime has prompted anger in India and concern that the Trump-era United States is no longer a safe place for its thriving community of visiting Indian students, scholars and tech workers."

Kansas Shooting Victim Refused To Leave "The Country He Loved." The Washington Post (2/25, Selk, 11.43M) reported that the family of the Indian man killed in last week's Kansas shooting, Srinivas Kuchibhotla, "warned him about the dangers of remaining in the United States." Speaking at a news conference on Friday, his wife Sunayana Dumala indicated that they were

uncertain of staying in the US, saying "I told him many times we should think about going back [to India]." However, she also noted her husband "was not fearful" and "he refused to abandon 'the country he loved.'"

University of Connecticut Student Killed, Eight Arrested In Off-Campus Frat Party.

ABC World News Tonight (2/25, story 5, 1:40, Llamas, 14.63M) reported on the death of a 19-year-old college student at the University of Connecticut and the arrest of eight others after an off-campus fraternity party. Correspondent Eva Pilgrim said, "Investigators say firefighters were responding to a call when their SUV accidentally ran over 19-year-old Jeffny Pally, who'd fallen asleep against the fire house garage door. .... The emergency call turned out to be false alarm. Two students allegedly stealing a fire extinguisher, both now facing charges. And that's not all. Six more students at an off-campus Kappa Sigma party also facing charges for allegedly providing the alcohol to Pally."

Manhunt Underway For Shooter Who Killed Eight Year Girl In Texas.

ABC World News Tonight (2/25, story 4, 2:10, Llamas, 14.63M) reported on a homicide investigation in Houston, Texas following an overnight collision at an intersection that "erupted in gunfire, killing a little girl who was traveling in the car with her mother." ABC's Adrienne Bankert indicated the suspect is still unknown but that a manhunt is currently underway. She said, "Police say early this morning, two or three cars were speeding down this Houston road. One, this white Pontiac crashing with Toyia Thomas' Honda Accord, her eight-year-old daughter, De'Maree Adkins, in the backseat. ... Moments later, police say someone pulled out a gun, firing eight shots. Bullets flying into the backseat, hitting De'Maree."

FBI Searches Indiana Home In Case Of Slain Teens.

WANE-TV Fort Wayne, IN (2/26, 48K) reports online that the FBI on Saturday searched a Peru, Indiana home in relation to the killings of two teenage girls. "Abigail Williams, 13, and Liberty German, 14, were both found dead in a wooded area near the Delphi Historic Trail, approximately 60 miles northwest of Indianapolis. Law enforcement is investigating the case as a double homicide," WANE reports. The search, FBI Supervisory Special Agent Bob Ramsey said, revealed that the residents of the home were "in no way connected" to the girls' deaths. "Ramsey said the FBI will continue to execute search warrants as it sees fit," the website says. The Evansville (IN) Courier & Press (2/26, Paul, 156K) reports a $50,000 reward has prompted "a flood of information" in the case. The WLFI-TV Lafayette, IN (2/25, 117K) website provides similar coverage.

FBI Helps Search For Missing California Teen.

The Los Angeles Times (2/24, Rocha, 4.52M) reported that the FBI has joined the search for 14-year-old California boy Elias Rodriguez who disappeared this month during a storm. "The Sylmar boy was reported missing on Feb. 17, when he failed to return home after school. Authorities have already offered a $50,000 reward for information leading to his recovery," the Times says. The Los Angeles Daily News (2/24, 315K) reported that the FBI and police said they were "pursuing every lead" in their search for the missing teen. The My News LA (CA) (2/24) provided similar coverage.

Florida Police Arrest Man After Snapchat Video Shows Him Committing Arson.

ABC World News Tonight (2/25, story 9, 1:35, Llamas, 14.63M) reported that Florida police have arrested a man who they say "set a building on fire and then shared the video on Snapchat." ABC's Marci Gonzalez said, "Investigators crediting Snapchat with helping them solve a case of arson" after "25-year-old Anthony Stowers posted several videos on the popular app. In one clip, the police report states, Stowers recorded himself saying, 'Y'all gonna see a structure fire tonight. I hope you all enjoy.'" Police note the motivation for the fire may have been "because of a girl he pursued romantically turning down his advances."

Pickup Truck "Plows" Into Mardi Gras Parade, Injuring 28.

The New York Times (2/25, Mele, Robertson, Subscription Publication, 13.9M) reports 28 people were injured at a Mardi Gras parade on Saturday in New Orleans when a "pickup truck plowed into a crowd of spectators." New Orleans Police Department spokesman Beau Tidwell noted the driver is in custody and said, "This was a tragedy that came from someone making bad decisions with alcohol and vehicles." None of the injuries are life threatening, according to Mayor Mitch Landrieu. Reuters (2/26) reports that 25-year-old Neilson Rizzuto was charged in the incident after being taken into custody in "a highly intoxicated state."

Arson Damages Florida Mosque.

The AP (2/24) reports a mosque in Tampa, Florida was set on fire on Friday and investigators said it was intentional. According to a news release from Hillsborough County Fire Rescue, the arson took place at the Islamic Society of New Tampa. Council on American-Islamic Relations in Florida spokesman Wilfredo Amr Ruiz said, "It is worrisome that our community has fallen victim of what appears to be another hate crime." ATF agents were on the scene, though the piece says local fire department officials are leading the investigation. This is the second arson case involving a mosque in Florida in the last six months.

Reuters (2/24, Jenkins) reports CAIR Florida is offering a $5,000 reward for information that leads to an arrest and conviction in the arson case. Tampa Mayor Bob Buckhorn also "called on the community to stand up for anyone victimized for their religion," saying "We will not tolerate this. ...This is America. Our America, their America."

Military Judge Rejects Bergdahl's Claim He Cannot Get Fair Trial After Trump Statements.

McClatchy (2/24, Sowell, 74K) reports military judge Army Col. Jeffery Nance on Friday rejected a claim by US Army Sgt. Bowe Bergdahl's defense lawyer that he "cannot get a fair trial after Donald Trump, when he was running for president, repeatedly called the Idaho native a traitor and said he should be pushed out of a plane without a parachute." Nance ruled, "No reasonable member of the public, apprised of all the facts and circumstances and seeing campaign rhetoric for what it is, would believe that because candidate Trump said those troubling things and is now President Trump, the accused has been or will be denied a fair trial."

Sununu Asks White House For Voting Fraud Proof.

Politico (2/24, Quigley, 2.46M) reports on Friday New Hampshire Gov. Chris Sununu indicated he has requested proof from the White House "of alleged massive voting fraud in his state, in the wake of claims by the Trump administration." Sununu said, "We've talked a little bit, and I basically said, 'Look, if there's real evidence out there that you have that we don't have, we're happy to talk about that and take a look at it.'" He also stated, "In New Hampshire, though, you have to understand, we have some very loose voting laws. ...It's about redefining what is a resident, what is domicile, making sure our election laws are as tight as any other state out there."

Convicted Cop Killer Recommended For Parole In California.

The Los Angeles Times (2/24, Moran, 4.52M) reports a man convicted of killing a San Diego, California police officer, Archie Buggs, more than 30 years ago has been recommended for parole by the state Parole Board on Thursday. The Times says "the decision marks the third time since 2014 that a Parole Board has cleared the way for Cecena to be released. Twice before, in 2014 and 2015, that decision was subsequently overturned by Gov. Jerry Brown."

DC Shooting Leaves Two Officers Wounded, Suspect Killed.

ABC World News Tonight  (2/24, lead story, 2:30, Muir, 14.63M) in its lead segment reported on a deadly police shooting in Washington DC, where two officers were shot and wounded and a suspect killed. It is unclear at this point whether "the officers were shot by the suspect or if there was friendly fire." ABC's Senior Justice Correspondent Pierre Thomas said, "Both officers will survive their wounds, but the encounter shows the daily dangers officers increasingly face. In 2016, 64 officers were killed by gunfire, up 56 percent compared to the previous year." He also

noted, "police are reviewing the body cam video and the mayor will decide on whether to release it. Tonight, authorities stress that the videos seen online only shows one angle, so the public should not draw any conclusions."

The Washington Post (2/24, Williams, Zauzmer, 11.43M) also reports the shooting took place "the Trinidad neighborhood of Northeast Washington" and that the officers "were in the neighborhood as part of the police department's response to an earlier report of shots fired on Thursday afternoon, Interim D.C. Police Chief Peter Newsham said." Both "Newsham and Mayor Muriel Bowser went to the hospital where the officers were being treated."

Chicago Police Superintendent "Fires Back" At Trump Criticism Over Increased Violence.

The Washington Times (2/24, Noble, 272K) reports Chicago's police superintendent Eddie Johnson on Thursday "fired back at President Trump over his criticism of the city over recent shootings, saying the president hasn't responded to local officials' requests for aid to combat crime." The Times says he acknowledged the unacceptability of gun violence but also "noted that the city's suggestions for ways the federal government could help stem the violence have gone unanswered." He said, "We've made requests to the White House and the Justice Department for them to support our work — from increasing federal gun prosecution to more FBI, DEA and ATF agents to more funding for mentoring, job training and more. ...We are still waiting for the administration's response to our request."

Chicago Police Announces 81 Arrests In Overnight Raids. The Chicago Sun-Times (2/24, Owen, 798K) reports that a Chicago Police spokesman on Friday announced the arrest of 81 people in overnight raids, 62 of whom were convicted felons. The Times says more details are expected Friday.

CTribune Analysis Chicago Gangs Turning To High-Powered Semi-Automatic Rifles. A more than 2,000-word Chicago Tribune (2/24, Nickeas, Gorner, Moreno, 2.54M) analysis reports that Chicago-area gangs are "boost[ing] their firepower" through the use of semi-automatic rifles, resulting in the death of at least 46 people in the last 9 months, 13 of those fatally. "Police say this is the only area of the city where rifles styled after AR-15s and AK-47s are regularly used, a menacing new development in the gang fights." The Tribune says it is unknown just how many "high-powered rifles are on the street, but police suspect they are being passed around by members of four Hispanic gangs in the Deering police district." It is also unclear why it is that gangs have shifted to high-powered rifles, "except for the obvious speculation that they are deadlier."

AP Analysis: Sessions' Anti-Crime Efforts Could Swell Federal Prison Population.

The AP (2/26, Tucker) reports that "the federal prison population is on the decline," but Attorney General Sessions, "who talks tough on drugs and crime and already has indicated a looming need for private prison cells seems poised to usher in a reversal of that trend." Sessions "signaled at his confirmation hearing – and during private meetings in his first days on the job – that he sees a central role for the federal government in combating drug addiction and violence as well as in strict enforcement of immigration laws," and, "the result could be in an increase not only in the number of drug prosecutions brought by the Justice Department but also in the average length of sentence prosecutors pursue for even lower-level criminals," and "if that happens, the resources of a prison system that for years has struggled with overcrowding, but experienced a population drop as Justice Department leaders pushed a different approach to drug prosecutions, could be taxed again."

The Financial Times (2/27, Lynch, Subscription Publication, 1.39M) runs a similar analysis.

FINANCIAL CRIME & CORPORATE SCANDALS

WSJournal A1: Real Estate Investor Spent Four Years, $3 Million Clearing His Name.

In a more than 5,600-word front-page article, the Wall Street Journal (2/24, A1, Emshwiller, Subscription Publication, 6.37M) examines Los Angeles real-estate investor Bradley Cohen's four year journey to clear his name after being identified in the news as the next Bernie Madoff. Reports falsely claimed Cohen has criminal fraud and money-laundering convictions and accused

his industrial real-estate firm, Cohen Asset Management Inc, as being a Ponzi scheme. The Journal says Cohen spent $3 million to bring his online attacker to court, who is described as being persistent. Cohen also won what the piece says was the largest online defamation awards last year in the amount of $38 million.

Alabama Inmate, Woman Indicted In SSA Fraud Scheme.

The AP (2/25) reports a Federal grand jury has indicated Alabama state inmate Richard Stanley and abettor Kristin Fox for "a scheme to defraud the Social Security Administration." Stanley was indicted on "six counts of wire fraud and one count of theft of government property." The US Attorney's Office has filed charged against Fox "accusing her of four counts of wire fraud and one count of theft of government property for helping Stanley collect the payments the wasn't entitled to."

Fourth Circuit Will Not Rehear Ex-Massey CEO's Appeal.

The AP (2/24) reports that the 4th Circuit Court of Appeals indicated in an order handed down on Friday that it "has refused to rehear the case of former Massey Energy CEO Don Blankenship in the deadliest U.S. mine disaster in four decades." The AP adds that in January, "a three-judge panel of the court found no error in trial rulings," and "rejected his argument that jury instructions made it too easy to conclude that he willfully violated safety rules at West Virginia's Upper Big Branch mine before the 2010 explosion that killed 29 men."

DOJ, Takata Reportedly Nominate Feinberg To Oversee Air Bag Fund.

Bloomberg News (2/26, Voreacos, Fisk, 2.41M) reports that the Justice Department and Takata Corp. "have nominated Kenneth Feinberg to design and run a settlement fund of almost $1 billion to compensate consumers over the deadly risks of its air bags and automakers for the cost to replace them, according to two people familiar with the matter." Bloomberg notes that "a federal judge will consider Feinberg's appointment during a hearing" today in Detroit, "where the Tokyo-based company is expected to plead guilty to hiding the deadly risks of its air bags for about 15 years, said the people, who weren't authorized to discuss the matter publicly." Federal prosecutors "charged three former Takata executives for their alleged roles." Bloomberg adds that "the appointment of 71-year-old Feinberg would bring to the case a lawyer experienced in administering some of the nation's highest-profile settlements."

US Attorney Subpoenas Pfizer Over Charity Connections.

Bloomberg News (2/24, Langreth, 2.41M) reported the US Attorney's office in Massachusetts sent Pfizer Inc. two subpoenas related to the Patient Access Network (PAN) Foundation and other "charities that help Medicare patients afford co-payments for drugs" in 2015 and 2016, the company said in a securities filing Thursday. Bloomberg notes Pfizer "donated more than $10 million to the PAN Foundation in 2016, according to a report on its website dated December 19, 2016, including for funds related to kidney cancer and a hormone disorder known as acromegaly."

CYBER DIVISION

NSA Head Pushing For Changes On Handling Cyber Weaponry.

The Hill (2/25, Uchill, 1.25M) reports the National Security Agency (NSA) and Cyber Command Adm. Michael Rogers "is pushing for widespread changes to the US's treatment of cyber weaponry, including contracting private sector firms to develop arms." The Hill cites him as saying at a San Diego conference, as reported by the Defense Department, "we have done almost all of our weapons development internally. ... And part of me goes – five to 10 years from now is that a long-term sustainable model? Does that enable you to access fully the capabilities resident in the private sector? I'm still trying to work my way through that, intellectually." The piece notes that while the US purchases "product-specific digital lock-picking tools so newly discovered that vendors are not aware of them, it combines them and weaponizes them on its own."

Cloudflare Webpages Found To Have Leaked Encrypted Data.

Reuters (2/24, Wagstaff) reported a software bug caused "hundreds of thousands of webpages" hosted by Cloudflare Inc. to leak encrypted personal data. However, Cloudflare indicated on Friday that no sign has yet appeared that hackers have exploited the leak. The leak "was attributable to a bug in the firm's software that had been sending chunks of unrelated data to users' browsers when they visited a webpage hosted by Cloudflare, according to Google researchers." Cloudflare Chief Technology Officer John Graham-Cumming "said the problem had been fixed quickly and most of the exposed data removed from the caches of search engines like Alphabet's Google."

USA Today (2/24, Weise, 5.28M) reported that Google engineer Tavis Ormandy discovered the vulnerability on February 17 "and immediately notified Cloudflare, which fixed the problem." Cloudflare co-founder and CEO Matthew Prince is quoted saying, "This could have been very bad. Thankfully it only affected a small subset of sites."

PBS NewsHour (2/24, 255K) said Cloudflare "manages 10 percent of all web traffic" and "has been leaking assorted bits of customer information...since a bug appeared in their code in 2012."

The Washington Post (2/24, Tsukayama, 11.43M) said Cloudflare "had been leaking information for months in a way that allowed search engines to pick it up," though the issue "is only known to have affected a small portion of the 5.5 million sites that Cloudflare services." The Post added, "Because there's so little information about the sites and Cloudflare services are widely used, it's a good idea to change your passwords on any site, in a 'better safe than sorry' sort of way."

Senators Seek "Full Account" Of EAC Work And Cybersecurity Threats Facing US Officials.

The Hill (2/24, Chalfant, 1.25M) reports Democratic senators, led by Sen.. Amy Klobuchar, have requested a "full account" from the Election Assistance Commission (EAC) of "its work to secure the 2016 election from Russian hackers," including details of the "cybersecurity challenges facing state and local officials as they look to safeguard future elections." In the letter to the EAC, the senators wrote, "As motivated and sophisticated cybercriminals will continue to target our election systems, we must ensure that our state and local election administrators have the resources they need to make critical cybersecurity upgrades." The letter also said, "While there was no reported damage to actual voting machines or voter registration data last year, we hope you will agree when we say that the 2016 election was a wake-up call. We must do more to protect our US elections from foreign interference."

Yahoo Reveals Details About Cybersecurity Measures.

The Hill (2/24, Breland, 1.25M) reports that in a Thursday letter to senators, Yahoo for the first time "revealed extensive details about its cybersecurity measures," following two massive breaches of user data suffered by the company in recent years. In a letter, Yahoo's Public Policy head April Body said "many of the same accounts were affected by both breaches, which occurred in 2013 and 2014." The letter also stated "Yahoo CEO Marissa Mayer doubled the size of the internal security staff and put $250 million into security initiatives," which "went towards the creation of a 'red team' to probe Yahoo's code for security weaknesses and a 'bug bounty program,' an offer of money to people outside the company who alerted Yahoo to exploits in the sites' code."

Engineering Professors Discuss Challenges Of Defending Electricity Grid From Cyberattacks.

Government Computer News (2/24, 1K) carries an article originally in The Conversation by engineering professors Manimaran Govindarasu and Adam Hahn about the vulnerability of the US electricity grid. The authors wrote, "We are just beginning to determine how best to protect [the grid] against cyberattacks." The authors said protecting the grid from cyberattack is a challenge "because the grid has to continue to operate in real time" and "because the electricity industry is used to a slower pace of technological advance." Security standards and simulation exercises "have significantly improved the security of the larger elements of the power system," but "have done little to protect the low-voltage distribution networks that supply power directly to our homes and

workplaces." The authors highlighted an approach that "involves systematically analyzing the risks inherent in critical systems and methodically defending against each of them," as well as developing "new systems that can detect anomalous grid communications and create more secure network architectures."

Cybersecurity Focus Of National Governors Association Meeting.

The Hill (2/25, Chalfant, 1.25M) reports that "governors from states across the country put the spotlight on cybersecurity" at a gathering of the National Governors Association. Host Gov. Terry McAuliffe of Virginia is quoted saying, "Cybersecurity is critical to each and every governor. ... We have a wealth of information that every single day people are trying to get in and get our information through cyber threats and cyber criminals." Governors "heard testimony from a panel including John Carlin, former assistant attorney general for the Justice Department's national security division." Carlin is quoted saying, "We are not where we need to be. ... There is no internet-connected system that is safe from the dedicated nation-state adversary or sophisticated criminal group if they're determined to get in right now."

Masterson: Cybersecurity, Critical Infrastructure Designation Ongoing Concerns For Election Officials.

US Election Assistance Commission chair Matthew Masterson wrote in The Hill (2/24, 1.25M) "Congress Blog" that state officials are concerned about cybersecurity and DHS' critical infrastructure designation for election systems. Masterson said the EAC was "able to connect local election administrators facing growing cybersecurity threats and other challenges with the right resources from federal entities," including DHS, adding, "We heard directly from them that they appreciated that support and they want more of it." Masterson goes on to discuss officials' "primary concerns ahead of the 2018 election cycle," including "aging" election infrastructure, the critical infrastructure designation, and the accessibility of elections to eligible voters.

Treason Charges Against Russian Cyber Experts Reportedly The Result Of Seven-Year-Old Accusations.

Reuters (2/26, Stubbs; Reiter) reports treason charges against two Russian FSB officers and Ruslan Stoyanov, head of the computer incidents investigation team at Russian cybersecurity firm Kaspersky Lab, relate to allegations made by a Russian businessman seven years ago that the suspects "passed secrets to U.S. firm Verisign and other unidentified American companies, which in turn shared them with U.S. intelligence agencies." Pavel Vrublevsky, founder of ChronoPay, an online payments company, told Reuters he made the allegations in 2010, and said "he had also learned that the arrests were a response to his allegations." However, Verisign "denies that it received information that was secret," and neither Vrublevsky nor a source connected to the investigation explained "why they believe the Russian authorities would resurrect such an old case seven years after the allegations were first made."

OTHER FBI NEWS

FBI Impersonator Sentenced To Prison.

The AP (2/26) reports that Florida man Anthony Tyrone Jones was "sentenced to five-and-a-half years in federal prison for impersonating an FBI agent and other charges." Jones had pleaded guilty to impersonation and wire fraud. "Court documents show Jones was arrested in 2013 after he told a woman he was an FBI agent so that she would have sex with him for free," the AP says. "Prosecutors also say Jones lied about being a financial adviser who had helped someone become a millionaire. A victim gave Jones nearly $22,000 to invest, which he used for personal enjoyment."

Former FBI Agent Arrested For Shooting At Officer Pleads No Contest.

The AP (2/24) reports that Ruben Hernandez, the former FBI agent accused of shooting at a Michigan police officer, on Friday pleaded no contest to felonious assault charges in a bid to avoid prison. "A no-contest plea isn't an admission of guilt, but is treated as such for sentencing," the AP

says. Prosecutors have agreed to recommend that Hernandez be spared prison time. "Defense attorney Larry Willey says Hernandez doesn't remember what happened and that alcohol may have been a factor. Willey says Hernandez was fired by the FBI in January. Sentencing is April 13," the AP says. The Las Vegas Review-Journal (2/24, 676K) posts the AP's coverage to its website.

OTHER WASHINGTON NEWS

President Trump Expected To Sign New Travel Order On Wednesday.

The AP (2/26) reports President Trump "is expected to sign a new refugee and immigration executive order on Wednesday," according to a senior administration official.

"Source" Says Administration Believes DHS Report Was Drafted With Intent To Leak. The Washington Times (2/26, Scarborough, 272K) reports that a "source close" to the Department of Homeland Security indicated that Administration officials believe the "report that undercut the president's position on his travel ban was drafted with the express intent of leaking it to the press." The source, according to the Times, says the report was drafted "by those loyal to the Obama Administration" within the office of intelligence and analysis. The report, the source adds, was written with solely open source material as that would allow it to be sent to the media without violating federal laws on handling classified information.

Politico Investigation Finds Trump's Ethics Lawyers Chafe At "Ineffective" Process.

While President Trump "and his business interests have more than two dozen lawyers policing potential conflicts," a Politico (2/25, Samuelsohn, 2.46M) investigation found the lawyers "are grappling with an oversight system that's disjointed and ineffective – and one they say is mostly unnecessary." According to Politico, each lawyer has "part of the Trump ethics portfolio, but no one individual has visibility into the full picture. The set up means that in some cases the lawyers are overlapping while other areas of potential conflict go uncovered entirely." While Politico admits "conflict of interest laws do not apply directly to the president, something many attorneys close to Trump are quick to note, the controversies swirling around the president's business arrangements have nonetheless brought the lawyers working on these issues plenty of political headaches."

Trump Adviser Tells Democrats To "Move On" Over Garland's SCOTUS Snub.

Politico (2/25, Gerstein, 2.46M) reports White House adviser Leonard Leo, in a C-Span interview set to broadcast on Sunday, said, "If I was a Democratic senator who was angry about the way Judge Garland was treated, I would move on." The article says that Leo "insist[s] it's time for both sides in the judicial confirmation wars to lay down their arms." However, it also says that "Democrats will surely look skeptically on Leo's suggestion that a truce be called at a moment when Republicans control both the White House and the Senate, but Democrats ultimately have little power to control the outcome."

Poll Shows Conservatives Want GOP To "Go Nuclear" To Get Gorsuch On Supreme Court. The Washington Times (2/25, Dinan, Sherfinski, 272K) reports a 2017 CPAC/Washington Times straw poll of 1,447 attendees at the Conservative Political Action Conference Saturday shows that "conservative activists are overwhelmingly ready for Senate Republicans to trigger the 'nuclear option' and force Judge Neil Gorsuch onto the Supreme Court." Additionally, the poll highlights that "a movement that is now firmly in Mr. Trump's corner: They believe he is realigning the conservative movement, they generally don't mind his frequent use of Twitter, and they approve of his extreme vetting executive order."

AP Analysis: Gorsuch's Rulings On Employment Cases Shows He Often Sided With Bosses. An AP (2/25, Lavoie, Tarm) analysis reports on the case of a Kansas State University professor who was fired after the university would not extend her six-months of sick leave while she battled cancer, which was overheard by Judge Neil Gorsuch. The AP says "the majority opinion he wrote siding with Kansas State is illustrative. His worker's rights opinions are often sympathetic but coldly pragmatic, and they're usually in the employer's favor." The piece adds that the dozens of employment cases Gorsuch heard while on the 10th Circuit "reveals a focus on texts and a fondness for scrutinizing definitions of words in legislation and the Constitution. Conservatives herald his strict approach. Many liberals say it too often results in workers losing out."

Democrat Elects Perez As DNC Chairman.

Democrats elected former Labor Secretary Tom Perez as chair of the Democratic National Committee on Saturday, making him the first Latino to hold the position. Media coverage, which included nearly seven minutes combined on the network newscasts, was also heavy in print and online. Reporting was largely positive, highlighting Perez's historic election and decision to name his rival, Rep. Keith Ellison, as deputy chair, as well as emphasizing the congratulations he received from President Trump, former President Obama, and a number of other Democratic leaders.

The Washington Post (2/25, Weigel, 11.43M) reports on its front page that Perez became the first Latino chair of the DNC after "a contentious party meeting in Atlanta," while in the lead CBS Weekend News  (2/25, lead story, 3:10, Ninan) segment, Tony Dokoupil said Perez "narrowly" defeated Ellison, "a charismatic progressive, in the second round of voting" and ABC World News Tonight  's (2/25, story 3, 1:35, Llamas, 14.63M) Gloria Riviera reported the former Labor Secretary "in a show of unity" named Ellison as his deputy and sided "with him when it comes to investigating Donald Trump."

NBC Nightly News  (2/25, story 6, 2:10, Diaz-Balart, 16.61M) Sarah Dallof said that by nominating Ellison as his deputy, Perez took "immediate" action to help "unify a party shaken by the hacking and leaking of DNC emails, Hillary Clinton's November loss, and Barack Obama's retirement," although the New York Times (2/25, Martin, Subscription Publication, 13.9M) acknowledges "the suspense-filled balloting revealed that Democrats have yet to heal the wounds from last year's presidential primary." In his victory speech, the Times adds that "Perez played down what he called 'the robust discussions in the Democratic Party'" and said, "We're all going to continue to be united in our values."

The Wall Street Journal (2/25, Epstein, Hook, Subscription Publication, 6.37M) suggests Perez may struggle to resonate with the party's grass roots and notes that a group of Ellison supporters walked out following the announcement of the vote. However, The Hill (2/25, Shelbourne, 1.25M) reports Ellison "called on Democrats to rally behind" Perez, telling supporters, "I am asking you to give everything you've got to support chairman Perez."

Meanwhile, The Hill (2/25, Shelbourne, 1.25M) reports President Trump on Saturday congratulated Perez, tweeting, "Congratulations to Thomas Perez, who has just been named Chairman of the DNC. I could not be happier for him, or for the Republican Party!" The Hill (2/25, Greenwood, 1.25M) "Briefing Room" blog reports former President Obama congratulated Perez in a statement, saying, "I know that Tom Perez will unite us under that banner of opportunity, and lay the groundwork for a new generation of Democratic leadership for this big, bold, inclusive, dynamic America we love so much."

The Hill (2/25, Shelbourne, 1.25M) reports Hillary Clinton congratulated both Perez and Ellison on Twitter while The Hill (2/25, Vladimirov, 1.25M) reports Sen. Bernie Sanders in a statement congratulated Perez but warned, "At a time when Republicans control the White House, the U.S. House, U.S. Senate and two-thirds of all statehouses, it is imperative that Tom understands that the same-old, same-old is not working and that we must open the doors of the party to working people and young people in a way that has never been done before."

DNC Rejects Resolution To Bar Corporate Donations. The Washington Times (2/25, McLaughlin, 272K) reports the DNC on Saturday "tabled a resolution" proposed by Christine Pelosi, daughter of House Minority Leader Pelosi, "that called on the party to reinstate a ban on corporate donations and on federal corporate lobbyists from serving as at-large members of the DNC."

INTERNATIONAL NEWS

Pentagon To Present White House With Options For Conflict Against ISIS.

USA Today (2/26, Michaels, 5.28M) reports the Pentagon this week will provide the White House with options for accelerating the conflict against ISIS and analysts say that "military leaders will likely recommend adjustments that could expand bombings and quicken the pace of ground operations." USA Today says the Defense Department "will likely stick with its current policy of backing local forces to lead the fight against the militants in Iraq and Syria."

The New York Times (2/26, Cooper, Schmitt, Subscription Publication, 13.9M) says Defense

Secretary Mattis "is balancing the need to rein in President Trump's more extreme impulses without distancing himself too much and losing White House favor." The Times adds that "nowhere is this juggling act" between being a "valued aide" to Trump and "reassurer" to world leaders more clear than in Mattis' effort of "speeding the fight" against ISIS. The Times says Mattis "will probably present" the White House with "a range of options that include loosening some battlefield restrictions" and permitting US troops "to get closer to the fight." According to the Times, Mattis "may also recommend putting a limited number of additional troops" in Syria.

Gorka: US To Defeat ISIS "Rapidly."

The Washington Times (2/24, Sherfinski, 272K) reports Sebastian Gorka, deputy assistant to President Trump, "said Friday at the Conservative Political Action Conference that the Islamic State terrorist group will be defeated 'rapidly,' while allowing that the battle against the underlying ideology behind it is likely to take longer." Gorka asserted, "We jettison the idea that this is a generational war. We will defeat ISIS, and we will defeat them rapidly."

Former NSC, State Officials: Gorka An "Islamophobic Huckster." In a New York Times (2/24, Simon, Benjamin, Subscription Publication, 13.9M) op-ed, Steven Simon, a professor at Amherst College and member of the National Security Council in the Clinton and Obama Administrations, and Daniel Benjamin, the director of the Dickey Center for International Understanding at Dartmouth College who served as the State Department's counterterrorism coordinator from 2009 to 2012, denounce Gorka, as an "Islamophobic Huckster" who is "weak on jihadist history and doctrine and unaware of what his own government has learned over decades." They conclude that by listening to Gorka, the Administration "now risks exacerbating the very security challenges it hopes to surmount," and call on National Security Adviser McMaster to "exorcise" the influence of Chief of Staff Bannon and Senior Adviser For Policy Miller and make "getting rid of Mr. Gorka...an early priority."

WPost: Trump Has "Worsened The Chances For Success" In Iraq.

The Washington Post (2/26, 11.43M) editorializes that President Trump "has significantly worsened the chances for success" in Iraq. The Post says that while the Obama Administration "deserves blame for sidestepping Iraq's political challenges," Trump "has quickly exacerbated the trouble" with "repeated suggestions that the United States might seize Iraq's oil fields have alienated forces across the political spectrum." In addition, the Post says, Trump's decision to include Iraq on the list of countries from which immigrants are restricted has led to some Iraqis calling for US troops to be expelled from the country.

US-Backed Iraqi Forces Advance Toward Mosul Bridge.

Reuters (2/26, Kalin) reports US-backed Iraqi forces advanced further into western Mosul on Sunday, and are seeking to secure a strategic bridge across the Tigris. Col. Falah al-Wabdan of the Iraqi Interior Ministry's Rapid Response unit said once troops capture the bridge from ISIS militants, it will be rehabilitated so troops can transfer supplies and reinforcements directly from eastern Mosul. Meanwhile, ISIS militants forcibly took dozens of the hundreds of fleeing western Mosul residents to use as human shields. Iraqi commanders believe several thousand militants are holed up in tunnels and passageways throughout western Mosul, heightening the risk of a standoff that threatens the civilian population.

Within the last three days alone, more than 200 civilians and at least 30 Iraqi troops have been killed or wounded, the AP (2/26, George) reports. The sudden increase in casualties reflects the "grueling urban combat" in "the fight for eastern Mosul in early November when military attrition rates spiked." Iraqi forces have thus far encountered fewer car bombs in western Mosul than they did in eastern Mosul, but they are more frequently targeted by ISIS' drone-deployed bombs. Even though ISIS' drones have caused mostly light injuries, "they disrupted operations and monopolized the finite surveillance capabilities available from Iraq's military and the US-led coalition backing the Mosul fight." ISIS' repeated use of mortars has also left fleeing western Mosul residents "more vulnerable than those who fled the city's eastern side."

American Firepower Yields "Notable Gains" Against Militants, Drones. "American firepower, the decision to position American advisers closer to the fighting, and the determined

efforts of the Iraqi forces themselves have yielded some notable gains" in the western Mosul operation, the New York Times (2/26, Gordon, Subscription Publication, 13.9M) reports. The US' encouragement enabled Iraqi forces "to mount an attack on multiple axes to present the militants with more problems than they can handle," but ISIS' use of drones "spooked" Iraqi troops and left American and Iraqi militaries with no "easy remedy." Nonetheless, the US military "has used its firepower to try to mitigate the drone problem," and on Saturday it destroyed a key drone-launching and weapons-storing ISIS "staging area."

Additionally, the Defense and Homeland Security Departments have purchased more than 100 DroneDefenders, which are devices manufactured by Ohio's Battelle Memorial Institute that can scramble ISIS drones' GPS or remote control units from distances of up to a quarter of a mile away, the Wall Street Journal (2/26, Kesling, Iraq, Adnan, Subscription Publication, 6.37M) reports. Last week, the Air Force also announced it entered into a $15 million contract with ELTA North America, a subsidiary of Israel's Aerospace Industries, for the delivery of 21 counter-drone systems.

Intensified Syrian Government Airstrikes Target Rebel-Held Neighborhood In Homs.

The AP (2/26, Mroue) reports a second day of intensified Syrian government airstrikes on the rebel-held neighborhood al-Waer in Homs killed at least three people on Sunday. The escalation "appeared to be in retaliation for militant attacks in the city on Saturday that killed a senior security officer and at least 31 others." Additionally, government forces and allied militias advanced within a few miles of Palmyra. Also on Sunday, UN envoy Staffan de Mistura met with representatives of separate opposition groups in Geneva. Opposition representative Jihad Makdissi told reporters de Mistura presented papers on "how to facilitate talks" between numerous opposition groups and the Syrian government. Makdissi also downplayed various opposition groups' differences as merely "diverse" and not "fragmented," and claimed all groups "want to be one delegation, not a unified delegation."

Al Qaeda Affiliate Claims Responsibility For Attacks On Syrian Security Offices.

The AP (2/25) reports the Levant Liberation Committee, an al Qaeda-affiliated insurgent coalition, announced that five of its militants stormed two Syrian security offices in Homs on Saturday. Homs Province Governor Talal Barzani claimed a total of three blasts killed at least 32 people, but the Syrian Observatory for Human Rights said the attack killed at least 42 security officials. Maj. Gen. Hassan Daeboul, "a senior official who ran the feared military intelligence services," was killed in the coordinated operation, and Brig. Ibrahim Darwish, head of the state security branch, was critically wounded.

Daeboul, the Washington Post (2/25, Loveluck, 11.43M) reports, served as "the former head of one of Damascus's most notorious detention facilities." The Post notes the Homs attack and intense Syrian government aerial bombardments "took place as Syrian government and opposition delegates met in Geneva for the latest round of talks aimed at bringing Syria's six-year-old crisis to an end."

Reuters (2/25, Irish) reports United Nations special envoy Staffan de Mistura, ahead of a meeting with the Syrian government delegation on Saturday in Geneva, told reporters, "Every time we have talks, or negotiations, there is always someone who tries to spoil."

De Mistura also wrote in a statement, "Spoilers were always expected, and should continue to be expected, to try to influence the proceedings of the talks," Reuters (2/25, Irish, Nebehay, Miles) reports in a separate article. He urged "all parties who are against terrorism and are committed to a political process in Syria not to allow these attempts to succeed." Reuters notes the jihadist rebel alliance Tahrir al-Sham, which is opposed to the peace talks, praised the attacks.

Reuters (2/25, Irish) reports the Syrian government delegation's chief negotiator Bashar Ja'afari also spoke with reporters in Geneva on Saturday. Ja'afari said his delegation told de Mistura "that we are looking for commonalities to look forward" and "how we can discuss with anyone that doesn't condemn terrorism." His 45-minute news conference "almost entirely focused on the need to combat terrorism," and he denounced Saudi Arabia and Turkey as state sponsors of terrorism because of their support of rebel fighters. "If anyone refuses to condemn this terrorist attack," Ja'afari continued, "then he is an accomplice of terrorism and we will deal with them accordingly."

Syrian Rebel Leader Claims Opposition Shares Common Goals With Administration. On Saturday, the Syrian opposition delegation's chief negotiator, Nasr al-Hariri, told the AP (2/25, Soguel) in an exclusive interview that Administration officials met with opposition leaders on multiple occasions in an effort to find common ground. Al-Hariri stated, "We have a lot of points that we share with this new administration of America," and top priorities include "fighting terrorism and reaching stability in Syria across or through a political transition and to face the state of Iran, which interferes not only in Syria but in Iraq and Yemen and in other countries." He claimed former President Obama repeatedly let opposition fighters down, and said Obama refused to intervene directly when Iran extended its support to Syrian President Bashar al-Assad. Al-Hariri also called the establishment of safe zones "a procedure to reach the final, acceptable solution for the Syrian people."

Syrian Opposition Awaits Administration's Decision On Raqqa Operation. The New York Times (2/24, Gordon, Subscription Publication, 13.9M) reports the Administration's forthcoming decision on whether it will provide the Syrian Democratic Forces, or SDF, with much-needed heavier weapons will mark "a critical moment" for the opposition forces. The SDF has helped the US minimize its military footprint in Syria and is "its best hope of taking Raqqa in the coming months," but the "budding alliance has drawn the United States deeper into the complex politics of northern Syria and prompted furious objections from Turkish officials" over the militia's inclusion of Kurdish fighters. Central Command head Gen. Joseph L. Votel suggested the US could provide heavy weapons to Kurdish fighters for the Raqqa operation, and restrict arms and ammunition flows after seizing the city from ISIS forces. "We would be transparent with" Turkey, Votel asserted, and "could meter things like ammunition." Lt. Gen. Stephen Townsend added that unlike Russia, Iran, or the Syrian government, the US must protect Turkish interests because the two nations are NATO allies.

Saudi Arabian Minister Meets With Iraqi Leaders To Repair Sectarian Divide.

Saudi Arabia's Foreign Minister, Adel Al-Jubeir, met with his Iraqi counterpart Ibrahim al-Jaafari and Prime Minister Haider al-Abadi in "a rare visit to Baghdad on Saturday," Reuters (2/25, Chmaytelli, Rasheed) reports. Jubeir's visit signaled "a new attempt to heal the Sunni kingdom's troubled relations with Shi'ite-majority Iraq." Jubeir told reporters that Iraq's leaders expressed a willingness to reconcile the sectarian divide, and he reiterated Saudi Arabia's hope "to build excellent relations between the two brotherly countries." He also highlighted the "many shared interests from fighting extremism and terrorism or opportunities for investment and trade between the two countries." The leaders also discussed the restoration of direct flights between Saudi Arabia and Iraq, and the kingdom's plan to appoint a new ambassador to Iraq.

Syria Revokes Passport Of Academy Award Nominated Cinematographer.

The CBS Weekend News (2/26, story 5, 2:00, Quijano) reported Syrian cinematographer Khaled Khatib, who shot the Netflix documentary "White Helmets" about civilians who provide rescue response after airstrikes in that country, was expected to attend the Academy Awards, but he reportedly had his passport "revoked by the Syrian government." Other members of the crew are still expected to attend. CBS noted that President Bashar al-Assad "has accused the White Helmets as being a front for al Qaeda and of faking footage of the aftermath of air strikes – charges the group themselves deny."

Rogin Calls For More Comprehensive Strategy On Afghanistan.

In his column for the Washington Post (2/26, 11.43M), Josh Rogin recommends a new strategy on Afghanistan that not only "deals with Pakistan's insistence on providing support and sanctuary for the Taliban," but also includes "a plausible path to return to negotiations to end the conflict." Afghanistan's government has "no safe alternative" to increased US dedication, and Afghanistan's ambassador to the US, Hamdullah Mohib, warned the success of the Taliban or any other terrorist group "emboldens all of them." Rogin says President Trump's generals in support of increased US involvement "could strengthen their case by getting NATO allies to make human and financial commitments up front" to "address Trump's criticism that NATO doesn't do counterterrorism and

doesn't pay its fair share." Promoting a new strategy to Trump and the American public "will not be easy," Rogin adds, but if the Administration can "tune out the politics, share the burden and follow a clear strategy, the benefits of the deal will outweigh the costs."

USA Today Urges White House To Clarify Position On Afghanistan. In an editorial, USA Today (2/26, 5.28M) writes that the war in Afghanistan "is now shifting slowly in favor of the enemy, the Taliban and other Islamic extremists," and calls on the White House "to conduct a major policy review of Afghanistan, reach a fundamental decision and then make its case to the American people." USA Today says Army Gen. John Nicholson's request for more soldiers seems "reasonable, but troop levels have to reflect a broader strategy" and soldiers "deserve clarity of purpose." President Trump has not clarified his position on Afghanistan, but "he has ordered his generals to come up with a plan to defeat radical Islamic terrorism." USA Today concludes, "Only when the Taliban realizes that the US commitment is unwavering, and it cannot retake Kabul, will this longest war come to a resolution."

Professor Argues Against Increased US Involvement In Afghanistan. In an op-ed for USA Today (2/26, 5.28M), author and Boston University professor Andrew J. Bacevich argues against sending more US troops to Afghanistan because the measure "ignores root causes" that "predate the ongoing war itself." Bacevich writes that US troops will likely "have to stay a few decades" and "burn through trillions of additional taxpayer dollars" if the US determines that it must "fix the problems afflicting Afghanistan" to maintain "security and well-being." He says policymakers could "shrink from making any such commitment," which begs the "fundamental question" of whether Afghanistan is better equipped to solve its own problems.

Attorneys: Trump's Comments Would Keep Bergdahl From Receiving Fair Trial.

Reuters (2/26, Kearney) reports US Army Sgt. Bowe Bergdahl's defense team announced on Sunday that it will ask the US Army Court of Criminal Appeals in Virginia on Monday to dismiss charges against Bergdahl. Attorney Eugene Fidell explained, "Our position is that President Trump's comments during the campaign repeatedly vilifying Sergeant Bergdahl prevents him from getting a fair trial." Fidell maintained that Bergdahl should not face jail time and is "ready for this to be over. He's lost a decade of his life." Military Judge Jeffrey Nance of the US Army Trial Judiciary Second Judicial Court previously rejected the defense team's argument.

In its "Under The Radar" blog, Politico (2/26, Gerstein, 2.46M) reports that the defense attorneys claimed Trump's statements, including his labeling of Bergdahl as a "dirty rotten traitor," amounted to "unlawful command influence" in Bergdahl's upcoming trial. Nance, in the lower court's decision on Friday, conceded Trump's comments about Bergdahl were "troubling" and "made without consideration of their possible impact on the trial of the accused." Despite the "disturbing and disappointing" statements, Nance wrote, no one "would believe that because Candidate Trump said those troubling things and is now President Trump, the accused has been or will be denied a fair trial." In a statement issued on late Sunday, Fidell countered, "The issues presented by President Trump's outrageous and unprecedented vilification of a fellow citizen are important to public confidence in the administration of justice, as well as simple fairness to Sgt. Bergdahl."

Iran Holds Annual Naval War Games.

Reuters (2/26) reports Iran launched its annual naval drills "at the mouth of the Gulf and the Indian Ocean" on Sunday, a naval commander said. The annual exercises "will be held in the Strait of Hormuz, the Gulf of Oman, the Bab el-Mandab and northern parts of the Indian Ocean, to train in the fight against terrorism and piracy, Rear Admiral Habibollah Sayyari said, according to state media." The AP (2/26) reports the US Navy's 5th Fleet "declined to comment on the exercise or discuss if it had any plans to monitor the drill."

Ahmadinejad Lauds US, Trump Campaign In Letter To American President. The AP (2/26, Karimi) reports former Iranian President Mahmoud Ahmadinejad sent a letter Sunday to President Trump, "striking a somewhat conciliatory tone while applauding immigration to America and saying it shows 'the contemporary US belongs to all nations.'" In the letter, published by Iranian media outlets, Ahmadinejad noted Trump won the election while he "truthfully described the US political system and electoral structure as corrupt." The AP notes that it isn't the former

Iranian leader's first letter to a US president, but this letter "may serve to burnish Ahmadinejad's image domestically after the nation's Supreme Leader warned him not to run in Iran's upcoming May presidential election."

Top Chinese Official To Visit US This Week.

Reuters (2/26, Ruwitch) reports Chinese State Councilor Yang Jiechi will visit the US this week, state news agency Xinhua said. Jiechi will be in Washington on Monday and Tuesday, Xinhua said in a report published late Sunday. Reuters notes the visit follows a phone call between Yang and Secretary of State Tillerson last week, and marks "the latest step by the world's two largest economies to try to put relations back on an even keel after a rocky start following Trump's November election victory."

Baucus Warns: Don't Let Beijing Push Us Around. The Washington Post (2/26, Denyer, 11.43M) reports former US Ambassador to China Max Baucus warned that the US "needs to stop getting pushed around by China and work out a long-term strategy to deal with the country's rise." In an interview conducted Thursday, Baucus "expressed frustration with the Obama administration's lack of strategic vision and its weakness when it came to China, but also accused President Trump of blundering around without even a basic understanding of the country." Said Baucus, "The Washington foreign policy establishment tends to put China on another shelf, to deal with it later. We're much too ad hoc, we don't seem to have a long-term strategy, and that's very much to our disadvantage."

China, Taiwan To Commemorate 1947 Uprising. The New York Times (2/26, Horton, Subscription Publication, 13.9M) reports that the "2/28 Incident," as it has come to be known, was an uprising that flared on Feb. 28, 1947 in Taipei and "soon spread to other parts of the island" before it was "crushed in the massacre of up to 28,000 Taiwanese" by Chinese troops. While China has "long commemorated Feb. 28, usually quietly," this year, for the 70th anniversary, "it took a more public approach, organizing a symposium in Beijing on Thursday."

Bloomberg Analysis: "Spat" With Kim Jong-Un Shows China's Dilemma In Dealing With Him.

Bloomberg Politics (2/26, Shi, 201K) reports that the "rare public spat" between China and North Korea illustrates "the dilemma facing Beijing's leaders as they try to coax Kim Jong-Un back to the negotiating table." Bloomberg says "tensions have escalated as China seeks renewed talks on North Korea" with the Trump Administration, but its "ability to broker negotiations risks backfiring for a simple reason: Kim is confident that Beijing doesn't want to see his regime toppled, creating a failed state – or worse, a US-backed unified Korea – on its doorstep."

Malaysian Minister: Kim Jong-Nam Died Quickly. USA Today (2/26, Bacon, 5.28M) reports the half-brother of North Korean leader Kim Jong-Un "was swiftly overwhelmed by paralysis and died within 20 minutes after being daubed with a nerve agent at a Malaysian airport two weeks ago," the Malaysian health minister said Sunday. According to Health Minister Subramaniam Sathasivam, "The dose was so high it affected the heart, lungs, affected everything. It only requires 10 milligrams to be absorbed into the system" to cause death. The AP (2/26, Ng) and the Wall Street Journal (2/26, Otto, Ngui, Subscription Publication, 6.37M) also report his remarks, while McClatchy (2/25, Johnson, 74K) says that "by using one of the world's deadliest known toxins to carry off a high-profile assassination in Malaysia, North Korea sent a message to the world that it has two types of weapons of mass destruction – nuclear bombs and the most ghastly of chemical weapons."

Ukrainian TV Show Features Nothing But Fake News.

The New York Times (2/26, Kramer, Subscription Publication, 13.9M) profiles "what appears to be a nightly newscast...with a very Ukrainian twist: Everything is a lie, from start to finish." The group behind the show "is highly respected in journalistic circles" in Kiev "for its specialty of debunking fake news." According to the Times, "if fact checkers cannot prove that a story published or broadcast by another news media outlet is false, it will not be featured in the weekly airing of 'StopFake News.'"

UN Peacekeepers Disperse Central African Republic Militia.

Reuters (2/26, Cocks) reports the UN's mission in the Central African Republic deployed heavily-armed peacekeepers in an air operation to the town of Bambari on Sunday. In a statement, the UN mission said the operation was necessary to "prevent a war" between the Popular Front for the Renaissance of Central African Republic, or FPRC, and the rival militia Union for Peace in Central African Republic, or UPC. The statement added that the operation was conducted in accordance with the mission's mandate to protect civilians. Mission spokesman Vladimir Monteiro said the air operation's toll "is not yet known" and warned the FPRC "against any attempt to bring war to Bambari."

Duterte Seeks To Lower Age Of Criminal Responsibility In Anti-Drug Campaign Expansion.

The Washington Post (2/26, Rauhala, 11.43M) reports Philippine President Rodrigo Duterte broadened his anti-drug campaign by vocalizing support for proposed legislation aimed at lowering the age of criminal responsibility from 15 to nine. Duterte claimed young offenders needed to be "taught responsibility," and argued the proposed bill would ultimately prevent another "generation of criminals." Duterte's campaign has already left "some of the Philippines' youngest and most vulnerable citizens" dead, witnesses to violence, or orphans, and human rights groups warned the proposed bill would further target the nation's disadvantaged youth. Children's Legal Rights and Development Center executive director Rowena Legaspi said broadening the campaign to include the "criminalizing" of minors would constitute "legitimizing" state-supported violence against children.

Macron Leads In French Pre-Election Polls.

Reuters (2/26, Felix, Pennetier) reports the results of two opinion polls released on Sunday suggested French independent presidential candidate Emmanuel Macron would easily defeat far-right National Front candidate Marine Le Pen in the nation's runoff election. The polls revealed Le Pen would secure 27 percent of votes in the first round, compared to Macron's predicted 25 percent of votes, but only 39 percent in the runoff, compared to Macron's estimated 61 percent of votes. According to both polls, Macron's recent alliance with centrist politician Francois Bayrou helped him poll ahead of conservative candidate Francois Fillon. At a campaign rally on Saturday evening, Le Pen told supporters that the justice system was being used against her to influence the election outcome, and accused Macron of benefiting from the backing of banks and media outlets. Outside of the rally, police clashed with left-wing supporters attempting to block the event.

Guatemala Expels Dutch Vessel, Abortion Advocates.

AFP (2/26) reports Guatemalan President Jimmy Morales ordered his government to file a formal complaint against a Dutch vessel and its 10 passengers last week after learning that the passengers were advocates with the Women on Waves group and intended to offer Guatemalan women abortions in international waters. On Friday, authorities ordered the expulsion the vessel from territorial waters on grounds that the passengers falsely declared themselves as tourists and not members of a "health organization." Women on Waves accused the Guatemalan military of illegally detaining the vessel and of "obstructing a lawful protest against the state's restrictions on the Guatemalan women's right to safe abortion." On Sunday, Puerto Quetzal commander Saul Tobar told reporters, "Notified of its expulsion from the country's territorial waters for having failed to comply with immigration regulations," the vessel requested permission to depart on late Saturday.

WSJournal A1: Japan's Post-Bubble Generation Diminishes Stimulus Efforts.

On its front page, the Wall Street Journal (2/26, A1, Lyons, Inada, Subscription Publication, 6.37M) reports that in April, 2013, Bank of Japan governor Haruhiko Kuroda, in an attempt to change the post-bubble 20- to 34-year-old population's deflationary mindset, launched an ambitious Central Bank stimulus effort that involved the printing of trillions of yen and guided

interest rates below zero. The 20 million young adults who grew up in the 1980's have known only economic malaise, however, and are seemingly resilient to the efforts of Kuroda and other Japanese officials to facilitate economic growth, consumer spending, and monetary policy changes; furthermore, an October Bank of Japan survey suggested the post-bubble generation's saving habits will not change any time soon.

WPost A1: Trinidad's Feminist Movement Focuses On Misogyny At Carnival.

In a front-page article, the Washington Post (2/26, Powers, 11.43M) reports Trinidad and Tobago's feminist movement surged after "the high-profile killing" of female Japanese musician Asami Nagakiya at Carnival last year. Port-of-Spain's then-Mayor Raymond Tim Kee blamed Nagakiya's death on the "vulgarity and lewdness" of her revealing costume and behavior, alarming women's rights activists and prompting protests and calls for Tim Kee's resignation. The government has since launched uneven efforts to address the nation's domestic violence, but some activists believe its response has been inadequate. As result, some activists are calling on the government to better protect women throughout the year, and others are "zeroing in on the more commonplace offenses that women face" at Carnival in an attempt "to change the way women are treated" during the celebration.

O'Hanlon Calls For Permanent Neutrality As NATO Expansion Alternative.

Brookings Institution senior fellow Michael O'Hanlon, in an op-ed for the Wall Street Journal (2/26, Subscription Publication, 6.37M), warns NATO protection from Russian aggression does not extend to Ukraine, Georgia, and other Eastern European neutral states, but any efforts to expand NATO to include those nations will fuel Russian President Vladimir Putin's efforts to keep the countries unstable and ineligible for membership. O'Hanlon says Russia understandably views NATO as an insult, and encourages President Trump to advocate for the restructuring of a new security arrangement that is focused on permanent neutrality and includes Russia in negotiations.

Former, Current US Leaders Clarify Foreign Policy Inconsistencies.

"Some measure of disconnect is expected when a new administration takes power," the Boston Globe (2/26, Linskey, 1.08M) reports, but according to former Secretary of State John Kerry's chief of staff David Wade, "You can be guaranteed" that other world leaders "are writing cables home right now about dysfunction." State Department spokesman Mark Toner explained the seemingly contradictory messages are in fact situations where "you're seeing the administration articulate in greater detail its policies on many issues." He said Secretary of State Tillerson speaks with President Trump "daily" and on "every major foreign policy issue." The Globe says Trump's comments on a "two-state solution" in the Middle East constituted among "the more shocking examples" of the disconnect; within 24 hours of Trump's remarks, Ambassador Haley confirmed to reporters at the United Nations that the US continues to "absolutely support a two-state solution," but is "thinking out of the box as well."

McMaster's Book "Viewed As A Guidepost" For His Role In Administration. The New York Times (2/25, Baker, Subscription Publication, 13.9M) reports National Security Adviser McMaster published his dissertation on "the consequences of the military not giving candid advice to a president" in 1997 under the title "Dereliction of Duty." McMaster's "book is now viewed as a guidepost to how he views his role as the coordinator of the president's foreign policy team," and "is central to General McMaster's identity and career." It also "became a sensation," and received praise from former CIA Director David Petraeus and Sen. Tom Cotton. "Others said General McMaster's book had been misread," and Johns Hopkins University's Eliot A. Cohen said the "book will hang over him being national security adviser" because McMaster "now represents integrity and a forthrightness about speaking truth to power." Author Gordon M. Goldstein commented, "This will really be a test of Trump as commander in chief," and on whether "he can absorb and benefit from the advice of a strong adviser."

US Cancels Planned Back-Channel Talks With North Korea.

The New York Times (2/25, Perlez, Subscription Publication, 13.9M) reports that while the

Administration on Friday authorized informal negotiations in New York "between a North Korean delegation and former American officials," the US government "reversed course hours later, withdrawing approval for the North Koreans' visas, two people who were to take part in the planned talks said."

The Washington Post (2/25, Fifield, 11.43M) says the "Track 1.5" talks had been "hanging in the balance after North Korea launched a ballistic missile earlier this month," but Malaysia's assertion Friday "that the Pyongyang regime planned the attack that used a chemical weapon to kill leader Kim Jong Un's half brother," Kim Jong-nam, was "the final straw." The Wall Street Journal (2/25, Cheng, Subscription Publication, 6.37M) reports that the talks would have been the first on US soil in almost six years. Robert Gallucci, the top US negotiator during the North Korean nuclear crisis of 1994, and Victor Cha, the National Security Council's director for Asian affairs under former President George W. Bush, had intended to represent the US at the talks.

UN Report: North Korea Using Network Of Overseas Companies To Evade Sanctions. North Korea "is evading international sanctions with a sophisticated network of overseas companies, enabled partly by its continued access to the international banking system, says a forthcoming United Nations report seen by" Reuters (2/25, Pearson), which adds that the 100-page draft report found, "Designated entities and banks have continued to operate in the sanctioned environment by using agents who are highly experienced and well trained in moving money, people and goods, including arms and related materiel, across borders."

Malaysian Police Sweep Airport For VX Toxin Traces. ABC World News Tonight's (2/25, story 6, 1:30, Llamas, 14.63M) Alex Marquardt reported Malaysian police continued to sweep the Kuala Lumpur airport terminal on Saturday "for remaining traces of toxins" that killed Kim Jong-nam, the half-brother of North Korean leader Kim Jong-un. NBC Nightly News (2/25, story 9, 0:30, Diaz-Balart, 16.61M) reported Malaysian forensic teams were "dressed in hazmat suits" because even trace amounts of VX "can be lethal within minutes."

Malaysian authorities released surveillance video footage of the attack, and the Washington Post (2/25, Bump, 11.43M) says that footage reveals a number of people were "possibly within 100 yards of a rare, deadly nerve agent that might have made its way through the airport until the moment that it was swiped on Kim's face." Stimson Center senior associate Cindy Vestergaard cautioned that the footage captured one of the female suspects walking "across one of the terminals," and even if the suspect "had gloves on, it would have dispersed somehow, somewhere." Because an amount of VX as small as "the size of three snowflakes" can have a fatal effect, confirmation of the toxin as VX would likely broaden the investigation considerably. Vestergaard also suggested that the involved suspects were probably well-prepared for their mission, and may have had access to antidotes.

The New York Times (2/25, Paddock, Subscription Publication, 13.9M) reports 25-year-old Siti Aisyah was one of the two female suspects detained for the assassination. Indonesia's deputy ambassador to Malaysia, Andrea Erwin, met with the suspect on Saturday. Erwin stated, "She only said in general that someone asked her to carry out this activity," and that "she met with people who looked Japanese or Korean." The suspect also alleged she was paid $90 to smear the substance, which she described as similar to baby oil, on the face of Kim. Malaysian police also detained Doan Thi Houng of Vietnam "within days" of Kim's assassination.

Vietnam's Foreign Ministry told the Wall Street Journal (2/25, Otto, Rachman, Subscription Publication, 6.37M) that diplomats also met with Huong for the first time, and like Siti Aisyah, "Huong said she was duped and thought she was playing in a funny movie clip." Both nations' diplomats claimed on Saturday that the women did not appear to be suffering any side effects from possible VX exposure.

WPost: US Should Relist North Korea As Terror Sponsor. The Washington Post (2/25, 11.43M) editorializes that the nerve agent VX "has no other purpose than being an instrument of death," which is just one more reason "it is so monstrous that North Korean leader Kim Jong Un and his coterie of brutalists may have used VX to murder his half-brother Kim Jong Nam, while he was waiting to board a plane in an international airport in Malaysia." According to the Post, "North Korea ought to be placed back on the U.S. list of nations that sponsor terrorism, from which it was removed almost a decade ago." The Post concludes, "There must be no ambiguity in the message from the United States and its allies: This was outlaw behavior."

NYTimes A1: China To Construct Naval Base Near Pentagon's Camp Lemonnier.

On its front page, the New York Times (2/25, Jacobs, Perlez, Subscription Publication, 13.9M) reports China is constructing its first foreign naval military base just miles from the Pentagon's Camp Lemonnier in Djibouti. "American strategists" expressed concerns that the Chinese naval port's close proximity to Camp Lemonnier "could provide a front-row seat to the staging ground for American counterterror operations in the Arabian Peninsula and North Africa." US officials cited surveillance issues, China's debt to Djibouti, and the potential threat to the US-Djibouti alliance's long-term durability as three key concerns. The base also furthers China's global ambitions and could have "potential implications for America's longstanding military dominance." China's Defense Ministry downplayed its significance, and in a statement said it "will be mainly used to provide rest and rehabilitation for the Chinese troops taking part in escort missions in the Gulf of Aden and waters off Somalia, U.N. peacekeeping and humanitarian rescue." China claimed the base did not constitute an "arms race or military expansion."

China Projected To Increase Funding For Navy. Reuters (2/25, Blanchard, Martina) reports China's PLA Navy rapidly developed under President Xi Jinping's ambitious military modernization campaign, and it is expected "to secure significant new funding" in the upcoming defense budget, which will be unveiled by parliament next month. China is attempting to bring its navy up to par with the US Navy, and President Trump's pledge to increase the American fleet from 290 to 350 vessels has unnerved China. Trump's aides said the measure is necessary to counter China's rising military power. Additionally, an anonymous Asian diplomat suggested, "China fears Trump will turn on them eventually as he's so unpredictable and it's getting ready."

Indian Foreign Minister To Meet With Administration Officials In Washington.

The AP (2/26) reports India's Foreign Secretary S. Jaishankar is expected to meet with acting Deputy Secretary Shannon and other Administration officials in Washington this week for discussions related to India's concerns over President Trump's strong stance "against exporting US jobs" and the fatal shooting of an Indian engineer in a Kansas bar.

NYTimes A1: UN-Backed Tribune Dismisses Case Against Cambodian Grandma.

In a front-page article, the New York Times (2/24, Wallace, Subscription Publication, 13.9M) reports a United Nations-backed tribunal charged 74-year-old Cambodian Im Chaem "with crimes against humanity, including mass murder, extermination and enslavement." The defendant, known as "Grandma Chaem," allegedly oversaw "the killing of tens of thousands of people as a Khmer Rouge official in northwestern Cambodia in 1977 and 1978." On Wednesday, however, "the tribunal's investigating judges quietly dropped the charges." The tribunal claimed in a statement that it dismissed the case because Chaem "was neither a senior leader nor otherwise one of the most responsible officials of the Khmer Rouge regime." Yet, the decision has elicited suspicions that the tribunal yielded to pressures from former Khmer Rouge soldier and Prime Minister Hun Sen, who warned that more trials could spark an outbreak of civil war and chaos.

Iran's Navy Begins Drill Near Strait Of Hormuz.

The AP (2/26) reports Iran's navy, in its first major exercise since President Trump's inauguration, began its annual drill maneuvers in the Sea of Oman and Indian Ocean "near the strategic Strait of Hormuz." About a third of all oil transported by sea passes through the strait, and previous US-Iranian confrontations have occurred at the site. The drill will not involve the Revolutionary Guard.

Iran To Acquire Uranium Ore From Kazakhstan. Reuters (2/25) reports Iran's Atomic Energy Organization head Ali Akbar Salehi told the Iranian Students' News Agency that the nation will purchase 950 tonnes of uranium ore from Kazakhstan in three separate shipments over three years. He also claimed that Iran "reached a final agreement on jointly producing nuclear fuel with Russia," and that the two nations "agreed for the Russians to give us advisory help." Reuters notes Iran's acquisition would not violate the 2015 nuclear deal it reached with the US and five other nations.

Power Honors Late Russian Diplomat Vitaly Churkin.

In an op-ed for the New York Times (2/25, Power, Subscription Publication, 13.9M), former Ambassador Power recalls her interactions with Russia's permanent representative to the United Nations, Vitaly Churkin, and says she was "heartbroken" to learn of his death. She describes Churkin as "a believer in the relationship between our two countries," one of the "most effective diplomats," a "good friend and one of the best hopes the United States and Russia had of working together." She expresses sadness "that, in our hyperpolarized environment, praise for Vitaly – the diplomat and the man – has been interpreted as acquiescence to Russia's aggression," and says she "was slammed" on Twitter when she "referred to him as a 'diplomatic maestro'." Power says to restore US-Russian relations, diplomats must "stand firm, while also never losing sight of the humanity of those with whom we fervently disagree."

Trump's Rhetoric Elicits Resurgence Of Mexican Nationalism.

The Washington Post (2/25, Miroff, 11.43M) reports that in Mexico, "the public outcry" over President Trump's trade and border wall proposals has reduced US-Mexican relations "to their lowest point in decades" and "inspired a campaign to boycott" American products and chains. A series of "encounters" between the US and Mexico since the 1840s has resulted in two different forms of nationalism in the two nations, according to Mexican historian Lorenzo Meyer. Meyer said Mexico adopted a "defensive" form, and the US adopted exceptionalism and militarized Manifest Destiny. Thus, Mexicans interpret Trump's rhetoric as "an unmistakable attempt to humiliate them." Former Ambassador Antonio Garza said unlike prior manifestations of Mexican nationalism, this time it is "directed at Trump," and "not the United States."

Mexicans Protest High Gas Prices, Trump's Policy Proposals. Gadi Schwartz of NBC Nightly News (2/25, story 10, 2:15, Diaz-Balart, 16.61M) reported, "For six weekends in a row, ports of entry along the US-Mexico border have temporarily shut down traffic going into Mexico out of fear of protests" against both the Mexican government and President Trump. "Across Mexico, outrage is being fueled by a spike in gas prices," and protests have led to thousands of arrests and six deaths. "Mexican President Enrique Peña Nieto says the price increase was needed to offset subsidies," Schwartz reported, "but nearly 50 percent of the population in Mexico lives in poverty." Schwartz said protesters are "also taking aim at the US border and President Donald Trump for his threats to tax imports and make Mexico pay for a wall. Meanwhile, the Mexican economy is struggling," with "Rising taxes and the devalued peso on one side of the border clashing with President Trump's policy of 'America First'."

Zimbabwe's President Delegates Decision On Successor To Congress.

Reuters (2/25, Bulawayo) reports Zimbabwe's longtime President Robert Mugabe announced on Saturday that he will not seek a successor before he retires, and delegated the task to "congress to choose." Mugabe said ZANU-PF lacked viable alternatives and claimed the nation "said I should be your candidate in the next election." Mugabe's critics, however, claimed his policies "have ruined the once promising country."

THE BIG PICTURE

Headlines From Today's Front Pages.

Wall Street Journal:
GOP Leaders Dare Fellow Republicans To Block Obamacare Repeal
Bond Market Is Flashing Warning Signal On Trump Reflation Trade
The World's Most Radical Experiment In Monetary Policy Isn't Working
Facing Criticism, Drug Makers Keep Lid On Price Increases

New York Times:
Trump To Ask For Sharp Increases In Military Spending, Officials Say
Why De Blasio Might As Well Be Running Unopposed
Trump Embraces "Enemy Of The People," A Phrase With A Fraught History

Assailing The White House From Hollywood's Glass House
He's A Local Pillar In A Trump Town. Now He Could Be Deported.
One Of Atlanta's Last Stores On Wheels Navigates A World Of Change
Oscars 2017: And The Winner Is..."Moonlight" — Not "La La Land"

Washington Post:
White House In Flux On ACA
In Trinidad, A Carnival Song Emerges As Feminist Anthem
Mixed Feelings In Trump Land
Tax Dollars In DC Flow To Problem Landlord

Financial Times:
Le Pen's Online Army Leads Fight For French Presidency
More Than One In 10 Staff At US Banks Work In Asia
Brussels Sets Out Tough New Line On Equivalence
China Bans Fourth-Richest Man From Insurance Sector
Washington Times:
Obama Loyalists Suspected Of "Sabotage" With Leak Of Travel Ban Report
Conservatives Rally Around Trump Agenda
3,000 From Seven Banned Countries Arrived In Days After Extreme Vetting Halted
New DNC Chairman Promises To Mend Fractured Democratic Party
First Mosque In Athens Heightens Tensions Over Muslims
Trump Adviser Glad To Take Media Flak

Story Lineup From Last Night's Network News:
ABC: Fallen Navy SEAL-Father; Trump-Russia Tie Investigation; Mardi Gras Crash; Bill Paxton Dies; Mississippi Murder Suspect Manhunt; Jewish Cemetery Vandalism; Oscars Preparation; 911-GPS App; Houston Child Murder; Hockey Coach Violence; TV Court Judge Dies; Oscar-Natalie Portman; Oscars-Red Carpet.
CBS: Trump-Political Division; Mardi Gras Crash; Kansas City Bar Murder; Jewish Cemetery Vandalism; Oscars-Politics; Bill Paxton Dies; TV Court Judge Dies; Transgender Wrestler; Philadelphia Shooting Response Program; DC African-American Exhibition.
NBC: Mardi Gras Crash; Trump-Russia Tie Investigation; Trump Presidency-Public Opinion; New York Times-Trump Commercial; Oscar-Politics; Bill Paxton Dies; TV Court Judge Dies; Trump-Black University Executive Order; Transgender Wrestler; Maryland-Student Loan, Mortgage; Car Crash-Nurse.

Network TV At A Glance:
Mardi Gras Crash – 6 minutes, 45 seconds
Trump-Russia Tie Investigation – 4 minutes, 35 seconds
Oscars-Politics – 4 minutes, 15 seconds
Transgender Wrestler – 4 minutes, 10 seconds
Jewish Cemetery Vandalism – 40 seconds

Story Lineup From This Morning's Radio News Broadcasts:
ABC: Fallen Navy SEAL-Father; Obamacare Under Fire; Jewish Cemetery Vandalism; Academy Awards.
CBS: Academy Awards; Bill Paxton Dies; TV Court Judge Dies; Trump-Russia Tie Investigation.
FOX: White House-Leak Check; Trump-Governors' Ball; Navy Secretary Nominee Withdraws; Academy Awards.
NPR: Jewish Cemetery Vandalism; Trump-WH Corespondents' Dinner; Trump-Congress Speech; Academy Awards; LA Inmate Violence Trial; US Gasoline Price.

WASHINGTON'S SCHEDULE

Today's Events In Washington.

White House:

PRESIDENT TRUMP — Meets governors at the White House, as part of the National Governors Association Winter Meeting; leads a listening session with health insurance company CEOs; has lunch with Vice President Mike Pence and UN Ambassador Nikki Haley; meets with Speaker of the House Paul Ryan and Senate Majority Leader Mitch McConnell; meets with Secretary of State Rex Tillerson; has dinner with regional press affiliates.

VICE PRESIDENT PENCE — Joins the President meeting governors at the White House, as part of the National Governors Association Winter Meeting; joins the President for a listening session with health insurance company CEOs; joins the President for lunch with UN Ambassador Nikki Haley; joins the President for a meeting with Speaker of the House Paul Ryan and Senate Majority Leader Mitch McConnell; participates in a Historically Black Colleges and Universities listening session; hosts a legislative affairs reception.

US Senate: 12:00 PM Senate holds votes on Commerce Secretary-nominee Wilbur Ross and Interior Secretary-nominee Ryan Zinke – Senate convenes, with agenda including resuming consideration on the nomination of Wilbur Ross to be Secretary of Commerce, including a vote, plus a vote on a motion to invoke cloture on the nomination of Republican Rep. Ryan Zinke to be Secretary of the Interior * Then-President-elect Donald Trump announced the nomination of investor Ross in November and Rep. Zinke in December * Cloture motion on Ross' nomination passed by 66 votes to 31 earlier this month Location: Washington, DC http://www.senate.gov/

4:00 PM Democratic Sen. Bob Casey hosts Black History Month Symposium – Democratic Sen. Bob Casey hosts Black History Month Symposium, themed 'Education: Passport to the Future', and honoring Dr Constance Clayton Location: Washington, DC http://casey.senate.gov/ https://twitter.com/SenBobCasey

Congress returns after Presidents Day recess – Congress returns after Presidents Day District Work Period (aka State Work Period), including a reading of Washington's Farewell Address in the Senate, by Republican Sen. Ben Sasse Location: Washington, DC

US House: 3:30 PM House Veterans' Affairs subcommittee hearing on 'VA's risks for drug diversion' – Oversight and Investigations Subcommittee hearing on 'Assessing VA's Risks for Drug Diversion', with testimony from Mayo Clinic Enterprise-wide Medication Diversion Prevention Committee Chair Keith Berge; Veterans Health Administration Deputy Under Secretary for Organizational Excellence Carolyn Clancy, and Pharmacy Benefits Management Services Chief Consultant Dr Michael Valentino (both on behalf of Department of Veterans Affairs); VA Deputy Assistant Inspector General for Audits and Evaluations Nick Dahl, and Office of Inspector General Office of Healthcare Inspections Health Systems Specialist Dr Emorfia Valkanos; and Government Accountability Office Healthcare Team Director Randall Williamson Location: Rm 334, Cannon House Office Bldg, Washington, DC http://veterans.house.gov/ https://twitter.com/HouseVetAffairs

5:00 PM House Rules Committee hearing – Hearing on 'H.R. 998, the SCRUB Act' and 'H.J. Res. 83 – Disapproving the rule submitted by the Department of Labor relating to 'Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness' Location: H-313, U.S. Capitol, Washington, DC http://www.rules.house.gov/ https://twitter.com/RulesReps

Congress returns after Presidents Day recess – Congress returns after Presidents Day District Work Period (aka State Work Period), including a reading of Washington's Farewell Address in the Senate, by Republican Sen. Ben Sasse Location: Washington, DC

Other: 7:00 AM National Governors Association Winter Meeting continues – National Governors Association Winter Meeting continues with day at the White House and on the Hill, with agenda including meetings with President Donald Trump, followed by press briefing and meetings with Congressional leadership and members of the Senate Finance and House Ways and Means and Energy and Commerce committees Location: JW Marriott Washington, DC, 1331 Pennsylvania Avenue Northwest, Washington, DC http://www.nga.org https://twitter.com/NatlGovsAssoc

7:30 AM National Association of Counties Legislative Conference continues – National Association of Counties Legislative Conference continues. Day three speakers include Democratic Sen. Mark Warner, Axios Co-founder and CEO Jim VandeHei, former Deputy Secretary of Housing and Urban Development Ron Sims, Department of Justice Bureau of Justice Assistance Senior

Policy Advisor Juliene James, Congressional Management Foundation President and CEO Brad Fitch, and International Management Technologies CEO Robin Lawton Location: Marriott Wardman Park Hotel, Washington, DC www.naco.org https://twitter.com/NACoTweets

8:30 AM J Street National Conference continues – J Street National Conference continues, with speakers today including Independent Sen. Bernie Sanders, Democratic Sen. Chris Murphy and Reps. Jan Schakowsky and Peter Welch, Brookings Institution Executive Vice President Martin Indyk, PLO Palestinian Chief Negotiator Dr Saeb Erekat, former Under Secretary of Defense Michele Flournoy, former Special Assistant to President Barack Obama Robert Malley, and New York Times Columnists Roger Cohen and Tom Friedman * Day three agenda includes Gala Dinner, with keynotes from House Minority Leader Nancy Pelosi, former Secretary of State Madeleine Albright, Democratic Sen. Tim Kaine, and New York Times columnist Roger Cohen (7:30 PM EST) * Group is a pro-Israel, pro-peace political action committee Location: Washington Convention Center, 801 Mt Vernon Pl NW, Washington, DC http://www.jstreet.org/ https://twitter.com/jstreetdotorg

8:30 AM National Institutes of Health Rare Disease Day event – National Institutes of Health Annual NIH Rare Disease Day Celebration, with speakers and posters promoting awareness and giving updates in the world of rare diseases, sponsored by the National Center for Advancing Translational Sciences Office of Rare Diseases Research and by the Clinical Center. Speakers include Republican Rep. Leonard Lance, FasterCures Executive Director Margaret Anderson, Genetic Alliance President and CEO Sharon Terry, Uplifting Athletes Executive Director Scott Shirley, Global Genes Board of Directors Chairman Wendy White, and FDA Office of Orphan Products Development Director Gayatri Rao Location: NIH, Bethesda, MD http://www.nih.gov/ https://twitter.com/NIHforHealth #RDDNIH

10:00 AM ARPA-E Energy Innovation Summit opens – Annual ARPA-E Energy Innovation Summit opens, co-hosted by Department of Energy Advanced Research Projects Agency – Energy (aka ARPA-E). Day one speakers include Democratic Reps. Mark Takano and Paul Tonko and Massachusetts Institute of Technology President Dr L. Rafarel Reif. Event also features a technology showcase with exhibits from ARPA-E-funded projects and applicants, in areas including grid-scale storage, power electronics, electric vehicle batteries, building efficiency, advanced carbon capture, and electrofuels Location: Gaylord National Resort and Convention Center, 201 Waterfront Street, National Harbor, MD National Harbor http://www.arpae-summit.com/ https://twitter.com/ARPAE

12:00 PM Dem Rep. Eleanor Holmes Norton hosts conversation on civil rights and the U.S. Supreme Court – Democratic Rep. Eleanor Holmes Norton hosts '50 Years of Civil Rights Since Supreme Court Justice Thurgood Marshall' conversation, to discuss civil rights, voting rights, Thurgood Marshall, and the U.S. Supreme Court, as 2017 marks the 50th anniversary of Marshall's appointment to the court. Rep. Norton moderates a panel of guests including Howard University Law School Dean Danielle Holley-Walker, NAACP Legal Defense and Education Fund Director of Policy Todd Cox, and IMPACT Strategies CEO Angela Rye Location: Howard University School of Law, 2900 Van Ness St NW, Washington, DC www.norton.house.gov https://twitter.com/EleanorNorton

2:00 PM Dem Reps. Nancy Pelosi and Sen. Chuck Schumer deliver prebuttal to President Trump's address to Congress – NPC Newsmaker news conference with House Minority Leader Nancy Pelosi and Senate Minority Leader Chuck Schumer delivering a prebuttal to President Donald Trump's address to a joint session of Congress tomorrow Location: National Press Club, 529 14th St NW, Washington DC http://press.org/ https://twitter.com/PressClubDC

3:00 PM GOP Sen. James Lankford at event on physician-assisted suicide – 'Physician-Assisted Suicide: Stories from the Frontline of the 'Always Care, Never Kill' Debate' Heritage Foundation / National Review Institute event, with a panel of experts – Republican Sen. James Lankford, Georgetown University Medical Center Professor G. Kevin Donovan, Archdiocese of Los Angeles Life Ministry Associate Director Kathleen Buckley Domingo, National Council on Independent Living Policy Analyst Lindsay Baran, and Able Americans founder and Principal Melissa Ortiz – exploring the ramifications of the spread of legalized physician-assisted suicide and discussing lessons learned on the frontlines of the debate Location: Heritage Foundation, 214 Massachusetts Ave NE, Washington, DC www.heritage.org https://twitter.com/Heritage

Louisiana Gov. Edwards and OMB Director Mulvaney meet in Washington, DC – Louisiana Governor John Bel Edwards meets Office of Management and Budget Director Mick Mulvaney and

House Majority Whip Steve Scalise to discuss Louisiana's request for an additional $2 billion in flood relief * Gov. Edwards also meets President Donald Trump, along with other governors from across the nation Location: Washington, DC www.louisiana.gov https://twitter.com/statelouisiana

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Monday, February 27, 2017 2:59 PM
To:	James B. Comey
Subject:	FW: Transcripts

They had separate press conferences today on Russia.

-----Original Message-----
From: Rybicki, James E. (DO) (FBI)
Sent: Monday, February 27, 2017 2:57 PM
To: Brower, Gregory (OGC) (FBI) [redacted] b7E
Cc: Kortan, Michael P. (DO) (FBI) [redacted]
Subject: Transcripts

Greg-

Can we please get transcripts of the Nunes and Schiff press conferences from today?

Thanks,
Jim

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Monday, February 27, 2017 6:23 PM
To:	James B. Comey
Subject:	FW: Nunes transcript

From: Kortan, Michael P. (DO) (FBI)
Sent: Monday, February 27, 2017 6:21 PM
To: McCabe, Andrew G. (DO) (FBI) [redacted]; Rybicki, James E. (DO) (FBI) [redacted]; Brower, Gregory (OGC) (FBI) [redacted] Ghattas, Carl (CTD) (FBI) [redacted]
Cc [redacted] (OGC) (FBI) [redacted] (DO) (FBI) [redacted]
Subject: Nunes transcript

b6
b7C
b7E

Rep. Devin Nunes, R-Calif., holds a news conference on Russian hacking
Monday, February 27th, 2017

(JOINED IN PROGRESS)

NUNES: But I'm just looking forward to taking your questions. So -- so with that, I'll just open it up to all of you. QUESTION: Can you say categorically that there were no contacts whatsoever between any officials affiliated with the Russian government and the Trump campaign?

NUNES: Not -- not that I'm aware of. We still have not seen any evidence of anyone that's -- from the Trump campaign or any other campaign for that matter that's communicated with the Russian government.

QUESTION: And also, why would you agree to be -- to talk to reporters at the behest of the White House, knowing that you're still looking into this matter?

NUNES: Yeah, so that -- that story was a little odd, I thought, because if you ask me to contact the White House and said, "Hey, could you set me up with somebody at DOD or the intelligence agencies," I would say sure. So it was kind of an odd story, I thought.

QUESTION: Is it compromised in any way, the fact that you have already made this determination?

NUNES: How is it compromised if I'm trying to be transparent with the press? And if the White House asks me to talk to a reporter, which by the way, it was one reporter, I don't know -- if the White House asked me to talk to you, would you think that would be OK or not OK?

QUESTION: What's your response to that?

NUNES: Well, what's your response to it?

QUESTION: Well, you're investigating this -- you're investigating this matter and the White House is urging you to make -- to knock down these stories that are raising questions (inaudible).

NUNES: No, that -- that absolutely didn't happen.

QUESTION: Is there anything that you have learned in the course of this investigation that really conflicts with public reporting?

NUNES: Well, if you look at -- if you look at what's happened, there's been -- major crimes have been committed. And what I'm concerned about is this, no one is focusing on major leaks that have occurred here.

And so right after the leak of the transcript that President Trump had with the Australian ambassador -- I mean, with the Australian prime minister, I was in contact with the Australian ambassador. I was also in contact with the White House and the appropriate agencies because we can't run a government like this. A government can't function with massive leaks at the highest level of our president talking to foreign leaders.

And so that, I think, is one of the focuses that you all should be concerned about because these are high-level leaks.

QUESTION: (inaudible) -- how big is the circle of individuals who have access to those transcripts?

NUNES: Well, this is out of -- you know, I didn't really realize this, but evidently, the way I understand the process is is that the last administration had it set up to go down to the State Department and the I.C. and perhaps any other stakeholders within the NSC or the appropriate people within the White House.

And so, you know, we don't know how those got out. But clearly, you know, how are foreign leaders going to be able to talk to our president if they don't -- if they don't think that this is going to be leaked to the press?

QUESTION: Just to follow on (inaudible) question because you said no contacts with the Russian government. As I'm sure you're aware, there are many Russian businessmen, oligarchs, et cetera that report back to the Kremlin as part of their circle of intelligence gathering. Have you eliminated that possibility, that the people that Trump advisers were speaking with have connections to the Russian government even if they're not officially working for the Russian government?

NUNES: Well, we -- we haven't -- just to be clear, we haven't eliminated anything. The only thing that I want to make sure that we do is before we go after American citizens and subpoena them or bring them before the legislative branch of government, that it's not just because they appeared in a news story somewhere.

QUESTION: What you're saying...

NUNES: And so -- but as of -- as of...

QUESTION: You're still investigating them, communications between Trump campaign advisers and Russians known to U.S. intelligence...

NUNES: It's not -- I wouldn't limit it to Trump only or Trump officials. I would say that it would be also any contacts with any political candidates anywhere at any level, including in the United States or in foreign -- other foreign countries.

QUESTION: Are you saying then that there were Clinton advisers that were speaking to...

NUNES: I'm just saying that -- no, no, no. Let's not...

QUESTION: (OFF-MIKE)

NUNES: There would be no -- there would be no evidence of that nor is there any evidence that I've been presented about Trump advisers speaking to Russians.

But we do know for a long time that the Russians have been very interested in manipulating elections, manipulating the press. They're very good at propaganda. And so -- I mean, that's what caused me a year ago to come out and criticize the intelligence agencies for the largest intelligence failure since 9/11 because of the lack of good intelligence we were getting on Putin's plans and intentions.

So I'm -- so that's why I really appreciate the amount of press that showed up here today because, you know, we do need to have some scrutiny put on to the Russian government and we do need to know if there are any Americans that are talking to the Russians and anybody connected to the Russian government or Russian agents.

But at this time, I want to be very careful that we can't just go on a witch hunt against Americans because they appear in a news story somewhere.

QUESTION: And by Americans, do you mean Michael Flynn, the former NSA?

NUNES: Any -- any American.

QUESTION: (inaudible) referring to Flynn...

NUNES: Well, I think specifically, there was -- I think the more important question on that was there were three Americans, of which the only name I know is Manafort, the other two I don't know.NUNES: But they appeared in a news story and the questions that we had 10 days ago when that story broke, for many of you who attended the different press availabilities that I had, the question was whether or not we were going to investigate those Americans.

And, at this point, here at the committee, we still don't have any evidence of them talking to Russians.

QUESTION: And do you have all the evidence at this point that you expect to receive?

Or would you say you're still in the preliminary stages of receiving and reviewing that evidence?

NUNES: Well, we're working on the -- we had the scoping of our investigation finished. And then we're going to move into actually receiving the evidence.

But, as of right now, the initial inquiries I've made to the appropriate agencies, I don't have any evidence.

QUESTION: I just want to be really clear, so the FBI specifically told you that they have found no contacts between any Trump associates and Russian officials?

NUNES: Yes, so I want to be -- we're not going to just -- we're going to say the whole I.C. here, I'm not going to get up to specific to any one agency. But as of right now, I don't have -- I don't have any evidence that would -- of any phone calls.

That doesn't mean they don't exist but I don't have that. And what I've been told is, by many -- by many folks, is that there's nothing there.

QUESTION: But you're still looking at it?

NUNES: But we're still -- we're absolutely looking into it. And we want the information. But I just can't -- I just can't call in American citizens with no information.

QUESTION: When you say -- when you say there are no contacts (inaudible), are you referring to direct contacts, for instance, Manafort had a lot of contacts with Ukrainians (inaudible).

NUNES: Yes, well, I think, specifically, this would be on contacts with any association whatsoever to anyone, even within the realm of the Russian intelligence apparatus.

QUESTION: You just said that many people have told you this.

Can you be more specific?

I mean, who has told you that there are...

NUNES: No, I'm not going to get into -- I'm not going to get into specifically the conversations I had -- you know, I had with the executive branch and the appropriate agencies.

But I will say that we long have had a very good process in the Congress here, where we have the Gang of Eight. When counterintelligence issues arise, they brief us on those counterintelligence issues.

And we keep them, because they oftentimes involve American citizens, and I -- and it's important that we keep it that way, when those investigations are ongoing.

But, in this case, as it relates to any campaign officials dealing with Russians, we don't have any evidence right now.

QUESTION: Mr. Chairman, if you've been told that there's nothing there, why are you specifically investigating whether there are any links between the campaigns and Russian officials?

NUNES: Well...unlike what -- I think what's been reported, we've had a long ongoing investigation into Russian activities. I would have preferred for that not to be out and talked about in public.

But you may remember, for the last several years, we've been concerned about Russia's cyber activities. And we remain concerned about those activities.

Since the election, we've broadened the scope of that investigation to include any involvement in this -- in our elections here and, of course, any ties that there might be to any government officials at any level.

So it's not just -- not just here in Washington but governors and others. If there's anything out there, any American citizens from political campaigns coordinating with the Russian government, we clearly would want -- we would want to know that and we would want to investigate it.

QUESTION: Just (inaudible), have you seen the transcripts of Mike Flynn's phone calls with the Russian ambassador? NUNES: No, but I've been briefed -- I've been briefed on them. And it would be unusual, actually, I think unprecedented for us to get transcripts that were illegally leaked out and discussed, for us to have those here in Congress.

QUESTION: Was there any...

NUNES: And I think we've got to be very careful about the legislative branch of government getting FISA warranted communications and that we start combing through private conversations that American citizens are having. We've got to be very careful where we go with this.

QUESTION: Do you think it's concerning, you know, if -- that you (inaudible)?

NUNES: No, I think -- what it appears to me like is that it seems to be there is a difference between what Russia's sanctions are to people like myself, which, when I think Russia sanctions, I think of dealing with Crimea, dealing with the invasion of Ukraine by the Russians and the sanctions that we've put in -- into place, working with our allies, with the E.U. and others, and then what happened right at the time after Christmas, when President Obama kicked some Russian diplomats out, that -- I don't really consider that to be sanctions.

QUESTION: (OFF-MIKE)

NUNES: Well, look, Russia sanctions on a global stage, most of the meetings that I have with foreign leaders, they always revolve around -- when we talk Russia sanctions, that's what we're normally referring to. I don't -- when President Obama kicked out a few diplomats, that was -- number one, it was way too late. Number two, it was extremely weak. And number three, the Russian government didn't even respond to it because it was so ridiculous.

QUESTION: When the White House asked you about, you know, talking to this reporter, did you know that they had also asked Senator Burr to do the same thing? And did it feel to you like some sort of a coordinated effort to push back?

NUNES: No. I mean, if anything -- if anything, it was the opposite. So many of you -- many of you who were around ten days ago, you know that I took your questions as it related to the New York Times piece as it related to three Americans and whether or not we had any information or not.

So I had already talked to many of you about that several times, both in press runs and also on individual interviews. And so, by the time -- all it was was a White House communications person

passing a number and a name of a reporter over for me -- if I would talk to them following up on what I had already told all of you in the days before that.

So I'm not sure how you generate a press story out of that, but I can't control what you guys write.

QUESTION: Did you know that they had asked...

QUESTION: Are you saying the FBI has not supplied you with the evidence or the FBI has told you there is no evidence?

NUNES: Well, look, I'm not going to get into which agencies, OK? I think it's important.

QUESTION: ... the intelligence community.

NUNES: But -- but the intelligence agencies have not provided me or the committee any information about those three Americans communicating with Russians and...

QUESTION: But they have not told you that that evidence does not exist? There's a difference there.

NUNES: Yeah, I -- the way it sounds like to me is it's been looked into and there's no evidence of anything there. You know, obviously we'd like to know if there is.

NUNES: Then it's pretty serious, then it would be the intelligence agencies then misleading Congress, which opens up a whole other problem.

QUESTION: Why not just not name a special prosecutor to take away the notion that this could be tainted by politics in any way?

NUNES: Well, I mean, look, this is -- we're the legislative branch of government, we're elected. I think the history of special prosecutors is mixed. And at this point, what are we going to appoint a special prosecutor to do exactly, to chase stories of American citizens that end up in newspaper articles?

I mean, that's -- right now, I mean look, if -- some point, we have serious crimes have been committed, it would be something that we would consider. But at this point, we don't have that. The only serious crimes we have are leaks that have come out of our government to the press and others.

Yes?

QUESTION: You had written a letter to the FBI about the leak. Can you give us an update on (inaudible)?

NUNES: Well, we -- I wrote the letter, and obviously, it's a classified letter. There's a classified version and an unclassified version. And we're expecting answers to that. So I think we have some briefings this week and next week and those briefings will continue.

QUESTION: ... committing resources to investigating these leaks?

NUNES: Well, as anything, we can't -- just like I think it's very similar to us not having any evidence of who -- of these American citizens that were allegedly talking to Russians, we also don't know exactly who would have known about General Flynn.

Now, the good thing is about FISA and the way it works, there should be a record of who in the government knew about General Flynn talking to the Russian ambassador and from there we should be able to do know who is in the realm of the possible, who we would need to talk to.

QUESTION: Can I ask you, who made the decision under the last (ph) administration to unmask Flynn? And was it appropriate?

NUNES: We don't know yet, but that's a very good question. And we are -- and that's -- those are some of the -- I think that we should be able to find out. We should be able to find out who within the executive branch knew about the initial conversations and then who went to who to get Flynn's name unmasked. So there -- that should be a relatively small number of people.

QUESTION: When the intelligence community begins presenting evidence to you, is that evidence going to be turned over to your committee or is it going to be housed -- continue to be housed in the intelligence community?

NUNES: Well, that will be -- that's one of the contentious issues right now of where the information is housed. We'll probably have some here, some may remain at the agencies.QUESTION: Do you have any -- have you heard any evidence at all, seen anything about anyone in the White House directing Mr. Flynn to discuss the issue -- any issues with the Russian ambassador? Did anyone in the White House tell him to do that?

NUNES: No, look, I think this whole issue with General Flynn -- General Flynn is an American war hero, one of the -- put together one of the greatest military machines in our history providing the intelligence to basically eliminate Al Qaida from Iraq. And he was the national security adviser designee, he was taking multiple calls a day from ambassadors, from foreign leaders and look, I know this because the foreign leaders were contacting me trying to get in touch with the transition team and folks that wanted to meet with President Trump or -- President-elect Trump and Vice President-elect Pence.

QUESTION: But did President-elect Trump at the time of the transition team tell Flynn to talk to the Russian ambassador?

NUNES: Look, I find that -- I would find that hard to believe because they were so busy and I think these conversations were all very short. I know we had -- yes?

QUESTION: Are you going to finalize and release the scope of the investigation? Also, do you plan to coordinate with the Senate side to have joint...

NUNES: Yeah, we're -- well, we're separate bodies but we will -- so we'll have a scoping document that should be approved, I think it's finished now. And then probably just have some brief outlines of what we'll be looking at, but look, I mean you guys all know what we're going to be looking at. It's not -- it's not rocket science.

QUESTION: But do you plan to coordinate interviews with the Senate so that you don't muck up

the...

NUNES: I wouldn't -- I mean, I wouldn't rule it out. I wouldn't rule it out, but -- but, you know, we'll try to work with the Senate where possible. But I view this as a -- as two separate branches of the legislative branch of government.

Yes?

QUESTION: Is there a difference between the White House asking you to call a reporter and asking the FBI to knock down a particular story? NUNES: Well look, I don't think the -- I mean, first of all the White House talking to -- having a reporter -- if a reporter asks the White House, hey, can you get ahold of whatever member of Congress? I don't think there's any issue there, I don't know what the story's about.

As it relates to the -- as it relates to the FBI, I believe what happened with the White House, as I understand it in my limited conversations that I've had, I just think it was an obvious question that one would ask if there's no evidence here, can you talk about it.

And the FBI of course doesn't -- normally doesn't talk about leaks and whether or not they're investigating that or other issues of who the -- who's under investigation. I think it's pretty standard for the FBI not to comment on this. That's pretty unusual if they do comment and so obviously when -- so I don't even know how true that story is. I mean, I would -- I would go to the White House and ask, you know, what conversations actually occurred, but I don't think very many and I think they were -- pretty simple.

QUESTION: Can you give us an idea of how far along you are in starting this investigation? And like how many people are involved...

NUNES: Well, just to make sure you understand, what caused me to go out a year ago and say the biggest intelligence failure since 9/11 was our failure to understand Putin's plans and intentions, what caused that is because we were constantly investigating the Russia problems. So, all we're doing is we're adding additional things that we're looking at, which include the -- which will include the election issues.

QUESTION: How do you -- you say that there's no evidence right now Russians contacted campaign officials, but you also say that you're just in the -- in the scope gathering process of the investigation...

NUNES: Well, we're -- no, we're putting together a scope working with -- bipartisan with my counterpart Mr. Schiff so that we make sure that we -- that we're on the election as it relates to the election. But look, we've always been very, very interested in what the Russians are up to so this is basically part of an ongoing investigation that I was hopeful would have never been out in the press like it is, but now it is.

And now we're just expanding the scope of the investigation to include what we will look at as it relates to the election. But in terms of evidence, some we have -- some evidence we do have. Obviously we're looking for more evidence, but most importantly as it relates to American citizens, if you all have American citizens that you know were talking to Russian agents, if you want to come to our committee, be a whistleblower yourselves and bring me those names, I'd be very interested in having them.

QUESTION: But you expect the -- obtain more evidence or information, I should say, as the weeks go on?

NUNES: Yes, we will continue to take evidence, we'll follow the facts where they lead.

QUESTION: How extensive was the Obama administration's wiretap of the transition team and the campaign? Was it just Flynn or do you think this was a regular -- a regular process of listening into what Trump was doing?

NUNES: Well, as -- as I understand it, this was inadvertent collection to where then Mr. Flynn's name was then unmasked, someone had to make that decision, someone very high up within the government would have had to do that or multiple people. And we're very interested to figure out who those people were because they have -- they have questions to answer as to why -- you know, what laws did they use to decide to unmask General Flynn's name.QUESTION: So to follow up with that, if there was ongoing contact between the Russians and the Trump campaign, wouldn't other names pop up inadvertently? And so if this was the only incident that popped up, would that knock down the idea that there was regular contact?

NUNES: Yeah, look, there is no evidence that I've been presented of regular contact with anybody within the Trump campaign. The only one that's -- that's obvious is the -- is General Flynn's discussions with the Russians which I would still contend that he was doing what he was supposed to do, which is prepare the president-elect for office by getting as many leaders in front of him as possible.

QUESTION: If I could ask, if it's a major crime for leakers to -- to discuss classified information relating to these communications and elsewhere, why is it not inappropriate for the White House and you and Senator Burr to call reporters and give your own interpretation of, again, a continuing investigation that involves classified intelligence? Isn't that a counter leak, as it were? You're still discussing...

NUNES: Well, I would never...

QUESTION: ... investigation?

NUNES: Well, in order -- I would never talk about classified information with any of you because that would be a crime.

QUESTION: But the message that was coming from you and others...

NUNES: So...

QUESTION: ... was that we've looked at the information, there's nothing there and that relates to an ongoing investigation one and it's based on, at its core, classified information about contacts between...

NUNES: Right, but there was -- there was no release of classified information in that. And I'm a little confused by your question because either you -- I mean, the White House has been very critical of a lot of you. And so here, you have the White House actually trying to communicate with many of you

and trying to communicate with the Congress about what they're -- what they're doing. And now, suddenly, that's -- that's wrong, there's -- there's nothing wrong with that.

If you look at the last administration and I think if a lot of the Democrats were -- were being honest with you, they know that the relationship between the last White House and Congress was extremely poor. What we're trying to do is have a very good working relationship with the executive branch of government at all levels.

And so I would anticipate that -- that and hope that we have more coordination with the White House and all the appropriate agencies and that we actually -- on one side, we're a separate branch of government and we will conduct rigorous oversight, which look, I've been very clear. If I find out that -- that Reince Priebus was, you know, talking to, you know, Russian agents, you can bet that Reince Priebus will get a subpoena and will appear before the Congress.

QUESTION: Mr. Chairman, Jim Comey, the FBI director, was on the Senate side right before the recess (inaudible) called it a hearing. Has he appeared before your committee in a similar capacity? Have you asked for him to come?

NUNES: Yeah, we've had -- we've had discussions with the FBI director and others within the FBI, and I do expect that they will be briefing us again either this week or next.

QUESTION: Are you going to...

NUNES: Yes, Sir, back there? What's that?

QUESTION: (inaudible) Attorney General to be recuse himself?

NUNES: So that's way above my pay grade, I have -- I have no idea. I don't even know what at this point would the Attorney General...

QUESTION: Well, there's...

NUNES: What would he recuse himself from?

QUESTION: They're calling him to -- because of his relationship with the Trump campaign, that he would be an impartial...

NUNES: Right, but the way -- the way this works is, you know, if the FBI is at some point, if they're conducting an investigation, they would have to go to the appropriate authorities to get a warrant, to do something. And as far as I know, none of that's -- that's happened.

(CROSSTALK) QUESTION: Speaking of Reince Priebus, do you have any concerns with him talking with the FBI, number two at the FBI to back down stories about this, given the...

NUNES: I don't wanna speak -- look, I think you need to ask them. But I think they've been pretty clear about the discussions.

The FBI regularly briefs both branches of government, so they would -- they would brief -- FBI would brief the president, vice president, the chief of staff, any other appropriate personnel the same way

that they brief the Senate and the House. And so it would not be unusual in any of those cases for us to make requests of the FBI or any other intelligence agency.

Yes?

QUESTION: Based on your briefings, has anything in the Trump (inaudible) been verified?

NUNES: Not that I'm aware of.

QUESTION: Going back to what the White House was telling you earlier, you said that it was not about knocking down the New York Times report, so what did they suggest...

NUNES: Yeah, I mean, I think that's a -- that's a good point. And -- and look, you guys are the ones that were there. Matter of fact, I think you were there when -- I think I spoke to you that -- the morning of that -- of that story breaking.

I was very clear with all of you about what I thought about that New York Times story. This was way in advance of the White House sending me one phone number and I still don't understand, what would be the problem of the White House sending me a number of a press person to call? Isn't the whole point of the press to be transparent?NUNES: I mean, you guys always normally want to talk to me and that's why I wanted to create this press availability today, so that I can -- so that I can talk to all of you, so that it's just more organized versus you guys chasing me around at press scrums.

QUESTION: ... guidance point (inaudible)?

NUNES: No, no, no. It was just this person wants to talk about the -- about The New York Times story and I got the number and I called the reporter.

QUESTION: Chairman, on the -- on the Flynn phone call, I'm not sure I fully understand the distinction you made between the Ukraine sanctions and the sanctions that President Obama imposed. It wasn't just (inaudible)...

NUNES: So look, it -- I think -- let me -- let me describe it bluntly, OK?

QUESTION: ... sanction individuals with GRUs (ph), contractors that participate in the hacking, and I guess the question is, if General Flynn telegraphed to the Russian ambassador that those sanctions, whether or not you think they were serious enough or strong enough, would be eased or lifted, would that not be ...

NUNES: Well, I don't...

QUESTION: ... (inaudible)?

NUNES: ... so let me be very, very clear. So I think that, just when I apply common sense to this, those were not sanctions. Those were petty. They're not taken seriously by anybody who knows this. When we -- when every conversation I have ever had about Russian sanctions with any of our allies, it's always been about the Russia sanctions dealing with the invasion of Ukraine.

QUESTION: But you realize there were sanctions imposed...

NUNES: Well, look, you guys can -- you guys can -- you guys can call them that if you want. But I...

NUNES: ... but I wouldn't call them that.

QUESTION: That's what they were called by the White House.

The question is, did General Flynn, in any way, suggest to the Russian ambassador that he didn't have to worry, that Vladimir Putin didn't have to worry about these sanctions, because President Trump would either ease or lift them?

NUNES: Yes, well, I think the -- if the discussions occurred around ensuring that the -- that there was no overreaction by the Russian government so that the new administration could do, like all of the other previous administrations who think that they can work with Putin -- which all three have been wrong, that they cannot work with Putin -- if that was -- is that was what General Flynn did, was just to try to keep the lines of communications open and to have -- and to see it makes for the Russians didn't overreact and maybe have some reciprocal attacks on our -- on our diplomats or other embassies around the world, that did us a big favor. And we should be thanking him, not...

NUNES: ... not going after him.

QUESTION: ... like he was telling the Russian ambassador, don't worry about what the president just announced, we're going to do something different when we get...

NUNES: Yes, I don't know that that's what was said. But if that was said, I don't know what the problem would be with that, I mean I would -- I'd think that's exactly what he -- what he should be doing.

QUESTION: Isn't that one U.S. administration (inaudible)...

NUNES: So you want to investigate on the Logan Act.

You're a Logan Act guy?

QUESTION: Make it look (inaudible)...

NUNES: That's really -- look, it's ridiculous if -- the Logan Acts are ridiculous. You guys all know that's ridiculous.

QUESTION: Sir, do you plan...

NUNES: Yes, sir?

QUESTION: ... Trump's tax returns? NUNES: To do what with them?

QUESTION: To subpoena...

NUNES: No.

QUESTION: ... tax...

NUNES: No, we're not going to do that.

QUESTION: (inaudible) answering this question about (inaudible) if I understood correctly, you said, I don't know why he should, because there -- he didn't know of any investigation going on.

So is that saying...

NUNES: Well, I don't think there is any evidence to go after anyone at this point, is my point. At that point, it would be up to -- it would be up to the attorney general and others.

QUESTION: Is the FBI not investigating leaks (inaudible)?

NUNES: I would -- the FBI should always be investigating leaks. I would hope that they are taking the leaks that have occurred over the course of the last couple months seriously and I would hope they are investigating.

But, look, they are not going to comment on those, nor should they.

QUESTION: And one last thing, if you are looking into the -- is that (inaudible) investigation?

Or is that (inaudible)?

NUNES: No, it's all -- it'll all rolled into the investigation.

Any other new questions?

QUESTION: Just your Democratic colleagues are not here at this briefing today. We understand that they were not aware of this happening.

Why should Americans be confident (inaudible)?

NUNES: Well, the whole point of me calling this press availability was because I didn't want to have like we had the last week, where there were multiple press scrums so I just -- and I often had times to had to continue to repeat myself.

And then, you know, as I saw these stories roll out, I just looked at all this and said, well, this can't possibly true, because I was very open, very transparent with all of you. I was willing to go on the record right away about what had happened or not happened with the -- with "The New York Times" story, what I knew at the time.

And so I just wanted to make sure that what I am trying to do, to bring to this, is actually more transparency so that we can have a normal engagement with all of you that's regularly scheduled in advance for two reasons.

One, so it is all on the record so you all know that we are being transparent but, two, I don't like to have to repeat myself all week on the same thing.

QUESTION: Mr. Chairman, (inaudible) in the news lately is North Korea.

What is your assessment of how large threat in North Korea is to national security and how compared to Russia?NUNES: Well, the -- the North Korean regime is -- is completely unhinged, they've long been unhinged. And the closer they get to ability to not only detonate a nuclear weapon, but also deliver that nuclear weapon, we have to take that seriously because for a long time, this is not a regime that's -- that would, you know, by any stretch of the imagination, you can have actual negotiations with.

It also is, I think, one of the biggest travesties on the planet when people find out what's happening in North Korea, where you have probably 20 million people living like animals, I think that we should all be concerned about it. And somebody who is unhinged as the North Korean dictator, we should all be concerned about it, and so should the Chinese and the Russians and others.

QUESTION: And then how does it compare to Russia? What is your assessment (inaudible)?

NUNES: Well, the question would be with, you know, whether or not can there be a -- can there be a new relationship with the Russian government. This administration wants to attempt to try to that. I'm very skeptical of that. But to be fair to them, President Obama tried, President Bush tried and so did President Clinton right when Putin was put in office.

Other...

QUESTION: Has the Russian cyber activity continued since the election? And if so, what is the intensity? Are there any...

NUNES: My -- I think...

QUESTION: ... sanctions?

NUNES: I think the important thing to know about -- and as you know, the House Intelligence Committee for many years has been very active on cyber threats. And if you look at -- I think one thing you should assume is that the Russians and the Chinese are very, very good at their cyber activities, so most of the time, we're not gonna even know that they're there. And they continue to expand the capabilities, and we, of course -- there's -- there's all sorts of anti-virus companies out there and people who are watching this threat.

But look, everybody's communications are vulnerable, whether it's your e-mail, phone calls, the grid. Both the Chinese and the Russians are actively increasing their cyber attack capabilities and we're trying to respond to that.

QUESTION: At this point, do you think that you now know everything that the FBI knows at this point about (inaudible) intelligence gathering?

NUNES: Look, I always want to know more, but you know, I think they have been very up-front. They've been over to brief us. And hopefully, they'll continue to do that.

QUESTION: So you think it's possible they now (ph) know more than -- than they've shared with you at this point?

NUNES: Look, I would think that they've hit the high points with us, but you know, we'd like to drill into that a little bit more to see if there's anything there?

Any other questions?

QUESTION: Yeah. You said this was an expansion of a year-long investigation (inaudible). How would you categorize the expansion? What stage are you at of the expansion? Is (inaudible) beginning of (inaudible) part of the investigation?

QUESTION: (OFF-MIKE)

NUNES: Yeah, well, I'm not gonna get into what we've -- what we -- I'd prefer for this never to have gotten out, that we were very concerned about Russian activities, OK? But it's out there now, and what we're doing is we're formalizing a process with my Democratic counterpart so that we have a nice scoping document on everything that we're gonna look at as it relates to the election, leaks and everything that's kind of happened say, post maybe preelection until now.

QUESTION: But (inaudible). Is this early days? You said we don't have any evidence. Is this early days and you might not have evidence yet that (ph) could well come in?

NUNES: Well, I think what I'm -- what I'm trying to be very careful of here is, and I want to -- I want to warn all of you, I have -- we can't have McCarthyism back in this place. We can't have the government, the U.S. government or the Congress, legislative branch of government chasing down American citizen, hauling them before the Congress as if there's some secret Russian agent.

And that's what I'm concerned about here, that we don't go on some witch hunt against American citizens just because they appear in a press story somewhere.

QUESTION: You said that you didn't want the initial investigation to become public. What do you see the end result (inaudible)? How public will your findings become?

NUNES: They'll be public. They'll be publicized. QUESTION: And beyond that...

NUNES: And look, and -- you know, we could just have a -- likely what will happen is we'll probably just have an interim report of some kind that we'll put out on what we have, and then, you know, like oftentimes occurs, you know, these investigations, I would like for the whole issue with the Russian investigations to have -- to stop. But I don't have, as you already know from the previous comments, I don't have any faith that Putin is going to be negotiate in good faith with us or become an ally or become part of the West at this point.

QUESTION: So how much has that aspect of it, the distrust of the Russian government, have you shared and expressed with the president, given the, as you said previous administrations sort of always start out wanting to reset that relationship? I mean, have you expressed your concerns...

NUNES: I've been -- I don't know if I've spoke to the president directly about it. I don't think I have. But I mean, clearly, all of the advisers around him I have.QUESTION: I'm confused. So, once again you say that you -- the FBI or the intelligence communities have given you the high points of evidence, but you're also saying that you're at the beginning stages of this expansion of an

investigation...

NUNES: Because there's an investigation -- there's investigations that the executive branch of government does and then there's investigations that the legislative branch of government people do.

QUESTION: Yes. So you're confident in your assertion that there is no evidence that these three people talked to Russian agents even though you have not done your own investigation into yet?

NUNES: As of right now -- as of right now, we have no evidence but we will continue to ask for evidence and will continue to look for evidence not only on the three Americans that were named in that story, but also any other American that has any contact with Russian officials. All right, guys, well thank you -- one more.

QUESTION: Are you any closer to understanding, though, why the president is so praise worthy of Vladimir Putin or why he says, basically, what we do here in America is the same as what he's done in Russia?

NUNES: Look, I'm very perplexed by this just as I was perplexed by -- when George W. Bush looked into Putin's eyes. That was perplexing. If you look at when President Obama was caught in a hot mic saying that he was going to be -- have more flexibility after the election, I was perplexed by that and look, good presidents -- three presidents in a row have tried to work with the Russian government.

I think it's a novel concept, I just don't think it's going to work. But President Trump has been very clear with the American people that he's going to try to do that, which would make him no different than the last three presidents.

So, all right, guys. Thank you all very much.

END

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Tuesday, February 28, 2017 4:37 PM
To:	James B. Comey
Subject:	FW: WP story today

-----Original Message-----
From: Kortan, Michael P. (DO) (FBI)
Sent: Tuesday, February 28, 2017 4:36 PM
To: McCabe, Andrew G. (DO) (FBI) [redacted]; Bowdich, David L. (DO) (FBI) [redacted] b7E
[redacted]; Priestap, E. W. (CD) (FBI) [redacted]; Rybicki, James E. (DO) (FBI) [redacted]; Ghattas, Carl (CTD) (FBI) [redacted]
Subject: WP story today

http://www.washingtonpost.com/politics/fbi-once-planned-to-pay-former-british-spy-who-authored-controversial-trump-dossier/2017/02/28/896ab470-facc-11e6-9845-576c69081518_story.html

-----Original Message-----
From: Kortan, Michael P. (DO) (FBI)
Sent: Friday, February 24, 2017 7:49 PM
To: Andy McCabe [redacted]; Bowdich, David L. (DO) (FBI) [redacted] b7E
[redacted]; Priestap, E. W. (CD) (FBI) [redacted]; Rybicki, James E. (DO) (FBI) [redacted]; Ghattas, Carl (CTD) (FBI) [redacted]
Subject: Expected WP story

All:

The Washington Post is prepared to write a story as early as this weekend that will discuss the so-called "Trump dossier" and how it was handled. The Washington Post has confirmed through a number of sources that a former MI-6 intelligence officer prepared the alleged dossier in 2016 that contained information about then-presidential candidate Trump, his associates and Russia. The story draws upon non-government sources in describing how the FBI and Christopher Steele, known to us for his work in the FIFA investigation, discussed payment for his services including the dossier. It will say that the money has never been paid. It will make clear he worked for opponents of President Trump and had provided credible information during the FIFA investigation. It will also discuss the intelligence community's ability to corroborate some aspects of the dossier but not others. It will include a quote from former DNI Clapper that was released at the time the IC briefed President-elect Trump in NYC.

Importantly, it will not include the FBI agent's name who received the dossier nor the location of the where agent is located or where the meeting took place. It will state that FBI declined to comment for the story.

A second story will detail an individual named Sergey Milian as a main source for some of the information included in the dossier. It will discuss his background and credibility. It will state that he was associated with

an organization with ties to Russia that had been investigated by the FBI. The association with this organization will suggest that he did have connections to Russia. At the same time, it will quote associates and acquaintances of Milian that will raise doubts about his credibility.

M.

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, March 1, 2017 10:04 AM
To:	James B. Comey
Subject:	FW: Schiff

From: Kortan, Michael P. (DO) (FBI)
Sent: Tuesday, February 28, 2017 12:47 PM
To: Rybicki, James E. (DO) (FBI) [redacted] b7E
Subject: Schiff

All we can find is his appearance Monday on MSNBC with Andrea Mitchell.

Rep. Adam Schiff (D) California is interviewed on MSNBC's "Andrea Mitchell Report"
Monday, February 27th, 2017

MITCHELL: Joining me now is California congressman Adam Schiff, who is the top Democrat on the House Intelligence Committee.

First of all, your reaction to the fact that the Senate and House chairs of Intelligence have been briefing reporters at the White House request.

SCHIFF: Well, I'm very concerned about it. On the positive side, we both agreed on a broad scope of investigation. But the fact that the intelligence agencies -- or officials in the intelligence agencies were trying to push back on "The New York Times" story, acting as a PR arm of the White House is totally inappropriate.

I also don't think that the chairs of either Intelligence Committee ought to be announcing the results of an investigation at the beginning of an investigation. The reality is we don't know whether there were contacts with Trump campaign officials. That's one of the core issues that we're going to investigate.

And having conversations with intelligence community leaders is not evidence. And the fact is, we haven't even begun to sit down with the FBI to talk about what have they looked at, who have they talked to, what leads have been pursued, what haven't. So it is, I think, way premature to be drawing any kind of conclusions about whether there was collusion. This is one of the most important aspects of our investigation.

MITCHELL: The president was again tweeting out that the Russia connection, the Russia investigation is fake news, the Democrats trying to distract from the loss of their election. Can you put that in context?

SCHIFF: Well, I don't know what he considers to be the fake news.

Is he still disputing the fact that Russia hacked Democratic institutions, released documents that hurt Secretary Clinton and helped him? Does he still dispute that?
Does he still think it's -- it may have been China or some 400-pound fat guy? Is this all make-believe? I don't understand exactly what the president is trying to say except to deflect from the poor way he's running his administration thus far.

But this is very real, it's very serious. One of the key conclusions of the intelligence community is the Russians will do this again. So we need to know what the Russians have done, not only to inoculate ourselves against Russian interference in the future but to protect our allies and also bring to justice if there were U.S. persons involved.

And, again, I want to underscore, we don't know whether there were U.S. persons involved but it is our responsibility to find out. And I don't think anyone on the committee or our chairs in the House or Senate ought to be stating a conclusion or deeming it their responsibility to push back on unfavorable press stories.
If we're going to be doing that, if we're going to be commenting on the evidence in the investigation every step of the way, every time we see a press story that we want to clarify, we are not going to have an investigation.

MITCHELL: What do you think of the fact that the deputy FBI director McCabe, reportedly was the first to raise this issue to try to reassure Sean Spicer that "The New York Times" story was not accurate in all of its details? Should he have made that approach?

SCHIFF: Absolutely not, absolutely not. If the FBI or the director of the CIA was making press calls, speaking on condition of anonymity or in any other way --

MITCHELL: But should they have been talking to the press -- the press secretary?

Should they have been -- should the FBI have been in communication with the White House?

SCHIFF: No, absolutely not, not on a pending investigation that potentially involves people within the administration, absolutely not. And they already have a serious credibility problem, given how they handled the Clinton investigation. This is making it that much worse.

MITCHELL: Should there be an independent prosecutor now?

Darrell Issa has called for one. He's the first member of the House Republicans who has broken ranks. If this gets to the point of a criminal referral by the Justice Department or to the Justice Department or to the Justice Department by the FBI, then, yes, I think there absolutely ought to be an independent prosecutor here.

But what we need, I think, more than anything else -- and I think what we have seen in the course of the early stages of this investigation -- is we need an independent commission.

I would love to say that we can fully do this investigation within the House Intelligence Committee and the Senate Intelligence Committee. In order to do that we're going to need strong bipartisan support, we're going to need to be dedicated to following the facts wherever they lead. We're going to need the full cooperation of the FBI. And that is a big question mark at this point. I would take more comfort in knowing that there was a fully independent body doing its work as we're doing our work in the Intelligence Committees.

I think that is the single most important step we could do to give the public confidence that this will be done in a completely nonpartisan fashion. We are still going to do our level best on the Intelligence Committee as Democrats to force an independent, thorough and objective investigation. And if we get to the point, Andrea, where we can't and we're running into roadblocks, we'll be very public about that.

But some of these early statements by the chairs of both committees concern me greatly. And the fact that the intelligence community leadership is talking to the press to try to do some PR for the White House is alarming. And none of this bodes well for a truly independent investigation.

MITCHELL: Well, Chairman Nunes just said there were no early indications of any collusion between the Russians and anyone in the White House.

SCHIFF: Well, we have no evidence yet at all, one way or the other, because we haven't been provided that by the FBI. All we have thus far, the chairman and myself, as members of the Gang of Eight, is conversations with intelligence leaders. That's not evidence.

MITCHELL: Has Director Comey briefed you? I know that he briefed the Senate side.

SCHIFF: You know, we have had briefings with the director as members of the Gang of Eight individually. But we have not had a full briefing in terms of what has the bureau been looking into; what kind of investigations are they doing.

And there's a big question, Andrea, as to whether the bureau will cooperate with us. They will provide some information

but we're going to need them to tell us exactly what they've chased down, what they haven't, what work remains to be done in order for us to do our jobs. And at this point, I don't have the assurance of the director of the FBI that he will provide that information to us. And our committee cannot be the FBI. We cannot step into the shoes; we don't have those resources. We don't have the ability to fan out across the globe the way that the FBI can.

So we're going to need their full cooperation and, at this point, I don't know whether we'll get that.

MITCHELL: And, finally, what do you think of the White House efforts to track down its own leaks by asking for the telephones of the communication aides, private as well as public phones? What kind of atmosphere is that creating?

SCHIFF: Well, I think it's creating an atmosphere of utter turmoil within the national security apparatus in the White House and beyond. And obviously, the White House would much rather focus on leaks than their own malfeasance.

The issue for me with Mike Flynn wasn't about a leak that forced his resignation. The problem was that he had lied to the vice president and the vice president had misled the country.

But that seems of far less consequence to the president than the fact that it got leaked and he got embarrassed. That's what this is about. This is about stopping the embarrassment of the administration, not protecting the country. And it's time he lived up to his promise of putting America first instead of putting Donald Trump first.

MITCHELL: And one last question, do you have any concerns about reports that the new national security adviser does not have walk-in privileges to the President of the United States, to the Oval Office, as, I think, all of his predecessors have?

SCHIFF: Well, if that's the case, I would have grave concerns about it. I'm glad that he's there. He is an infinite improvement on his predecessor. I'm glad that he's already speaking out. I guess the question is, can he last in that kind of environment? Can he make an impact? Or is he going to reach the point where he feels he needs to step aside because he's not being permitted to do his job?

MITCHELL: Congressman Schiff, thank you very much.

SCHIFF: Thanks, Andrea.

James B. Comey

From: James B. Comey
Sent: Saturday, March 4, 2017 9:47 AM
To: McCabe, Andrew G. (DO) (FBI)
Subject: RE: Wiretap?

Awesome. What on earth is he talking about?

-

-------- Original message --------
From: "McCabe, Andrew G. (DO) (FBI)" [redacted]
Date: 3/4/17 9:12 AM (GMT-05:00)
To: "James B. Comey" [redacted], "Rybicki, James E. (DO) (FBI)" [redacted],
"Bowdich, David L. (DO) (FBI)" [redacted]
Subject: Fwd: Wiretap?

b7E

Heads up. Mike is getting a lot of calls about this.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted]

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" [redacted] b7E
Date: 3/4/17 8:11 AM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted], "Ghattas, Carl (CTD) (FBI)"
[redacted], "Priestap, E. W. (CD) (FBI)" [redacted]
Subject: Fwd: Wiretap?

Fyi

-

-------- Original message --------
From: [redacted] b6 b7C b7E
Date: 03/04/2017 6:45 AM (GMT-05:00)
To: "Quinn, Richard P. (DO) (FBI)" [redacted]
Subject: Wiretap?

Good morning.

Reaching out to see if FBI has a reaction to the President's tweet on alleged wiretaps.

I will be on CBS This Morning in a few minutes, but will be available on my cell [redacted] if you have any guidance to provide.

Sent from my iPhone

Begin forwarded message:

From: [redacted] b6 b7C
Date: March 4, 2017 at 6:37:08 AM EST
To: "@Wash Politics" <WashPolitics@cbs.com>
Subject: Trump Tweet on Obama wiretapping Trump Tower

> **Donald J. Trump (@realDonaldTrump)**
> 3/4/17, 6:35 AM
> Terrible! Just found out that Obama had my "wires tapped" in Trump Tower just before the victory. Nothing found. This is McCarthyism!

Download the Twitter app

Sent from my iPhone

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Monday, March 6, 2017 1:57 PM
To:	James B. Comey
Subject:	Daily Beast

http://www.thedailybeast.com/articles/2017/03/06/james-comey-d-c-unicorn-shoots-down-trump-wiretap-claim.html

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Tuesday, March 7, 2017 4:26 PM
To:	James B. Comey; McCabe, Andrew G. (DO) (FBI); Brower, Gregory (OGC) (FBI)
Subject:	Possible HPSCI Hearing

Folks are reporting that HPSCI will hold an OPEN hearing on Russia on 3/20. Invitees will be D/FBI, Dir. Rogers, Former Directors Brennan and Clapper.

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Wednesday, March 8, 2017 8:10 AM
To: James B. Comey
Subject: FW: [redacted] Press Releases/TPs
Attachments: WH Press Release.docx; State Press Release.docx; FBI_DRAFT_Levinson_Anniversary_Statement_2017 (8).docx; Director TPs [redacted] docx

b6
b7C

I'm checking with the team to see if we also want to do an internal e-mail to the workforce.

From: Ghattas, Carl (CTD) (FBI)
Sent: Tuesday, March 07, 2017 8:03 PM
To: Comey, James B. (DO) (FBI) <[redacted]>
Cc: McCabe, Andrew G. (DO) (FBI) [redacted]; Rybicki, James E. (DO) (FBI) [redacted]; Campbell, Joshua S. (DO) (FBI) <[redacted]>; Kortan, Michael P. (DO) (FBI) [redacted]
Subject: [redacted] Press Releases/TPs

b6
b7C
b7E

Sir,

Attached please find draft press statements from the White House, State and FBI. Also attached are draft talking points for your proposed call with [redacted] These may be revised prior to Thursday.

Please let me know if you have any questions or concerns.

Thanks,
Carl

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Thursday, March 9, 2017 6:27 PM
To: James B. Comey

http://www.cnn.com/2017/03/09/politics/fbi-investigation-continues-into-odd-computer-link-between-russian-bank-and-trump-organization/index.html

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Wednesday, March 15, 2017 7:37 AM
To: James B. Comey

b5

Trump in Graham's cross hairs as Russia probe kicks off

The South Carolina senator vows 'to find out all things Russia.'

By Austin Wright and Seung Min Kim
| 03/15/17 05:07 AM EDT

Lindsey Graham lacks the resources and access that the House and Senate Intelligence Committees have to investigate Russia's meddling in the presidential election.

But his Senate Judiciary subcommittee has something the intelligence panels don't: a Republican chairman viewed not as a Donald Trump ally but as a fierce critic, who has no qualms with bucking party leaders to unravel the mystery of Russia's interference in the election.
Graham and his Democratic partner, Sen. Sheldon Whitehouse of Rhode Island, will seize the spotlight Wednesday during a public hearing on Russia's election interference, to be held by Graham's Judiciary Subcommittee on Crime and Terrorism, which has jurisdiction over the FBI.

Graham and Whitehouse plan to use their perch to help ensure the public gets a full accounting of Russia's intrusion and any possible ties between the Trump campaign and Moscow.

The bipartisan duo already has its first target: getting the FBI to clear up Trump's claim that former President Barack Obama wiretapped Trump Tower in the run-up to the 2016 election. They sent a letter last week to the Justice Department asking it to turn over information that would confirm or refute Trump's accusation — including warrant applications and court orders. The House Intelligence Committee is seeking the same information and so far neither has been unable to shake it loose.

Graham suggested Tuesday there would be consequences if the FBI continues stonewalling Congress — and said he plans to make an announcement at the start of the hearing on Wednesday warning the bureau to comply.

“If they don't honor this request and give us an answer, then I would say that we need a joint select committee because the regular order is not working,” Graham told reporters. “They're about to screw up big time if they keep running to the Intel Committee and not answer that letter.”

Whitehouse appears more optimistic that he and Graham will get answers. In an interview with POLITICO, he said the senators got some clarity on the FBI probe after meeting with Comey privately earlier this

month — the same day Attorney General Jeff Sessions announced that he was recusing from any investigations involving Russia and the 2016 presidential campaign.

“We said look, we're going to go ahead with our hearing on the 15th, just let us know by then,” Whitehouse said, recalling the March 2 meeting with Comey. “I think he implicitly confirmed that they are looking at this and he said he'd get us a clearer explanation by [the Wednesday hearing]. That was satisfactory to both of us.”

Senate Majority Leader Mitch McConnell (R-Ky.) indicated Tuesday he would not object if Graham's panel decides to issue subpoenas to force the FBI to turn over the requested information.

“Graham is involved in an investigation of this effort, and I would not try to direct him how to do that,” McConnell said. “The core of the investigation, as you know, and we've said repeatedly, is being done by the Intelligence Committee. I think they will pursue whatever angles they need to pursue to get to a conclusion.”

In an interview, Whitehouse said there are key advantages to his joint investigation with Graham, more limited though it may be. For one, their subcommittee can operate in public, freed from the constraints of dealing with classified information. And the scope of their investigation is broader than it may appear at first blush, considering the FBI's central role in federal probes looking into Russian connections.

“I do think it's important that there be a public effort so that people can understand that Congress is in fact doing its job, and there is a forum where an investigation or information that can be discussed publicly has its day,” Whitehouse said. “We have oversight over the FBI and the FBI is all over this. So wherever they can go, we can go.”

Graham, meanwhile, said the subcommittee investigation is “going to find out all things Russia,” noting that he and Whitehouse are both former prosecutors. “I couldn't have a better partner than Sen. Whitehouse," he said.

“We're trying to build a case,” Graham added. “So, this is what Russia's doing in other places. Then we're going to dig into what they did here.”

Graham said the probe would focus “on what laws may have been broken by the Russians and if we don't have laws to protect from this kind of stuff, we're going to need to create some.”

The South Carolina senator has emerged as one of Trump's top GOP critics on Capitol Hill, along with his close friend, Senate Armed Services Chairman John McCain (R-Ariz.).

Running against Trump for the Republican presidential nomination, Graham called the real estate mogul a “jackass.” Since then, he has criticized Trump's original travel ban executive order, blasted his overtures to Russia and slammed the administration's proposed cuts to the State Department. At the same time, Graham praised Trump after having lunch with him last week and has backed Trump's call for increased defense spending. Regardless, Graham is not up for reelection again until 2020, so he has no need to fear a primary challenge any time soon.

His willingness to buck Trump has also won him plaudits from Democrats, who view him as more independent than the chairmen of the House and Senate Intelligence Committees, Rep. Devin Nunes (R-Calif.) and Sen. Richard Burr (R-N.C.).

“I'm very fond of him,” Whitehouse said of Graham. “He's a very, very talented colleague and a very good lawyer and prosecutor. He knows how legal proceedings work and is very adept.”

The intelligence panels are conducting their own wide-ranging investigations into Russia's election meddling, and Graham acknowledged these committees have more resources and much greater access to classified information.

But the intelligence committee investigations are also viewed with suspicion by Democrats. Nunes and Burr were staunch Trump backers during the presidential campaign and agreed to White House requests last month to call reporters to rebut news reports alleging frequent contacts between Trump associates and Moscow.

"I'm more confident in Lindsey's approach," Illinois Sen. Dick Durbin, the second-ranking Senate Democrat, said in an interview. "I hope that Richard Burr proves me wrong, but Sen. Graham has been outspoken on many of these issues and I've worked with him closely so I have a lot of confidence in him."

For his part, McCain said he has a lot of trust in Graham and is glad Graham will have a role in investigating Russia's election meddling.

“I know that these kinds of — if the word is right, scandal — these kinds of investigations always lead to more information,” McCain said. “I just think there are more questions out there that haven't been answered.”

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Friday, March 17, 2017 7:02 PM
To: James B. Comey
Subject: FW:

From: Burton, Dawn (DO) (FBI)
Sent: Friday, March 17, 2017 6:53 PM
To: Rybicki, James E. (DO) (FBI) [redacted] b7E
Subject:

[redacted] b5

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Friday, March 17, 2017 7:25 PM
To: James B. Comey
Subject: Statement

(Adding the additional response below)

b5

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Monday, March 20, 2017 4:52 PM
To: James B. Comey
Subject: FW: Senator Shaheen

-----Original Message-----
From: [redacted] (FD) (FBI)
Sent: Monday, March 20, 2017 4:52 PM
To: Rybicki, James E. (DO) (FBI) <[redacted]>
Cc: [redacted] (FD) (FBI) <[redacted]>; [redacted] (DO) (FBI) <[redacted]>
Subject: Senator Shaheen

b6
b7C
b7E

Hi Jim,

I know its last minute but I just saw this on Senator Shaheen's twitter page -- "Meeting w/ Director Comey shortly to discuss FBI budget. I'll work to ensure FBI has resources it needs for Trump/Russia investigation."

Not sure if it is something you want to give the Director a heads up about before he goes in with her.

https://twitter.com/SenatorShaheen/status/843918684095762432

Thanks,

[redacted]

[redacted]
Federal Bureau of Investigation
[redacted]

b6
b7C
b7E

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, March 22, 2017 4:57 PM
To:	James B. Comey
Subject:	HPSCI Transcript
Attachments:	2017-03-20 Transcript of HPSCI Hearing with Comey and Rogers.docx

CQ CONGRESSIONAL TRANSCRIPTS
Congressional Hearings
March 20, 2017 - Final

House Permanent Select Intelligence Committee Holds Hearing on Russian Election Tampering

LIST OF PANEL MEMBERS AND WITNESSES

NUNES:
The committee will come to order.

I would like to welcome our witnesses, director of the FBI, Jim Comey and director of the National Security Agency, Admiral Rogers. Thank you both for being here today.

Before we begin, I would like to remind our members and witnesses that this is an open hearing. I recognize the challenge of discussing sensitive national security issues in public. However, as part of this committee's investigation into Russian active measures during the 2016 election, it is critical to ensure that the public has access to credible unclassified facts and to clear the air regarding unsubstantiated media reports.

To our guests in the audience, welcome. We appreciate you being here. I also expect that the proper decorum will be observed at all times today and that disruptions during today's proceedings will not be tolerated. I now recognize myself for five minutes for the purpose of an opening statement.

The Putin regime has a long history of aggressive actions against other countries, including the outright invasion of two of its neighbors in recent years, as well as its brutal military action in Syria to defend the Assad regime. But it's hostile acts take many forms, aside from direct military assaults.

For example, the Kremlin is waging an international disinformation campaign through the RT propaganda network which traffics in anti-American conspiracy theories that rivaled the extravagant untruths of Soviet era Pravda (ph). Russia also has a long history of meddling in other countries, election systems and launching cyber attacks on a wide range of countries and industries.

The Baltic's and other Russian neighbors have long decried these attacks. But their warnings went unheeded in far too many nations' capitals, including our own. The fact that the Russia -- that Russia hacked U.S. election-related databases comes as no shock to this committee. We have been closely monitoring Russia's aggression for years.

A year ago, I publicly stated that our inability to predict Putin's regime plans and intentions has been the biggest intelligence failure that we have seen since 9/11 and that remains my view today. However, while the indications of Russian measures targeting the U.S. presidential election are deeply troubling, one benefit is already clear. It has focused wide attention on the -- on the pressing threats posed by the Russian autocrat.

In recent years, committee members have issued repeated and forceful pleas for stronger action against Russian belligerents. But the Obama administration was committed to the notion against all evidence that we could reset relations with Putin. And it routinely ignored our warnings. I hope today's hearing will shed light on three important focus points of the committee's investigation on Russia active measures.

First, what actions did Russia undertake against the United States during the 2016 election campaign and did anyone from political campaign -- a political campaign conspire in these activities? Number two, were the communications of officials or associates of any campaign subject to any kind of improper surveillance? The intelligence community has -- has extremely strict procedures for handling information pertaining to any U.S. citizens who are subject even to incidental surveillance. And this committee wants to ensure all surveillance activities have followed all relevant laws, rules and regulations.

Let me be clear, I've been saying this for several weeks. We know there was not a physical wiretap of Trump Tower. However, it's still possible that other surveillance activities were used against President's Trump and his associates. Number three, who has leak classified information? Numerous current and former officials have leak purportedly classified information in connection to these questions. We aim to determine who has leaked or facilitated leaks of classified information so that these individuals can be brought to justice.

I hope that this committee's bipartisan investigation will result in a definitive report on the Russian actions taken during the election campaign. To that end, we encourage anyone who has information about these topics to come forward and speak to the House Intelligence Committee. I again think the witnesses for helping shed light on these issues.

And I will let recognize Ranking Member Schiff. He's asked for 15 minutes for his opening statement, so I will go ahead and give him 15 minutes for his opening statement.

Mr. Schiff?

SCHIFF:

Mr. Chairman, I thank you. And I also want to thank Director Comey and Admiral Rogers for appearing before us today as the committee holds its first open hearing into the interference campaign waged against our 2016 presidential election.

Last summer at the height of a bitterly contested and hugely consequential presidential campaign, a foreign adversarial power intervened in an effort to weaken our democracy and to influence the outcome for one candidate and against the other. That foreign adversary was of course Russia and it activated through its intelligence agencies and upon the direct instructions of its autocratic ruler Vladimir Putin, in order to help Donald J. Trump become the 45th president of the United States.

The Russian active measures campaign may have begun as early as 2015, when Russian intelligence services launched a series of spear fishing attacks designed to penetrate the computers of a broad array of Washington based Democratic and Republican party organizations, think tanks and other entities. This continued at least through the winter of 2016.

While at first the hacking may have been intended solely for the collection of foreign intelligence. In mid-2016 the Russians weapon eyes the stolen data and used platforms established by the Intel services, such as D.C. leaks in existing third-party channels like WikiLeaks to dump the documents. The stolen documents were almost uniformly damaging to the candidate Putin despised, Hillary Clinton. And by forcing her campaign to constantly respond to the daily drip of disclosures, the releases greatly benefited Donald Trump's campaign.

None of these facts is seriously in question. And they're reflected in the consensus conclusion of our intelligence agencies. We will never know whether the Russian intervention was determinative in such a close election. Indeed, it is unknowable in a campaign to which so many small changes could have dictated a different result. More importantly, and for the purposes of our investigation, it simply does not matter.

What does matter is this, the Russians successfully meddled in our democracy and our intelligence agencies have concluded they will do so again. Ours is not the first democracy to be attacked by the Russians in this way. Russian intelligence has been simile interfering in the internal and political affairs of our European and other allies for decades.

SCHIFF:

What is striking here is the degree to which the Russians were willing to undertake such an audacious and risky action against the most powerful nation on Earth. That ought to be a warning to us that if we thought that the Russians would not dare to so blatantly interfere in our affairs, we were wrong.

And if we do not do our very best to understand how the Russians accomplished this unprecedented attack on our democracy and what we need to do to protect ourselves in the future, we will only have ourselves to blame. We know a lot about the Russian operation, about the way they amplified the damage their hacking and dumping of stolen documents was causing through the use of slick propaganda like R.T., the Kremlin's media arm. But there is a lot we don't know.

Most important, we do not yet know whether the Russians have the help of U.S. citizens including people associated with the Trump campaign. Many of the Trump's campaign personnel, including the president himself, have ties to Russia and Russian interests. This is of course no crime. On the other hand, if the Trump campaign or anyone associated with it aided or abetted the Russians, it would not only be a serious crime, it would also represent one of the most shocking betrayals of democracy in history.

In Europe, where the Russians have a much longer history of political interference, they've used a variety of techniques to undermine democracy. They employed the hacking and dumping of documents and slick propaganda as they clearly did here. But they've also used bribery, blackmail, compromising material, and financial entanglement to secure needed cooperation from individual citizens of targeted countries.

The issue of U.S. person involvement is only one of the important matters that the chairman and I have agreed to investigate and which is memorialized in the detailed and bipartisan scope of investigation that we have signed. We'll also examine whether the intelligence community's assessment of the Russian operation is supported by the raw intelligence, whether the U.S. government responded properly or missed the opportunity to stop this Russian attack much earlier and whether the leak of information about Michael Flynn or others is indicative of a systemic problem.

We have also reviewed whether there is any evidence to support President Trump's claim that he was wiretapped by President Obama in Trump Tower and found no evidence whatsoever to support that slanderous accusation. And we hope that Director Comey can now put that matter permanently to rest.

Today, most of my Democratic colleagues will be exploring with the witnesses the potential involvement of U.S. persons in the Russian attack on our democracy. It is not that we feel the other issues are less important; they are very important, but rather because this issue is least understood by the public. We realize of course that the witnesses may not be able to answer many of the questions in open session.

They may or may not be willing to disclose even whether there is an investigation. But we hope to present to you directors and the public why we believe this is a matter of such gravity that it demands a thorough investigation not only by us as we intend to do but by the FBI as well.

Let me give you a short preview of what I expect you'll be asked by our members. Whether the Russian active measures campaign began as nothing more than an attempt to gather intelligence or was always intended to be more than that, we do not know and is one of the questions we hope to answer. But we do know this; the months of July and August 2016 appear to have been pivotal.

It was at this time the Russians began using the information they had stolen to help Donald Trump and harm Hillary Clinton. And so the question is, why? What was happening in July, August of last year and were U.S. persons involved? Here are some of the matters drawn from public sources alone since that is all we can discuss in this setting that concern us and we believe should concern all Americans.

In early July, Carter Page, someone candidate Trump identified as one of his national security advisors, travels to Moscow on a trip approved by the Trump campaign. While in Moscow, he gives a speech critical of the

United States and other western countries for what he believes is a hypocritical focus on democratization and efforts to fight corruption.

According to Christopher Steele, a British -- a former British intelligence officer, who is reportedly held in high regard by US intelligence, Russian sources tell him that Page has also had a secret meeting with Igor Sechin, CEO of the Russian gas giant, Rosneft. Sechin is reported to be a former KGB agent and close friend of Putin's.

According to Steele's Russian sources, Page is offered brokerage fees by such an on a deal involving a 19 percent share of the company. According to Reuters, the sale of a 19.5 percent share of Rosneft later takes place with unknown purchasers and unknown brokerage fees. Also, according to Steele's Russian sources, the campaign has offered documents damaging to Hillary Clinton which the Russians would publish through an outlet that gives them deniability like WikiLeaks.

The hacked documents would be in exchange for a Trump administration policy that deemphasizes Russia's invasion of Ukraine and instead focuses on criticizing NATO countries for not paying their fair share. Policies which even as recently as the President's meeting last week with Angela Merkel have now presently come to pass.

In the middle of July, Paul Manafort, the -- the Trump campaign manager and someone who was a long on the payroll of Pro Russian- Ukrainian interests attends the Russian -- the Republican Party Convention. Carter Page, back from Moscow, also attends the convention. According to Steele, it was Manafort who chose Page to serve as a go-between for the Trump campaign and Russian interests.

Ambassador Kislyak, who presides over a Russian Embassy in which diplomatic personnel would later be expelled as likely spies, also attends the Republican Party Convention and meets with Carter Page, and additional Trump advisors J.D. Gordon and Walid Phares. It was J.D. Gordon who approved Page's trip to Moscow.

Ambassador Kislyac also meets with Trump national campaign chair, National Security Campaign Chair and now attorney general, Jeff Sessions. Sessions would later deny meeting with Russian officials during his Senate confirmation hearing. Just prior to the convention, the Republican Party platform is changed, removing a section that supports the provision of lethal defensive weapons to Ukraine, an action that would be contrary to Russian interests.

Manafort categorically denies involvement by the Trump campaign and altering the platform, but the Republican Party delegate who offered the language in support of providing defensive weapons to Ukraine states it was removed at the insistence of the Trump campaign. Later, J.D. Gordon admits opposing the inclusion of the provision of the time it was being debated and prior to its being removed.

Later in July and after the convention, the first stolen e-mails detrimental to Hillary Clinton appear on WikiLeaks. A hacker who goes by the moniker, Guccifer 2.0, claims responsibility for hacking the DNC and giving the documents to WikiLeaks. A leading private cyber security firms including Crowdstrike, Mandiant and ThreatConnect review the evidence of the hack and conclude with high certainty that it was the work of APT 28 and APT 29 who are known to be Russian intelligence services.

The U.S. intelligence committee also later confirms that the documents were in fact stolen by Russian intelligence and Guccifer 2.0 acted as a front. Also in late July, candidate Trump praises WikiLeaks, says he loves them and openly appeals to the Russians to hack his opponents e-mails telling them that they will be richly rewarded by the press.

On August 8th, Roger Stone, a long time Trump political advisor and self-proclaimed political dirty trickster, boasts in his speech that he has communicated with Assange and that more documents would be coming,

including an October surprise. In the middle of August, he also communicates with the Russian cut out Guccifer 2.0 and authors a Breitbart piece denying Guccifer's links to Russian intelligence.

Then later, in August, Stone does something truly remarkable. When he predicts that John Podesta's personal e-mails will soon be published, trust me he says, it will soon be Podesta's time in the barrel, #crookedHillary. In the weeks that follow, Stone shows remarkable prescience. I have total confidence that WikiLeaks and my hero, Julian Assange will educate the American people soon, he says, #LockHerUp. Payload coming, he predicts and two days later it does.

WikiLeaks releases its first batch of Podesta e-mails. The release of John Podesta's e-mails would then continue on a daily basis, up until the election. On Election Day in November, Donald Trump wins. Donald Trump appoints one of his high-profile surrogates, Michael Flynn, to be his national security advisor. Michael Flynn has been paid by the Kremlin's propaganda outfit RT in the past, as well as another Russian entity.

In December, Michael Flynn has a secret conversation with Ambassador Kislyak, about sanctions imposed by President Obama on Russia over attacking designed to help the Trump campaign. Michael Flynn lies about the secret conversation. The vice president unknowingly then assures the country that no -- no such conversation ever happened. The president is informed that Flynn has lied and Pence has misled the country. The president does nothing.

Two weeks later, the press reveals that Flynn has lied and the president is forced to fire Mr. Flynn. The president then praises the man who lied, Mr. Flynn, and castigates the press for exposing the lie.

Now, is it possible that the removal of the Ukraine provision from the GOP platform was a coincidence? Is it a coincidence that Jeff Sessions failed to tell the Senate about his meetings with a Russian ambassador, not only at the convention, but a more private meeting in his office and at a time when the U.S. election was under attack by the Russians?

Is it a coincidence that Michael Flynn would lie about a conversation he had with the same Russian Ambassador Kislyak, about the most pressing issue facing both countries at the time they spoke, the U.S. imposition of sanctions over Russian hacking of our election designed to help Donald Trump? Is it a coincidence that the Russian gas company, Rosneft, sold a 19 percent share after former British intelligence officer Steele was told by Russian sources that Carter Page was offered fees on a deal of just that size?

Is it a coincidence that Steele's Russian sources also affirmed that Russian had stolen documents hurtful to Secretary Clinton that it would utilize in exchange for Pro Russian policies that would later come to pass? Is it a coincidence that Roger Stone predicted that John Podesta would be a victim of a Russian hack and have his private e-mails published and did so even before Mr. Podesta himself, was fully aware that his private e-mails would be exposed?

Is it possible that all of these events and reports are completely unrelated and nothing more than a entirely unhappy coincidence? Yes, it is possible. But it is also possible, maybe more than possible, that they are not coincidental, not disconnected and not unrelated and that the Russians use the same techniques to corrupt U.S. persons that they employed in Europe and elsewhere. We simply don't know, not yet. And we owe it to the country to find out.

Director Comey, what you see on the dais in front of you in the form of this small number of members and staff is all we have to commit to this investigation. This is it. We are not supported by hundreds or thousands of agents and investigators with offices around the world. It is just us and our Senate counterparts.

In addition to this investigation we still have our day job which involves overseeing some of the largest and most important agencies in the country. Agencies which by the way are trained to keep secrets. I point this out for two reasons and I'm -- I'm wrapping up Chairman. First because we cannot do this work alone and nor

should we. We believe these issues are so important that the FBI must devote its resources to investigating each of them thoroughly, to do any less would be negligent in the protection of our country.

We also need your full cooperation with our investigation so that we may have the benefit of what you know and so that we may coordinate our efforts in the discharge of both our responsibilities. And second, I raise this because I believe that we would benefit from the work of an independent commission that can devote the staff resources to this investigation that we do not have. And it can be completely removed from any political considerations.

This should not be a substitute for the work that we, in the intelligence committee, should and must do. But as an important complement to our efforts, just as was the case after 9/11. The stakes are nothing less than the future of our democracy and liberal democracy. Because we're engaged in a new war of ideas, not communism versus capitalism, but authoritarianism versus democracy and representative government. And in the struggle, our adversary sees our political process as a legitimate field of battle.

Only by understanding what the Russians did can we inoculate ourselves from further Russian interference that we know is coming. Only then can we protect our European allies, who are as we speak, enduring similar Russian interference in their own elections.

And finally, I want to say a word about our own committee investigation. You will undoubtedly observe in the questions and comments that our members make during today's hearing that the members of both parties share a common concern over the Russian attack on our democracy. But bring a different perspective on the significance of certain issues or the quantum of evidence we have seen in the early -- earliest stages of this investigation. This is to be expected.

The question most people have is whether we can really conduct this investigation in the kind of thorough and nonpartisan manner that the seriousness of the issues merit or whether the enormous political consequences of our work will make that impossible.

The truth is, I don't know the answer, but I do know this, if this committee can do its work properly, if we can pursue the facts wherever they lead, unafraid to compel witnesses to testify, to hear what they have to say, to learn what we will. And after exhaustive work reach a common conclusion, it would be a tremendous public service and one that is very much in the national interest. So let us try.

I thank you, Mr. Chairman and I yield back.

NUNES:
Thank you. Gentleman yields back.

With that that, Admiral Rogers, you're recognized for five minutes.

ROGERS:
Thank you sir.

Chairman Nunes, Ranking Member Schiff and members of the committee. Thank you for the opportunity to appear before you today on behalf of the men and women of the National Security Agency.

I'm honored to appear besides my teammate Director Comey to discuss Russia's activities and intentions regarding the 2016 U.S. election. And want to assure the committee that my team is doing its best to fulfill the various requests of this committee to support your ongoing investigations into this subject.

ROGERS:
Over the past weeks, NSA has been working closely with the committee to provide you the information that you require for your investigation and I can assure you we will continue to do so. When we last met in January, we discussed the classified version of the January intelligence committee -- community's assessment on assessing Russian activities and intentions in the recent U.S. elections.

Today, more than two months after we issued this assessment, we stand by it as issued. There is no change in our confidence level on the assessment. Of course, the specifics of this assessment need to remain classified to protect sensitive sources and methods so today I will limit my discussion to information in the public domain, that of the publicly released intelligence community assessment.

I hope you will understand that there are some issues I cannot discuss in an open session, nor will I be able to provide specifics in some areas. As the committee fully knows, the intelligence community has a longstanding policy of not discussing surveillance targeting information, in particular cases, as to do so would invariably open the door to compel further disclosures and litigation or the release of classified information, all of which would be harmful to our national security.

Like the committee, we are also greatly concerned about leaks of classified information as they can reveal the sources and methods we employ to provide intelligence to American policymakers and warfighters and generate advantage for our nation while protecting its citizens and interest and their privacy. I also want to assure the committee that we take very seriously that obligation to protect U.S. persons' privacy. This applies to all stages of the production of foreign intelligence, but I'd like to emphasize one area in particular; the dissemination of U.S. person information.

We at NSA have strict procedures in place to make sure that our reporting and the contents of our reporting are disseminated only to those that have strict need-to- know for valid purposes which primarily means support of the development of foreign policy and to protect national security. I do want to specifically mention that among the collection and authorities that we have to target foreign actors in foreign spaces, FISA Section 702 and Executive Order 12333 have been instrumental in our ability to produce the intelligence made available to the committee and others in gathering the SIGINT facts of foreign activity in this election cycle.

It would be difficult to overstate the breadth and scale of malicious cyber activity occurring today. Our adversaries including nation states have not rested in trying to penetrate government systems, steal our private industries' intellectual property, and make even greater strides towards the development and achievement of cyber attack capabilities. We have a hardworking and dedicated team at NSA that works every day to generate insights on this activity and to thwart its effectiveness. But cyber defense is a team sport and one of NFA -- NSA's strongest partners in this effort is Director Comey's team at the FBI.

And I'm glad to be able to describe here today how we are working together to help protect the nation and our allies to include providing a better understanding of Russian intentions and capabilities. In light of the I.C. assessment and findings, I welcome your investigation into overall Russian activities targeting the previous U.S. elections. NSA continues to employ rigorous analytic standards, applying them in every aspect of our intelligence reporting.

Our analysts have consistently proven to be reliable and thorough in their technical and analytic efforts and providing our policymakers and warfighters with SIGINT ammunition to make informed decisions to protect our nation's freedom and ensure the safety of its citizens. They are diligently continuing to monitor for additional reflections of Russian targeting of U.S. systems and those of our friends and allies around the world to share that information with our I.C. colleagues and foreign counterparts and to share that information with our I.C. colleagues and foreign counterparts and to produce unbiased, unprejudiced and timely reporting of SIGINT facts in their entirety.

I look forward your questions. Thank you, sir.

NUNES:
Thank you, Admiral Rogers.

Director Comey, you're recognized for five minutes.

COMEY:
Mr. Chairman, Ranking Member Schiff, members of the committee, thank you for including me in today's hearing. I'm honored to be here representing the people of the FBI.

I hope we have shown you through our actions and our words how much we at the FBI value your oversight of our work and how much we respect your responsibility to investigate those things are important to the American people. Thank you for showing that both are being taken very seriously.

As you know, our practice is not to confirm the existence of ongoing investigations, especially those investigations that involve classified matters, but in unusual circumstances where it is in the public interest, it may be appropriate to do so as Justice Department policies recognize. This is one of those circumstances.

I have been authorized by the Department of Justice to confirm that the FBI, as part of our counterintelligence mission, is investigating the Russian government's efforts to interfere in the 2016 presidential election and that includes investigating the nature of any links between individuals associated with the Trump campaign and the Russian government and whether there was any coordination between the campaign and Russia's efforts. As with any counterintelligence investigation, this will also include an assessment of whether any crimes were committed.

Because it is an open ongoing investigation and is classified, I cannot say more about what we are doing and whose conduct we are examining. At the request of congressional leaders, we have taken the extraordinary step in coordination with the Department of Justice of briefing this Congress' leaders, including the leaders of this committee, in a classified setting in detail about the investigation but I can't go into those details here. I know that is extremely frustrating to some folks. I hope you and the American people can understand. The FBI is very careful in how we handle information about our cases and about the people we are investigating.

We are also very careful about the way we handle information that may be of interest to our foreign adversaries. Both of those interests are at issue in a counterintelligence investigation. Please don't draw any conclusions from the fact that I may not be able to comment on certain topics. I know speculating is part of human nature, but it really isn't fair to draw conclusions simply because I say that I can't comment.

Some folks may want to make comparisons to past instances where the Department of Justice and the FBI have spoken about the details of some investigations, but please keep in mind that those involved the details of completed investigations. Our ability to share details with the Congress and the American people is limited when those investigations are still open, which I hope makes sense.

We need to protect people's privacy. We need to make sure we don't give other people clues as to where we're going. We need to make sure that we don't give information to our foreign adversaries about what we know or don't know. We just cannot do our work well or fairly if we start talking about it while we're doing it. So we will try very, very hard to avoid that, as we always do.

This work is very complex and there is no way for me to give you a timetable as to when it will be done. We approach this work in an open-minded, independent way and our expert investigators will conclude that work as quickly as they can but they will always do it well no matter how long that takes. I can promise you, we will

follow the facts wherever they lead. And I wanna underscore something my friend Mike Rogers said, leaks of classified information are serious, serious federal crimes for a reason...

(AUDIO GAP)

COMEY:
... they should be investigated and where possible prosecuted in a way that reflects that seriousness so that people understand it simply cannot be tolerated.

And I look forward to taking your questions.

NUNES:
Thank you, Director Comey.

Admiral Rogers, first I wanna go to you. On January 6th, 2017, the intelligence community assessment assessing Russian activities and intentions in recent U.S. elections, stated that the types of systems Russian actors targeted or compromised were not involved in vote tallying.

So my question as of today, Admiral Rogers, do you have any evidence that Russia cyber actors changed vote tallies in the state of Michigan?

ROGERS:
No I do not, but I would highlight we are a foreign intelligence organization, not a domestic intelligence organization. So it would be fair to say, we are probably not the best organization to provide a more complete answer.

NUNES:
How about the state of Pennsylvania?

ROGERS:
No, sir.

NUNES:
The state of Wisconsin?

ROGERS:
No, sir.

NUNES:
State of Florida?

ROGERS:
No, sir.

NUNES:
The state of North Carolina?

ROGERS:
No, sir.

NUNES:
The state of Ohio?

ROGERS:
No, sir.

NUNES:
So -- so you have no intelligence that suggests, or evidence that suggests, any votes were changed?

ROGERS:
I have nothing generated by the national security industry, sir.

NUNES:
Director Comey, do you have any evidence at the FBI that any votes were changed in the states that I mentioned to Admiral Rogers?

COMEY:
No.

NUNES:
Thank you. Admiral Rogers, I know that there was a leak of information regarding Director Clapper and Former Secretary of Defense Carter, were looking at relieving you of your -- of your duty.

Are you aware of those stories?

ROGERS:
I'm aware of media reporting to that.

NUNES:
And those stories were leaked as soon as you had visited with President-elect Trump. Is that correct?

ROGERS:
Yes sir, I was asked if I would be prepared to interview with the Trump administration for a position, which I did.

NUNES:
Did the leak of that information at all -- at all impact your ability and your assessment that you did for the intelligence community's assessment on January 6th?

ROGERS:
No sir, if I spent time in this job worrying about un- sourced media reporting, I'd never get any work done.

NUNES:
Thank you, Admiral.

Director Comey, I remain extremely concerned about the widespread illegal leaks that you just referenced in your -- in your testimony. Just for the record though, I wanna get this on the record.

Does the unauthorized disclosure of classified information to the press violate 18 USC 793, a section of the Espionage Act that criminalizes improperly accessing handling or transmitting national defense information?

COMEY:
Yes.

NUNES:
Would an unauthorized disclosure of FISA-derived information to the press violate 18 USC 798, a section of the Espionage Act that criminalizes the disclosure of information concerning the communication and intelligence activities of the United States?

COMEY:
Yes, in addition to being a breach of our trust with the FISA Court that oversees our use of those authorities.

NUNES:
Thank you, Director.

At this time, I'm gonna yield to Mr. Rooney, who chairs our NSA cyber committee, for questions.

ROONEY:
Thank you, Mr. Chairman.

I'd like to direct my questions, first and foremost, to Admiral Rogers to convey my thanks to the many men and women for their dedication at the NSA for keeping our country safe. As well as I want to talk about the recent media stories, it may have led to confusion in the public about what the NSA is and is not legally collecting in. And the safeguards the NSA has put into place to protect personal data.

So I'd like to clarify is the chairman of the subcommittee on the NSA, I recently got to meet your deputy admiral last week out at the NSA and we visited and spoke of some of these things. And what -- what we can talk about your today publicly, if you could go into, if you can't, you can't. But I think that this is important for the people in the room and -- and listening outside understand.

Is it true that the NSA would need a court order based on probable cause to conduct electronic surveillance on a U.S. person inside the United States?

ROGERS:
Yes sir.

ROONEY:
And just to be clear, the section of the FISA that is expiring later this year, that's 702, which will be talking about a little bit, cannot be used to target U.S. persons or persons in the United States, is that correct?

ROGERS:
Yes sir.

ROONEY:
Section 702 focuses on non-U.S. persons outside the United States, primarily correct?

ROGERS:
Yes sir.

ROONEY:
Do you believe that the section 702 is important and valuable for U.S. national security?

ROGERS:
Yes sir.

ROONEY:
So it's safe to say that without having this tool, it would be a threat to our national security?

ROGERS:
It would significantly impact my ability to generate the insights that I believe this nation needs.

ROONEY:
In the media, there's a lot of reporting about something called incidental collection. Can you talk about what incidental collection is?

ROGERS:
Yes sir. Incidental collection is when we are targeting a valid foreign target, for example, in the course of that targeting we either get a reference to a U.S. person or suddenly a U.S. person appears as part of the conversation. That's what we call incidental collecting.

ROONEY:

And -- and what you do when it went something like that happens, if there's a U.S. person part of an incidental collection, what kind of safeguards are put in place to make sure that...

ROGERS:
So it depends specifically on the legal authority that we're using to execute the collection in the first place. But in broad terms, realizing again, it varies little bit by the specific authority that we're using to conduct the collection. We step back and we ask ourselves first, are we dealing with a U.S. person here? Is there something that we didn't expect to encounter that we've now encountered?

We'll ask ourselves what leads us to believe that it is a U.S. person. If we come to the conclusion that it is a U.S. person and we ask ourselves are we -- are we listening to criminal activity, are we seeing something of imminent threat or danger, for example, or are we just receiving something that has nothing to do with any of our valid collection authority? Based on that, we'll then take a series of actions.

In some case, we will just purge the collect, make no reporting on it, not retain the data. It's incidental collection, it has no intelligence value and it wasn't the purpose of what we were doing. In some cases then if we believe that there is intelligence value, for example, whether it's a reference to a U.S. person, as an example in a scenario.

In our reporting then we will mask the identity of the individual. We use a phrase like U.S. person one or U.S. person two. And I would remind everyone that for our purposes, U.S. person is defined very broadly. That is not just a U.S. citizen, that is a U.S. corporation, that is a ship or aircraft that is registered in the United States, that is an internet protocol address, for example.

So it's not just a particular individual, if that makes sense. The term for us is much broader because designed to ensure our protections of U.S. persons.

ROONEY:
And this -- the procedures and protections you talked about are required and approved by the FISA court, is that correct?

ROGERS:
Yes sir, and the attorney general.

ROONEY:
And you mentioned in your opening statement that for that kind of information to be disseminated outside of your agency and the NSA that that dissemination would be strictly on a need-to-know basis, is that -- is that correct?

ROGERS:
We use two criteria; is there a need to know in the course of the person or group that is asking for the identification, is there a valid need to know in the course of the execution of their official duties?

ROONEY:
So like, who would that be?

ROGERS:
It could be another element with the intelligence community, it could be another element within NSA, it could be a military customer, for example, who's reading some of our reporting. It could be a policymaker.

I apologize, there was one other point I wanted to make, but I've lost the thread in my mind. I apologize if I jump in at a moment...

ROONEY:
I'm sorry, I cut you off.

ROGERS:
I'll try to make...

ROONEY:
Let's get back to masking briefly.

You spoke about masking and trying to keep a U.S. person's identity concealed. And when it is disseminated, you -- we often talk about in the intelligence community about the exceptions to how -- if somebody's masks, how you unmask them. What would the exceptions to that masking be before it's disseminated?

ROGERS:
So again, we use two criteria; the need to know on the person requesting us in the execution of their official duties and the second part was, is the identification necessary to truly understand the context of the intelligence value that the report is designed to generate? Those are the two criteria we use.

ROONEY:
Is that identity of a U.S. person communicating with a foreign target? Is that ordinarily disseminated in a masked or unmasked form?

ROGERS:
No. It is normally disseminated, if we -- if we make the decision that there's intelligence value and we're going to report on it, it is normally disseminated in a masked form. I would -- again, as I said, we use a reference, U.S. person one, U.S. person two...

ROONEY:
Right.

ROGERS:
I would highlight, if you look at the total breadth of our reporting, reporting involving U.S. persons at all is an incredibly small subset in my experience of our total reporting.

ROONEY:
Who normally in the NSA would make the decision to unmask?

ROGERS:
There are 20 individuals including myself who I have delegated this authority to approve unmask requests.

ROONEY:
And does the level of approval change depending on the reason for unmasking? If it was something or somebody, say, really important would that matter or could it be...

ROGERS:
Not -- it's not necessarily designated in writing that way, but certainly by custom and tradition, at times requests will be pushed up to my -- I'm the senior-most of the 20 individuals. Requests will be pushed to my level, say "hey, sir, we just want to make sure that you're comfortable with this."

ROONEY:
Right. So 20 people, that -- you know, what procedures or safeguards are put in place to make sure that those 20 people are not unmasking wrongly?

ROGERS:
So they retrieve specific training, there are specific controls put in place in terms of our ability to disseminate information out of the databases associated with U.S. persons.

ROONEY:
OK. Let's run through the exceptions quickly through a following hypothetical. If the NSA collects a communication where a target under surveillance is talking to a U.S. person, how would the NSA determine whether disseminating the U.S. person information is necessary to understanding the foreign intelligence or assess its importance?

ROGERS:
So first of all, try to understand the nature of the conversation. Is this truly something that involves intelligence or a national security implication for the United States or is this just very normal, reasonable conversations, in which case we have no desire to have any awareness of it, it's not applicable to our mission.

In that case, normally we'll purge the data. We'll ask ourselves, is there criminal activity involved, is there a threat, potential threat or harm to U.S. individuals being discussed in a conversation for example.

ROONEY:
If there was criminal activity involved, what would you do then?

ROGERS:
If when we disseminate -- if we decide we need -- if it's criminal activity, we'll disseminate the information and if the FBI or other criminal activities are on the reporting stream, in some cases I also will generate a signed letter under my signature in specific cases to Department of Justice highlighting that what we think we have is potential criminal activity, but because we are not a law enforcement or justice organization we're not in a place to make that determination.

ROONEY:
OK. Based on that, again, hypothetically, if the NSA obtained the communication of General Flynn while he was communicating with the surveillance target legally, would you please explain how General Flynn's identity could be unmasked based on the exceptions that we discussed?

ROGERS:
Sir, I'm not going to discuss even hypotheticals about individuals, I'm sorry.

ROONEY:
If I could make reference to a Washington Post article that I have here from February 9 which states -- do you -- let me say what it is and I'll ask if you've read it or -- or -- or if you've seen it. Which states national security under Michael Flynn privately discussed U.S. sanctions against Russia with the country's ambassador to the United States during the month before President Trump took office.

Contrary to public assertions by Trump officials current and -- and former U.S. officials said. The article goes on to say that nine current or former -- former officials who were in senior positions at multiple agencies at the time of the call spoke under the condition of anonymity to discuss intelligence matters. Did you read this article?

ROGERS:
I apologize, sir. It's not -- an article that references nine particular individual -- it doesn't necessarily ring a bell. I've certainly seen plenty of media reporting that but again, I'm not going to comment on specifics.

ROONEY:
Just basically under the breath of that article, when we when we hear that nine former, current -- or current officials had spoken to the press under the condition of anonymity, and we heard our director Comey and the Chairman speak of this is a potential crime -- a serious crime -- under the Espionage Act, assuming if this article is accurate, who would have the -- who would be in a position to request the unmasking of General Flynn's identity? Would that be you?

ROGERS:
I would have the authority to do that.

ROONEY:
Who else would?

ROGERS:
The 19 other individuals.

ROONEY:
Would that include director Comey?

ROGERS:
I'm talking about...

ROONEY:
In the NSA...

ROGERS:
... within the National Security Agency and we're talking about NSA reporting.

ROONEY:
But -- but would people like Director Comey also be able to request that?

ROGERS:
Yes.

ROONEY:
And the attorney general and Director Clapper, are those type of people also on this list?

ROGERS:
Again, I'm not going to -- in general, yes, they would be...

ROONEY:
Generally speaking, not with regard to...

ROGERS:
I'm not going to talk about...

ROONEY:
OK.

ROGERS:
... of an individual or hypothetical scenarios.

ROONEY:
Well, here's what I'm trying to get at. If -- if -- if what we're talking about is a serious crime as has -- as has been alleged, in your opinion, would leaking of an -- a U.S. person who has been unmasked and disseminated by intelligence community officials, would that leaking to the press hurt or help our ability to conduct national security matters?

ROGERS:
Hurt.

ROONEY:

OK. If -- if it hurts -- so this leak, which through the 702 tool, which we all agree is vital -- or you and I at least agree to that -- do you think that that leak actually threatens our national security? If it's a crime and if it's unveiling a masked person, and this tool is so important that it can potentially jeopardize this tool when we have to try to reauthorize it in a few months.

If this is used against the ability of us to reauthorize this tool and we can't get it done because whoever did this leak, or these nine people that did this leak, create such a stir, whether it be, you know, in our legislative process or whatever, that they don't feel confident that a U.S. person under the 702 program can be masked successfully and not leaked to the press, doesn't that hurt, that leak hurt our national security?

ROGERS:
Yes, sir.

ROONEY:
Can you think of any reason why somebody would -- would want to leak the identity of a mass person?

ROGERS:
No sir, I -- I mean I have raised this directly with my own workforce over the -- over the course of the last few months to remind everyone, part of the ethics of our profession, not just the legal requirement but the ethics of our profession as intelligence professionals is we do not engage in this activity.

And I've also reminded the men and women of the National Security Agency, if I become aware of any such conduct, there is no place for you on this team. It's unacceptable to the citizens of the nation that one would engage in this.

ROONEY:
Well, I think that, you know, as we move forward, obviously, you know, I think that what you're speaking of is this sacred trust that the intelligence community has with the American people and with the people that are representing them here on this dais.

And if we -- I think that it's vital that for those who break that sacred trust, if they are not held accountable whether it by the NSA internally or by the FBI through conviction or investigations/prosecution and conviction through the attorney general's office of that crime, it is very difficult for us to be able to keep that sacred trust to know that what we're doing is -- is -- is valid and what we're doing has no nefarious motivations. And -- and -- and to us to be able to keep America safe without violating the constitutional protections that we all enjoy.

Mr. Chairman, I'm not sure how much more time I have left. I just wanted to...

ROGERS:
Congressman, can I make one comment if I could, I apologize.

ROONEY:
Yes, sir.

ROGERS:

It comes to my mind based on your question, I just wanna remind everyone and in general. FISA collection on targets in the United States has nothing to do with 702, I just wanna make sure we're not confusing the two things, here, 702 is collection overseas against non-U.S. persons.

ROONEY:
Right and -- and what -- and what we're talking about here, is incidentally, if a U.S. person is talking to a foreign person that we're listening to, whether or not that person is unmasked...

ROGERS:
I just wanna make sure we all understand the context, that's all.

ROONEY:
Right, right, and -- and whether or not somebody in the intelligence community that we put the trust in, is going to leak that information to the press, for whatever reason. And I'm not even gonna get into the gratuitous, you know, what that reason may be.

But it's really gonna hurt the people on this committee and you all on the intelligence community, when we try to retain this tool this year. And try to convince some of our colleagues that this is really important for national security, when somebody in the intelligence community says you know what? The hell with it, I'm gonna release this person's name because I'm gonna get something out of it.

We're all gonna be hurt by that if we can't reauthorize this tool, do you agree with that?

ROGERS:
Yes, sir.

ROONEY:
Mr. Chairman, do I -- do I have enough time to talk about the letter the committee sent?

NUNES:
Sure.

ROONEY:
The committee sent to you on March 15th, a letter -- yeah, to Admiral Rogers and to Director Comey. Have you had a chance to look at this letter? I think that you've actually...

(CROSSTALK)

ROGERS:
Yes sir, I in fact have given you a reply on the 17th.

ROONEY:
Just real -- real quickly because I don't want to take up any more time. Can you give us a sense of how many unmasked U.S. persons identities were disseminated by the NSA from June 2016 to June 2017?

ROGERS:
No sir. As I have indicated where the process of compiling that information. I will provide it to the committee. But until that work is done, I am not gonna comment.

ROONEY:
Can you tell us whether any of those disseminations broadly were involved U.S. people relating to presidential candidates Donald J. Trump or Hillary Clinton, and their associates in 2016?

ROGERS:
I won't answer until I complete the research sir.

ROONEY:
Assuming that the NSA disseminated unmasked U.S. persons information relating to the Trump or Clinton campaigns, would that have been a reason for such unmasking?

ROGERS:
I apologize. I don't truly understand the question.

ROONEY:
Let me just move on to the next one.

Along those lines, if the NSA had wanted disseminate unmasked U.S persons information related to either the presidential campaign, who in the NSA would have approved such dissemination's?

ROGERS:
Again, it would've been one of the 20 and I provided that in my initial response to the committee. I have outlined the procedures, I've outlined the specific 20 individuals.

ROONEY:
Thank you, Admiral. I appreciate your -- your answers. I look forward to working with you on the subcommittee moving forward.

And Mr. Chairman, I yield back.

NUNES:
Gentleman yields back.

Mr. Gowdy is recognized.

GOWDY:
Thank you, Mr. Chairman.

Director Comey, we will begin on this line of questioning, then we'll finish it the next round. FISA and other similar related counterterrorism programs have been described, even this morning, as vital, critical and

indispensable to our national security. And many of us on both sides of the aisle believe FISA and similar counterterrorism programs prevent terrorist attacks and save American lives.

But FISA and other surveillance programs are intentionally designed to preserve the privacy of U.S. citizens. They are intentionally designed to ensure the information is collected and used only for legitimate national security and criminal investigative purposes.

There are statutory safeguards, there are warrants based on probable calls, there is a FISA court that is involved, there are audits on the backend and we think so highly of this material. It is a felony, punishable by up to 10 years in federal prison to unlawfully disseminate it. All of this was done to make sure this information gathered remains protected as it relates to U.S. citizens.

The way I view it, Director Comey, the American people have an agreement with their government. We are going to give you the tools to keep us safe, even if it infringes on our privacy Psalm (ph). We're going to give you the tools. And government in return promises to safeguard the privacy of U.S. citizens. And when that deal is broken, it jeopardizes American trust in the surveillance program.

So let me ask you, do you agree FISA is critical to our national security?

COMEY:
I do.

GOWDY:
Do you agree programs like FISA were intentionally designed to safeguard the identity of U.S. persons?

COMEY:
Yes, there are other -- other important elements of it but that's a primary goal, I believe.

GOWDY:
It wasn't an afterthought, it wasn't an accident. These are intentional safeguards that we put in place to protect U.S. citizens, is that correct?

COMEY:
Correct.

GOWDY:
Do you agree much of what is learned from these programs is classified or otherwise legally protected?

COMEY:
All FISA applications review by the court collection by us pursuant to our FISA authority is classified.

GOWDY:
The dissemination of which is a felony punishable by up to 10 years in prison?

COMEY:

Sure, dissemination -- unauthorized dissemination.

GOWDY:
Unauthorized dissemination of classified or otherwise legally protected material punishable by a felony up to 10 years in federal prison.

COMEY:
Yes. Yes, as it should be.

GOWDY:
All right.

In January of this year, the Washington Post reported, according to a senior U.S. government official, a named U.S. citizen -- and I will not use the name -- a named U.S. citizen phoned the Russian ambassador several times on December 29.

In February of this year, the Washington Post reported nine, nine current and former officials who were in senior positions at multiple agencies at the time of the call, spoke on the condition of anonymity to discuss intelligence matters and that officials began pouring over intelligence reports, intercepted communications, and diplomatic cables.

In February of this year, the New York Times reported a U.S. citizen, whose name I will not use, discusses sanctions with the Russian ambassador in a phone call according to officials who have seen a transcript of the wiretapped conversation. And again in February of this year, the New York Times reported on a phone call involving a U.S. citizen including significant discussions of phone records, intercepted calls, intercepted communications, and reported the NSA captured calls and then asked the FBI to collect as much information as possible.

My time is up so I will say this for this round. I thought it was against the law to disseminate classified information. Is it?

COMEY:
Yes, sir. It's a serious crime. I'm not going to comment on those particular articles because I don't want to, in any circumstance, compound a criminal act by confirming that it was classified information but in general, yes, it's a serious crime and it should be for the reasons you said.

GOWDY:
We'll take it back up next round, Mr. Chairman.

NUNES:
Gentleman yields back.

I'll now yield 15 minutes to Mr. Schiff.

SCHIFF:

Director Comey, I want to begin by attempting to put to rest several claims made by the president about his predecessor, namely that President Obama wiretapped his phones. So that we can be precise, I want to refer you to exactly what the president said and ask you whether there is any truth to it.

First, the president claimed, quote, "Terrible. Just found out that Obama had my wires tapped in Trump Tower just before the victory. Nothing found. This is McCarthyism," unquote.

Director Comey, was the president's statement that Obama had his wires tapped in Trump Tower a true statement?

COMEY:
With respect to the president's tweets about alleged wiretapping directed at him by the prior administration, I have no information that supports those tweets and we have looked carefully inside the FBI. The Department of Justice has asked me to share with you that the answer is the same for the Department of Justice and all its components. The department has no information that supports those tweets.

SCHIFF:
The president accused Mr. Obama and presumably the FBI of engaging in McCarthyism. As you understand the term McCarthyism, do you think President Obama or the FBI was engaged in such conduct?

COMEY:
I'm not to try and characterize the tweets themselves. All I can tell you is we have no information that supports them.

SCHIFF:
Were you engaged in McCarthyism, Director Comey?

COMEY:
I try very hard not to engage in any isms of any kind, including -- including McCarthyism.

SCHIFF:
The president second stated quote "Is it legal for a sitting president to be wiretapping a race for president prior to an election? Turned down by a court earlier, a new low," unquote.

Director Comey, can you answer the president's question? Would it be legal for present Obama to have ordered a wiretap of Donald Trump?

COMEY:
I'm not going to characterize or respond to the tweets themselves.

I can tell you in general, as -- as Admiral Rogers and I were just saying, there is a statutory framework in the United States under which courts grant permission for electronic surveillance either in a criminal case or a national security case based on a showing of probable cause, carefully overseen. It's a rigorous, rigorous process that involves all three branches of government, and it's one we've lived with since the late 1970s. That's how it works.

So no individual in the United States can direct electronic surveillance of anyone, it has to go through an application process, ask a judge, the judge can I make the order.

SCHIFF:
So President Obama could not unilaterally order a wiretap of anyone?

COMEY:
No president could.

SCHIFF:
Mr. Trump also asserted in that tweet that he was -- that the application -- or the president's order was turned down by a court. Was there any request made by the FBI or Justice Department to wiretap Donald Trump turned down by a court?

COMEY:
That's one of those subjects I can't comment on one way or another. Please don't interpret that in any way other than I just can't talk about anything that relates to the Pfizer process in an open setting.

SCHIFF:
Third, the president stated, I bet a good lawyer could make a great case out of the fact that President Obama was tapping my phones in October just prior to the election.

Director Comey, you're a good lawyer. Can you make out a great case that president Obama wiretapped Mr. Trump's phones just prior to the election in light of the fact you've said there is no evidence of that?

COMEY:
All I can say is what I said before, that we don't have any information that supports those tweets.

SCHIFF:
Well, in my view then, you would not be a great, but very unethical lawyer to make up such a case. And finally, the president made the following accusation. How low has president Obama gone to tap my phones during the very sacred election process? This is Nixon-Watergate. Bad or sick guy.

Director Comey, the president has compared Mr. Obama to Nixon and purported wiretap of Trump phones as another Watergate. What was the gravamen of the offense by Nixon and his operatives during Watergate? A lot of people who may be watching may be too young.

SCHIFF:
To understand what Watergate was about, what was the gravament of that offense?

COMEY:
Well, as I recall it then, I was a kid, but I've studied it quite a bit in school. The gravament of it was an abuse of power including break-ins, unlawful wire taps, obstruction of justice, sort of the cycle of criminal conduct.

SCHIFF:
There was a break-in of the democratic headquarters by operatives of the president, was it not?

COMEY:
That's my understanding is that's how it began -- the investigation began.

SCHIFF:
It also involve the cover up by the president.

COMEY:
Yes, as I said.

SCHIFF:
Now here, I think you've said there's been no evidence of an illegal wiretap by president Obama, is that right?

COMEY:
I've said the FBI and the Department of Justice have no information to support those tweets.

SCHIFF:
But there is evidence, is there not, of a break in of the democratic headquarters by a foreign power using cyber means?

COMEY:
Yes there was, as the -- as the intelligence community report, the un-class report, said in January, the Russian intelligence services hacked into a number of enterprises in the United States, including the Democratic National Committee.

SCHIFF:
And there was an effort by the Russians to cover up their break-in of the Democratic Party headquarters, by using cutouts like WikiLeaks to publish the stolen material, isn't that right?

COMEY:
Certainly to cover up their -- that they were the ones releasing it.

SCHIFF:
Director Rogers, in an effort to explain why there was no evidence supporting the president's claim that Obama had wiretapped him, the president and his spokesman, Sean Spicer, have suggested that British intelligence through its NSA or GCHQ wiretapped Mr. Trump on President Obama's behalf.

Did you ever request that your counterparts in GCHQ should wiretap Mr. Trump on behalf of President Obama?

ROGERS:
No sir, nor would I, that would be expressly against the construct of the Five Eyes agreement that's been in place for decades.

SCHIFF:
And the Five Eyes are some of our closest intelligence partners and Britain -- Britain is one of them?

ROGERS:
Yes, sir.

SCHIFF:
Have you seen any evidence that anyone else in the Obama administration made such a request?

ROGERS:
No sir, and again, my view is the same as Director Comey, I've seen nothing on the NSA side that we engaged in any such activity, nor that anyone ever asked us to engage in such activity.

SCHIFF:
And if you were to ask the British to spy on America, that would be a violation of U.S. law, would it not?

ROGERS:
Yes, sir.

SCHIFF:
Our relationship with British intelligence is one of the closest we have with any foreign services, isn't that true?

ROGERS:
Yes, sir.

SCHIFF:
Now, the British allies -- our British allies have called the president's suggestion that they wiretapped him for Obama nonsense and utterly ridiculous. Would you agree?

ROGERS:
Yes, sir.

SCHIFF:
Does it do damage to our relationship with one of our closest intelligence partners for the president to make a baseless claim that the British participated in a conspiracy against him?

ROGERS:
I think it clearly frustrates a key ally of ours.

SCHIFF:
Certainly wouldn't endear the British intelligence services to continue working with us, would it?

ROGERS:
I believe that the relationship is strong enough, this is something we'll be able to deal with.

SCHIFF:
But it's not helpful...

ROGERS:
Yes, sir...

SCHIFF:
... you would agree?

ROGERS:
... that -- that...

SCHIFF:
Director Rogers, President Trump recently met with German Chancellor Angela Merkel during a joint press conference, the president suggested that they both had something in common, that they had both been wiretapped by President Obama.

Director Comey has just demonstrated why the claims by the president about his being wiretapped by Obama were unsupported by any evidence. But the claim he made about wiretapping directed at Merkel referred to something that came up in the context of the Snowden disclosures.

I'm not going to ask you to comment on whether the Chancellor was the subject of any eavesdropping. But I would like to ask you whether the Snowden disclosures did damage to our relationship with our German ally and whether the Chancellor herself expressed her concern at the time.

ROGERS:
Yes, sir.

SCHIFF:
In light of this, is it helpful to our relationship with the Chancellor or our relationship with German intelligence, to bring this up again in a public forum?

ROGERS:

It certainly complicates things. But again, I'd like to think that our relationship is such we're gonna be able to deal and keep moving forward.

SCHIFF:
So our relationships with the British and the Germans, you hope, are strong enough to withstand any damage done by these comments?

ROGERS:
By anything in general, sir. We have foundational interest with each other, we need to keep working together.

SCHIFF:
This time, Director Comey, let me ask you a few questions you may or may not be able to answer. Do you know who Roger Stone is?

COMEY:
Generally, yes.

SCHIFF:
Are you aware that he was a partner of Paul Manafort?

COMEY:
Mr. Schiff, I'm worried we're going to a place I don't want to go, which is commenting on any particular person. And so I -- I don't think I should comment. I'm aware of public accounts but I don't want to talk more than that.

SCHIFF:
Are you aware that he has publicly acknowledged having directly communicated with (inaudible), someone that the intelligence community has assessed was a person of Russian intelligence?

COMEY:
I've read media accounts to that effect. I don't wanna hurt anybody's feeling in the media. I don't know whether that's accurate or not.

SCHIFF:
If Mr. Stone acknowledged Mr. Podesta's time in the barrel was coming in August 2016, would that have been prior to the public release of stolen e-mails of Mr. Podesta's?

COMEY:
I believe that's the correct chronology.

SCHIFF:
Do you know how Mr. Stone would've known that Mr. Podesta's e-mails were going to be released?

COMEY:
That's not something I can comment on.

SCHIFF:
Do you know that Mr. Podesta has said that at the time he was not even aware whether his e-mails had been stolen would be published?

COMEY:
That's nothing something I comment on.

SCHIFF:
At this point Mr. Chairman, I'm going to yield to Mr. Himes.

HIMES:
Thank you to the ranking member. And gentlemen, thank you for being with us today.

Let me -- when I get my own time I'll -- I'll -- I'll have some follow-up questions. But let me start with a point that the chairman brought out I think very specifically which is that there's no evidence that votes were technically changed in any of the jurisdictions that he named.

Admiral Rogers, thanks for confirming that, but am I correct, that the -- when we say Russian hacking what we are referring to is the fact that the intelligence community believes that the Russians penetrated the networks of the DNC, of John Podesta, and other individuals, stole information and then disseminated that information. Is that a fair characterization of the -- of the conclusions of the intelligence community?

ROGERS:
Yes sir.

HIMES:
And did the intelligence community ever do an analysis as to whether the dissemination of that adverse information in a closely fought election had any effect on the American electorate?

ROGERS:
No sir. The U.S. intelligence community does not do assessments ...

HIMES:
Of course not.

(CROSSTALK)

ROGERS:
... U.S. opinion.

HIMES:
That's -- that's -- that's not your job.

ROGERS:
No sir.

HIMES:
The fact is, those of us who go through campaigns know that's actually something we probably have a little bit more understanding of. Let me just ask this question then. Was there any equivalent dissemination of adverse information stolen from the RNC or individuals associated with the Trump campaign?

COMEY:
No.

HIMES:
Thank you.

Director Comey, in -- in the remaining minutes here. I appreciate your frankness on the topic of an ongoing investigation and appreciate your inability to go too much further than you went. But I do want to ask you a question to try to clear up some confusion.

This committee, of course, is engaged in investigation about links, as you said, between the Trump campaign and the Russians, should there be any possible collusion. We've had a number of statements very early in the investigation that there was no evidence of collusion. This is still very early in our investigation, is it fair to say that you're still relatively early in your investigation?

COMEY:
It's hard to say because I don't how much longer it will take. But we've been doing this -- this investigation began in late July, so for counterintelligence investigation that's a fairly short period of time.

HIMES:
So, you used the word coordination which to me suggests that you are in fact investigating whether there was coordination between U.S. persons and the Russians. Is it fair for me to assume that we shouldn't simply dismiss the possibility that there was coordination or collusion between the Russian efforts and U.S. persons as an investigatory body?

COMEY:
Well all I can tell you is what we're investigating which includes whether there was any coordination between people associated with the Trump campaign and the Russians.

HIMES:
OK. Thank you, I'll yield the remaining time to the ranking member.

SCHIFF:

I will yield the remaining time this period to Representative Sewell.

SEWELL:
Thank you.

So, with respect to the coordination, Director Comey, I just wanted to continue this line of questioning, can you say with any specificity what kinds of coordination or contacts you're looking at in your investigation generally when confronted with something like this?

COMEY:
I can't.

SEWELL:
Can you discuss whether or not there was any knowledge by any Trump- related person and the Russians?

COMEY:
I can't.

SEWELL:
So with respect to any ongoing investigation, whether the specificity of the person, U.S. person or otherwise, you can't comment on any of that.

COMEY:
Correct.

SEWELL:
OK. Can you characterize what the nature of your investigation generally, wouldn't -- when you do an investigation of this sort, can you talk a little bit about the process, generally?

COMEY:
Not a whole lot. I can tell you we use our great, great people, we coordinate with our brothers and sisters in other parts of the intelligence community to see what they may know from around the world that might be useful to us and we use all the different tools and techniques that we use in all of our investigations. That's probably the most -- I'm not sure that's useful to you, but that's the most I can say.

SEWELL:
How long does a counterintelligence investigation like this usually take? You said that it started in July.

COMEY:
There is no usually. It's hard -- it's impossible to say, frankly.

SEWELL:
I yield back my time.

NUNES:
Thank you, Ms. Sewell. We'll go back to -- I'll yield myself 15 minutes and we'll go back to Mr. Gowdy.

GOWDY:
Thank you, Mr. Chairman.

Director Comey, you and I were discussing the felonious dissemination of classified material during the last round. Is there an exception in the law for current or former U.S. officials who request anonymity?

COMEY:
To release classified information?

GOWDY:
Yes sir.

COMEY:
No.

GOWDY:
Is there an exception in the law for reporters who want to break a story?

COMEY:
Well that's a harder question as to whether a reporter incurs criminal liability by publishing classified information and one probably beyond my ken. I'm not as good a lawyer as Mr. Schiff said I used to be.

GOWDY:
Well, I don't know about that but the statute does use the word published, doesn't it?

COMEY:
It does, but that's a question I know the Department of Justice has struggled with through administration after administration.

GOWDY:
I know the department struggled with it, the 4th Circuit struggled with it, lots of people have struggled with it but you're not aware of an exception in the current dissemination of classified information statute that carves out an exception for reporters.

COMEY:
No, I'm not aware of anything carved out in the statute. I don't think a reporter's been prosecuted certainly in my lifetime though.

GOWDY:

Well, there've been a lot of statutes that bore on this investigation for which no one's ever been prosecuted or convicted and that does not keep people from discussing those statutes, namely the Logan Act. In theory, how would reporters know a U.S. citizen made a telephone call to an agent of a foreign power?

COMEY:
How would they know legally?

GOWDY:
Yes.

COMEY:
If it was declassified and then discussed in a judicial proceeding or congressional hearing. Something like that.

GOWDY:
And assume none of those facts are at play, how would they know?

COMEY:
Someone told them who shouldn't have told them.

GOWDY:
How would a reporter know about the existence of intercepted phone calls?

COMEY:
Same thing. In a -- in a legitimate way, through a appropriate proceeding where there's been declassification. In any other way, in an illegitimate way.

GOWDY:
How would reporters know if a transcript existed of an intercepted communication?

COMEY:
Same answer. It -- it -- the only legitimate way would be through a proceeding -- appropriate proceeding, the illegitimate way would be somebody told him who shouldn't have told them.

GOWDY:
What does the term mask mean in the concept of FISA and other surveillance programs?

COMEY:
As Director Rogers explained, it's our practice, approved by the FISA court, of removing the names of U.S. persons to protect their privacy and their identity unless it hits certain exceptions. So masking means, as Mike Rogers said -- I'll often see a intelligence report from NSA that will say U.S. person number one, U.S. person number two, U.S. person number three and there's no further identification on the document.

GOWDY:
Admiral Rogers said there are 20 people within the NSA that are part of the unmasking process. How many people within the FBI are part of the unmasking process?

COMEY:
I don't know for sure. As I sit here, surely more, given the nature the FBI's work. We come into contact with U.S. persons a whole lot more than the NSA does because we may be conducting -- we only conduct our operations in the United States to collect electronic surveillance -- to conduct electronic surveillance, so I don't -- I can find out the exact number, I don't know it as I sit here.

GOWDY:
Well, I think, Director Comey, given the fact that you and I agree this is critical, vital, indispensable, a similar program is coming up for reauthorization this fall with a pretty strong head wind right now. It would be nice to know the universe of people who have the power to unmask a U.S. citizen's name. Because that might provide something of a roadmap to investigate who might've actually disseminated a masked U.S. citizen's name.

COMEY:
Sure. The number is relevant but what I hope the U.S. -- the American people realize is the number's important, but the culture behind it is in fact even more important. The training, the rigor, the discipline. We are obsessive about FISA in the FBI for reasons I hope make sense to this committee but we are -- everything that's FISA has to be labeled in such a way to warn people this is FISA, we treat this in a special way.

So we can get you the number, but I want to assure you the culture of the FBI and the NSA around how we treat U.S. person information is obsessive and I mean that in a good way.

GOWDY:
Director Comey, I am not arguing with you and I do agree that culture is important, but if there are 100 people who have the ability to unmask and the knowledge of a previously masked name, then that's 100 different potential sources of investigation and the smaller the number is, the easier your investigation is.

So the number is relevant. I can see the culture is relevant. NSA, FBI, what other U.S. government agencies have the authority to unmask a U.S. citizen's name?

COMEY:
I think all agencies that collect information pursuant to FISA have what are called standard minimization procedures, which are approved by the FISA court that govern how they will treat U.S. person information. So I know the NSA does, I know the CIA does, obviously the FBI does. I don't know for sure beyond that.

GOWDY:
How about the department of -- how about Main Justice?

COMEY:
Main Justice, I think does have standard minimization procedures.

GOWDY:

All right, so that's four. The NSA, FBI, CIA, Main Justice. Does the White House have the authority to unmask a U.S. citizen's name?

COMEY:
I think other elements of the government that are consumers of our products can ask the collectors to unmask. The unmasking resides with those who collected the information.

And so if Mike Rogers's folks collected something and they sent it to me in a report and it says U.S. person number one and it's important for the FBI to know who that is, our request will go back to them. The White House can make similar requests of the FBI or of NSA but they can't on their -- they don't own their own collect and so they can't on their own unmask. I got that about right?

ROGERS:
No, that's correct.

COMEY:
Yeah.

GOWDY:
I guess what I'm getting at, Director Comey, is you say it's vital, you say it's critical, you say it's indispensable. We both know it's a threat to the reauthorization of 702 later on this fall. And by the way, it's also a felony punishable by up to 10 years.

So how would you begin your investigation, assuming for the sake of argument that a U.S. citizen's name appeared in the Washington Post and the New York Times unlawfully. Where would you begin that investigation?

COMEY:
Well, I'm not gonna talk about any particular investigation...

GOWDY:
That's why I said in theory.

COMEY:
You would start by figuring out, so who are the suspects? Who touched the information that you've concluded ended up unlawfully in the newspaper and start with that universe and then use investigative tools and techniques to see if you can eliminate people, or include people as more serious suspects.

GOWDY:
Do you know whether Director Clapper knew the name of the U.S. citizen that appeared in the New York Times and Washington Post?

COMEY:
I can't say in this forum because again, I don't wanna confirm that there was classified information in the newspaper.

GOWDY:
Would he have access to an unmasked name?

COMEY:
In -- in some circumstances, sure, he was the director of national intelligence. But I'm not talking about the particular.

GOWDY:
Would Director Brennan have access to an unmasked U.S. citizen's name?

COMEY:
In some circumstances, yes.

GOWDY:
Would National Security Adviser Susan Rice have access to an unmasked U.S. citizen's name?

COMEY:
I think any -- yes, in general, and any other national security adviser would, I think, as a matter of their ordinary course of their business.

GOWDY:
Would former White House Advisor Ben Rhodes have access to an unmasked U.S. citizen's name?

COMEY:
I don't know the answer to that.

GOWDY:
Would former Attorney General Loretta Lynch have access to an unmasked U.S. citizen's name?

COMEY:
In general, yes, as would any attorney general.

GOWDY:
So that would also include Acting AG Sally Yates?

COMEY:
Same answer.

GOWDY:
Did you brief President Obama on -- well, I'll just ask you. Did you brief President Obama on any calls involving Michael Flynn?

COMEY:
I'm not gonna get into either that particular case that matter, or any conversations I had with the president. So I can't answer that.

GOWDY:
Well, Director Comey, there's been some speculation this morning on motive. I'm not all that interested in motive -- first of all, its really hard to prove.

Secondarily, you never have to prove it. But I get that people wanna know, I get the jury all wants -- always wants to know why. I think you and I can agree there are a couple of reasons that you would not have to unlawfully, feloniously, disseminate classified material. It certainly wasn't done to help an ongoing criminal investigation, because you already had the information, didn't you?

COMEY:
Again, I can't answer in the context of this particular matter.

GOWDY:
How about in theory? Is -- is -- is there something a reporter would have access to that the head of the FBI would not?

COMEY:
It's hard for me to answer, I would hope not when it relates to the FBI...

GOWDY:
I would hope not too, since its part of our surveillance programs. I would hope that you had access to everything as the head of the world's premier law-enforcement agency. I would hope that you had it all. So if you had it all, the motive couldn't have been to help you, because you already had it. And Admiral Rogers, the motive couldn't have been to help you, because you already had it.

So in the universe of possible motives for the felonious dissemination of classified material, we could rule out wanting to help the intelligence and the law enforcement communities. Those are two motives are gone now. That leaves some more nefarious motives. Is the investigation into the leak of classified information -- has it begun yet?

COMEY:
I can't say because I don't want to confirm that that was classified information.

GOWDY:
Well, I'm -- I don't want to quarrel with you Director Comey and I -- I do understand that you cannot ordinarily confirm or deny the existence of an investigation. But you did it this morning, citing DOJ policy given the gravity of the fact pattern.

Would you not agree that surveillance programs that are critical, indispensable, vital to our national security, some of which are awful reauthorization this fall, that save American lives and prevent terrorist attacks also rises to the level of important?

COMEY:
I think those programs are vital and leaks of information collected pursuant to court order under those programs are terrible. And as I said in my opening statement should be taken very, very seriously.

What I don't ever want to do is compound what bad people have done and confirm something that's in the newspaper. Because sometimes newspaper get it right, there's a whole lotta wrong information about -- allegedly about classified activities that's in the newspaper. We don't call them and correct them either. That's another big challenge but we just don't go anywhere near it because we don't want to help and compound the offense that was committed.

GOWDY:
I understand that Director Comey. And I'm trying really hard not to get you to discuss the facts at bar (ph). But some of the words that appeared in this public reporting, include the word transcript which has a very unique use in the matters that you and I are discussing this morning. That is a very unique use of that word, wiretap has a very specific meaning. The name of a U.S. citizen that was supposed to statutorily be protected, is no longer protected.

So some of this reporting -- let's assume 90 percent of it is inaccurate, that other 10 percent is still really, really important. And to the extent that you can rely on the dates in either the Washington Post or the New York Times, we are talking about February of this year is when the reporting first took place. So we are -- we're a month and a half or two months into something that you and I agree, is incredibly important and also happens the felony.

So I'm just simply asking you to assure the American people, you've already assured them you take it really seriously. Can you assure them that it is going to be investigated?

COMEY:
I can't but I hope -- I hope people watching know how seriously we take leaks of classified information. But I don't want to confirm it by saying that were investigating it. And I'm sorry I have to draw the line, I just think that's the right way to be.

GOWDY:
Well I'm not argue with you Director Comey but it is -- we're going to discuss a lot of important things today. Whether Russia attempted to influence our democratic process is incredibly important. Whether they sought to influence it as a separate analysis, incredibly important.

The motive behind that interference and influence, incredibly important. Our U.S. response, incredibly important. Some of that may rise to the level of the crime, some of it does not rise to level of a crime. One thing you and I agree on is the felonious dissemination of class -- classified material most definitely is a crime.

So I would ask you and I understand some of the procedures that you are up against. I would -- I would humbly ask you to -- to seek authority from whomever you need to seek authority from. Because I'm going to finish the same way I started. This is an agreement between the American people and its government. We are going to -- we the American people give certain powers to government to keep us safe.

And when those powers are misused and the motive is not criminal investigations or national security, then I'll bet you my fellow citizens are rethinking their side of the equation. Because that U.S. citizen could be them next time. It could be you. It could be me. It could be anyone until we start seriously investigating and prosecuting what Congress thought was serious enough to attach a 10- year felony to.

With that, I would yield back, Mr. Chairman.

COMEY:
Can I -- can I just add a response to what you said? I agree with you, Mr. Gowdy. Two things folks at home should know; first, an unauthorized disclosure of FISA is an extraordinarily unusual event so be assured we're going to take it very seriously because our trust, the American people, and the federal judges that oversee our work, is vital.

And second, that this conversation has nothing to do with 702. Folks often mix them together. 702 is about targeting non-U.S. persons overseas. Pursuant to the FISA statute, the FBI can apply to collect electronic surveillance in the United States but it's a different thing from 702. The conversation you and I are just having is about this which is vital and important, but I just didn't want to leave folks confused.

GOWDY:
Director Comey, you are 100 percent correct and I am 100 percent correct in saying that that is a distinction that doesn't make a difference to most of the people watching television. You are exactly correct. What we are reauthorizing this fall has nothing to do with what we are discussing other than it is another government program where the people consent to allow government to pursue certain things with the explicit promise it will be protected.

So you're right, they're different but in the eyes of people watching, it is the U.S. government officials' leaking the name of a U.S. citizen and if it can happen here, it may happen there. Trust me, you and I both want to see it reauthorized. It is in jeopardy if we don't get this resolved.

NUNES:
Our time is expired, I'll yield 15 minutes to Mr. Schiff.

SCHIFF:
Thank you, Mr. Chairman.

I just want to follow up with a few questions about Roger Stone that I had started with earlier before I passed it to my colleagues. Director Comey, are you aware that Roger Stone played a role in the Trump campaign?

COMEY:
I'm not going to talk about any particular person here today, Mr. Schiff.

SCHIFF:
I'm going to continue to ask these questions because among other things, I want to make sure you are aware of these facts whether you're able to comment on them political dirty tricks?

COMEY:
I'll give you the same answer, sir.

SCHIFF:
I mentioned before that Mr. Stone was in direct communication with a creature of Russian GRU, Guccifer 2.0 and that's something the intelligence assessment talked about, the role of Guccifer 2.0.

Mr. Stone on August 17, are you aware, received communication from Guccifer 2.0 that said, quote "I'm pleased to say that you are great. Please tell me if I can help you any how. It would be a great pleasure to me." Are you aware of that communication from essentially Russian GRU through Guccifer to Mr. Stone?

COMEY:
I have to give you the same answer.

SCHIFF:
Are you aware that Mr. Stone also stated publicly that he was in direct communication with Julian Assange and WikiLeaks?

COMEY:
Same answer.

SCHIFF:
Are you aware that Mr. Stone also claimed that he was in touch with an intermediary of Mr. Assange?

COMEY:
Same answer.

SCHIFF:
This is a question I think you can answer. Do you know whether the Russian intelligence service has dealt directly with WikiLeaks or whether they too used an intermediary?

COMEY:
We assessed they used some kind of cutout. They didn't deal directly with WikiLeaks. In contrast to D.C. Leaks and Guccifer 2.0.

SCHIFF:
In early October, are you aware that Mr. Stone tweeted I have total confidence that my hero, Julian Assange will educate the American people soon. Are you aware of that tweet?

COMEY:
I'm back to my original same answer.

SCHIFF:
And are you aware that it was only days later that WikiLeaks released the Podesta e-mails?

COMEY:
Same answer.

SCHIFF:

I'm going to yield now to Mr. Himes.

HIMES:
Thank you, Mr. Schiff.

I know that we're going through the 90 minute mark in this hearing so let me step back a second and just review the topics because there's a lot on the table and I think my friends on the Republican side will get no argument from this side on the importance of investigating, prosecuting leaks.

Leaks are a threat to our national security whether they're perpetrated by Edward Snowden, whether they're perpetrated by people outside the White House or perhaps as we have seen in the last 60 days, maybe from people inside the White House.

But Mr. Comey, if I can use your phrase, intense public interest. There is intense public interest in the fact that our new president will attack anyone and everyone. He will attack the cast of Hamilton, he will attack Chuck Schumer, he will attack our allies, Mexico, Australia, Germany, he will attack the intelligence community, which you lead. Associating you with McCarthyism and Nazism.

But there's one person in one country which is immune, which is inoculated from any form of presidential attack no matter what the behavior. No matter if there's a violation of the INF nuclear treaty, no matter if Vladimir Putin kills political opponents, the new president defends, obfuscates, does not attack. And the people around the president, Michael Flynn, Jeff Sessions, Carter Page, Paul Manafort, have an odd connection to Russia. A series of odd connections. We all campaigned.

I don't think any of our campaign people have connections with a foreign power, much less one that is an adversary of the United States. And further, apart from these weird links, without exception, the individuals I've quoted have dissembled or misled, maybe even lied about the nature of those -- those connections until the political pressure has gotten to a point where they have been fired or recused, in the case of the Attorney General.

So I want to look briefly at one of these individuals -- and Director Comey, I understand your constraints but -- but let me ask a couple of questions regardless. Paul Manafort, who is Roger Stone's business partner and former -- and Trump's former campaign manager, I want to ask you a few questions about him.

First, Director Comey, can you tell me what the Foreign Agents Registration Act is?

COMEY:
Sure. Not in an expert way, but it's a statute that requires people who are acting as agents of a non-U.S. government to register with the United States.

HIMES:
Right. So the National Security Division of the Department of Justice writes -- this is their manual. The purpose of FARA, as it is known, is to ensure that the U.S. government and the people of the United States are informed of the source of information and the identity of persons attempting to influence U.S. public opinion, policy, and laws. Unquote.

Would you agree that guarding against foreign espionage or foreign influence measures falls under this heading?

COMEY:

Yes.

HIMES:
In general, is willful violation or failure to register pursuant to this law in some circumstances a crime?

COMEY:
I believe it is. I'm not an expert on FARA, but I believe it is.

HIMES:
And it could lead, certainly, to counterintelligence concerns, right?

COMEY:
Yes.

HIMES:
Now, Paul Manafort, as reported in the New York Times and other outlets and his deputy, Rick Gates ran a campaign in Washington to lobby government officials and push positive press coverage of pro Russian-Ukrainian officials. Paul Manafort began officially working for former Ukrainian President Yanukovych at least as far back as 2007, according to the Washington Post.

The lobbying was only discovered by Ukraine's new National Anti- Corruption Bureau, which found secret ledgers in Kiev, indicating almost $13 million in undisclosed cash payments from Ukrainian government coffers (ph), to Paul Manafort for lobbying done between 2007 and 2012, for Mr. Yanukovych -- Yanukovych.

Director Comey, did Paul Manafort ever register as a foreign agent under FARA?

COMEY:
That's not something I can comment on.

HIMES:
Whether he registered or not is not something that you can comment on?

COMEY:
No.

HIMES:
OK. Paul Manafort was, however, Donald Trump's campaign manager in July of 2016, correct?

COMEY:
Mr. Himes, I really don't wanna get into answering questions about any individual U.S. person.

HIMES:
OK...

COMEY:
Look, I'm -- it's obvious from the public record. But I don't wanna start down the road of answering questions about somebody.

HIMES:
OK. Well, I think the facts would show that he never did register. But as the ranking member pointed out, it perhaps should come as no surprise that the Republican platform, which was drafted at the Republican Convention in July of 2016, underwent a pretty significant change with respect to the American response to Russia's illegal invasion of Ukraine and their aggression in that country.

It appears, from our standpoint, that we had -- we had perhaps somebody who should've registered under FARA pulling the strings, there. There's more though and I don't know how much you'll be able to comment on this. But I wanna just explore for a second, the nature of the Russian government, because oftentimes the question becomes, was there contact with Russian officials.

And I want to read you a brief quote from a book on Putin's government. This is by Professor Karen Dawisha who wrote, "Instead of seeing Russian politics as an inchoate democratic system being pulled down by history, accidental autocrats, popular inertia, bureaucratic incompetence, or poor Western advice, I conclude that from the beginning Putin and his circle sought to create an authoritarian regime ruled by a close-knit cabal -- who used democracy for decoration rather than direction."

Mr. Comey, is it fair to say that the line that exists in the United States between government officers and government officials, is blurred in Russia? That there may be oligarchs or other individuals who on the surface appear to be private citizens, but who have connections to this close-knit cabal who might be agents of influence or might be doing the Kremlin's bidding in contact with others?

COMEY:
That's fair to say and one of our counterintelligence missions is to try to understand who are those people and are they acting on behalf of the Russian government, those Russian citizens.

HIMES:
Is it generally true that there is a category of Russian oligarchs that are likely part of this close-knit cabal?

COMEY:
In a general sense.

HIMES:
And if they go way back with Vladimir Putin, do the chances increase that they might be connected with the KGB, as is asserted by Professor Dawisha?

COMEY:
The longevity of the association can be a consideration.

HIMES:
And the KGB was the Russian intelligence service under the Soviet Union, right?

COMEY:
Correct, former...

HIMES:
And the Ukraine was part of the Soviet Union?

COMEY:
Correct.

HIMES:
Right. I'll just observe, Renault Akhmetov, a steel and iron (ph) or a magnate or oligarch, is the richest man in Ukraine and a strong Putin ally. He was the one who reportedly recommended Paul Manafort to Yanukovych.

Mr. Comey, last set of questions from me, I have a report that appeared in CNN yesterday. The headline is, "Former Trump Campaign Chief Paul Manafort Wanted for Questioning in Ukraine Corruption Case." And I -- I raise this with you because the story is told of Paul Manafort acting on behalf of Ukraine's former justice miniature -- minister Oleksandr Lavrynovych, which who was the justice minister under the previous pro-Russian regime who -- and I'll just read a segment from the story here.

Who was involved in jailing the former Prime Minister Tymoshenko who was the main political rival of the Kremlin backed President Viktor Yanukovych who Manafort advised until he was deposed in 2014. Tymoshenko was released from jail at the same time that Yanukovych was ousted. Many saw her sentencing as politically motivated by the pro- Russian government.

In response to the deterioration international climate, Ukrainian prosecutors say Manafort drafted a public relations strategy that included hiring Skadden Arps, an American law firm, to review the Tymoshenko case. And show the conviction had a sound legal basis. The story goes on to talk about the transfer of over $1 million, potentially, illegally from Ukrainian coffers (ph) to Skadden Arps.

And the reason I bring all this up with you is because the story also says and it appears to have been confirmed by the Department of Justice that the current Ukraine regime, hardly a friend of the Russians. And very much targeted by the Russians has made seven requests to the United States government's -- the United States government for assistance under the MLA treaty in securing the assistance of Paul Manafort as part of this on anti-corruption case. And in fact, the story says that you were presented personally with a letter asking for that assistance.

So my question Director Comey is, is that all true? Have you been asked to provide assistance to the current Ukrainian government with respect to Paul Manafort? And how do you intend to respond to that request?

COMEY:
It's not something I can comment on. I can say generally, we have a very strong relationship and cooperation in the criminal and national security areas with our Ukrainian partners, but I can't talk about the particular matter.

HIMES:
The story says that the DOJ confirmed that there have been requests for assistance on this matter. You can't go as far as -- as confirming that in fact there have been these requests made?

COMEY:
If they've done that, I would need them to do it again. I -- I can't comment on it.

HIMES:
OK. Well, I appreciate that and with that I will yield back the remainder of my time to the ranking member.

SCHIFF:
And I yield to Terri Sewell.

SEWELL:
Thank you Mr. Ranking Member.

My questions this morning really revolve around the resignation of the former national security adviser Michael Flynn.

Director Comey, much as been made about Russia's historical interference with political elections around the world meant to cause discord and -- and -- and disunity especially in Western alliance's. Does the FBI generally assume that Russian ambassadors to the United States like Ambassador Kislyak, are at least overtly, collecting intelligence on influential Americans, especially political leaders.

COMEY:
Ms. Sewell, that's not something I can answer in an open setting.

SEWELL:
Am I right that in the -- that in the Russian playbook -- that it's in the Russian playbook to use diplomats and business people and Russian intelligence officers, whether declared or not to, collect intelligence on influential Americans for the purpose of affecting U.S. policy?

COMEY:
I can answer as a general matter. Nation states that are adversaries of United States use traditional intelligence officers, sometimes used intelligence officers operating under diplomatic cover, use people we call co-opties (ph), maybe a private citizens, students, academics, business people, all manner of human beings can be used in a -- in an intelligence collection operation. But I'm not gonna talk about the particular.

SEWELL:
Would someone like Ambassador Kislyak Play that type of role for Russia?

COMEY:
I can't say here.

SEWELL:
The declassified January intelligence community assessment report that your agency helped to draft, the report that's entitled assessing Russian activities and intentions in the recent U.S. elections specifically states that, quote, "Since the Cold War, Russian intelligence efforts related to the United States elections have primarily

focused on foreign intelligence collections that could help Russian leaders understand a new U.S. administration's plans and priorities," end quote.

So knowing what we know about Russia's efforts and the role of the Russian ambassador, Director Comey, would you be concerned if any one of your agents had a private meeting with the Russian ambassador?

COMEY:
If an FBI agent had a private meeting with a Russian government employee of any kind, it would be concerning and I assume by private, one that's not disclosed or part of their operational activity, yes.

SEWELL:
That's right. And would you expect that agent to report that meeting?

COMEY:
Yes.

SEWELL:
Admiral Rogers, similar question. If -- would you be concerned if one of your intelligence officers had a private meeting with the Russian ambassador? And would you expect that intelligence officer to report that meeting?

ROGERS:
Disclosures of interactions with foreign governments is a requirement for all our employees to include myself, for example.

SEWELL:
I ask these questions because on at least four occasions that I can count, Mr. Flynn, a three-star general and a former intelligence officer, someone with influence over the U.S. policy and someone with knowledge of state secrets and the incoming national security advisor, communicated with and met with the Russian ambassador and failed to disclose it.

So I ask you directors, if you wouldn't stand for your own staff to do this, why should we, the American people accept Michael Flynn doing it?

COMEY:
Ms. Sewell, I'll let Mike Rogers take it next but I -- I don't -- I can't speak to what the disclosure obligations are for other people in the government so it's hard for me to answer that. I can answer and I answered, I hope accurately with respect to one of the FBI special agents.

ROGERS:
And I likewise would answer the same way in terms of the NSA.

SEWELL:
I yield back...

NUNES:
... gentleman's time -- gentleman's time has expired. I'll yield myself 15 minutes.

Director Comey, you announced this morning that there'll be an investigation into Trump associates possible and President Trump and anyone around the campaign and any association with the Russian government.

If this committee or anyone else for that matter, someone from the public, comes with information to you about the Hillary Clinton campaign or their associates or someone from the Clinton Foundation, will you add that to your investigation? They have ties to Russian intelligence services, Russian agents, would that be something of interest to you?

COMEY:
People bring us information about what they think is improper unlawful activity of any kind, we will evaluate it. Not just in -- not just in this context. Folks send us stuff all the time. They should keep going that.

NUNES:
Do you think it's possible that the Russians would not be trying to infiltrate Hillary Clinton's campaign, get information on Hillary Clinton and try to get to people that are around that campaign or the Clinton Foundation?

COMEY:
I'm not prepared to comment about the particular campaigns but the Russians in general are always trying to understand who the future leaders might be and what levers of influence there might be on them.

NUNES:
I just hope that if -- if information does surface about the other campaigns, not even just Hillary Clinton's but any other campaigns, that you would take that serious also if the Russians were trying to infiltrate those campaigns around them.

COMEY:
Of course we would.

NUNES:
OK. I yield to Mr. Conaway.

CONAWAY:
Thanks, Chairman. Gentlemen, thanks for being here.

Admiral Rogers, you'd mentioned analytic standards earlier in the conversation. Are those standards the same for all intelligence analysts across the various agencies?

ROGERS:

There's a broad set of intelligence community promulgated standards for all of us and then there are specific issues associated, for example, with a particular authority that you're using to collect the information in the first place.

CONAWAY:
So, gentleman, same thing your -- your agency -- your analysts would have I think similar type standards?

COMEY:
Correct. That's one of the really good things that's happened since 9/11, especially since 2004 is the adoption of a common set of tradecraft provisions.

CONAWAY:
So, on a CPA and we have generally astounded -- generally accepted accounting standards which are promulgated across a variety of things. Are those same standards publicly promulgated as -- but generally disseminated through all of your analysts, I would assume would have some sort of a test that they know those standards?

ROGERS:
I think the specifics of the IC promulgated standards are classified but I could take that one for the record.

CONAWAY:
When the IC attributes a hacking to a particular actor, you do that through generally forensic evidence. But when it comes to try to determine intent foreign leaders, can you walk us through how the NSA does that or the FBI does that?

ROGERS:
We assess the range of information that we've collect -- collected in an attempt to generate understanding as to not only what has occurred, but part of the intelligence professional -- profession is also trying to understand why, what was the intent. We'll use the range of information we have available to us, while we're primarily a single source organization.

It's one reason why organizations like CIA, the Defense Intelligence Agency, which take multiple sources try to put together a complete picture. So we're just one component of a broader effort.

CONAWAY:
Director Comey, anything different than that?

COMEY:
No, it's about putting together a puzzle. Sometimes from forensics alone, you can get a pretty good indication as to what they must be intending to accomplish, other times requires human sources and additional a signals intelligence to give you that sense.

CONAWAY:
So both you agree, though, it's rarely a precise art -- or a precise science of determining intent of any foreign leader.

ROGERS:
That's correct.

COMEY:
All of intelligence work requires judgment. That's at the at the center of it.

ROGERS:
But I will say in some cases, it's a much clearer case than in others. There are some...

(CROSSTALK)

CONAWAY:
It depends on the sources you have inside a particular foreign leader's shop.

ROGERS:
I'm not going to get into specifics.

CONAWAY:
Just in general. If you have somebody whose next door neighbor -- never mind. Pivoting to the January 7 -- January 6 intelligence community assessment, both your agencies agree with the assessment that the Russian's goal was to undermine the public faith in U.S. democratic process. Is that still your assessments?

COMEY:
Yes.

ROGERS:
Yes.

CONAWAY:
Same assessment said that the Russian's goal was to -- wanted to denigrate Secretary Clinton and harm her electability and potential presidency and that Putin wanted to discredit Secretary Clinton because he publicly blamed her since 2011 for insighting mass protests against his regime in late 2011, early 2012. You both still agree with that assessment?

COMEY:
Yes.

ROGERS:
Yes.

CONAWAY:

And then finally, Admiral Rogers, that assessment went on to say that president Putin and the Russian government aspired to help president -- I guess he would have been candidate Trump at the time -- but president-elect Trump's election chances when possible by discrediting Secretary Clinton. You had a lower...

ROGERS:
Confidence level.

CONAWAY:
... confidence level. Is that still the case?

ROGERS:
Yes, sir.

CONAWAY:
Can you tell the group why you were...

ROGERS:
I'm not going to get into specifics in an unclassified forum but for me, it boiled down to the level and nature of the sourcing on that one particular judgment was slightly different to me than the others.

COMEY:
To be clear, Mr. Conaway, we all agreed with that judgment.

ROGERS:
We all agreed with the judgment.

CONAWAY:
Right, right, right. But you really agreed and he almost really agreed.

COMEY:
Not term out folks use, but I...

(CROSSTALK)

CONAWAY:
Director Comey, in terms of laying out those three assessment and whether or not the IC was consistent in its view of those three assessments across the entire campaign. And we walked through kind of the FBI's walk down that path.

Did -- as of early December of '16, did the FBI assess that the active measures were to undermine -- by the Russians were to undermine the faith in U.S. Democratic process as you come to that conclusion by early December?

COMEY:
I think that's right, December of last year.

CONAWAY:
Sixteen, yes sir.

COMEY:
I think we're at that point, yes.

CONAWAY:
And then active measures conducted against Secretary Clinton, to denigrate her, hurt her campaign and also undermined her presidency?

COMEY:
Correct.

CONAWAY:
All right. And then, the conclusion that active measures were taken specifically to help President Trump's campaign, you had that -- by early December, you already had that conclusion?

COMEY:
Correct, that they wanted to hurt our democracy, hurt her, help him. I think all three we were confident in, at least as early as December.

CONAWAY:
OK. The -- the paragraph that gives me a little concern there, in terms of just the timing of when all of that occurred because I'm not sure if we went back and got that exact same January assessment six months earlier, it would've looked the same. Because, you say, when we further assessed Putin and the Russian government developed a clear preference for President-elect Trump.

Any idea when that clear preference in the analysis, when did that get into the lexicon of whether you talk back and forth among yourselves on a -- on a classified basis?

COMEY:
I don't know for sure, but I think that was a fairly easy judgment for the community. He -- Putin hated Secretary Clinton so much, that the flipside of that coin was he had a clear preference for the person running against the person he hated so much.

CONAWAY:
Yeah and that and that my work on Saturday afternoon when the -- my wife's Red Raiders are playing the Texas Longhorns. She really likes the Red Raiders. But all the rest of the time, I mean the logic is that because he really didn't like president -- the Candidate Clinton, that he automatically liked Trump. That assessment's based on what?

COMEY:
Well, it's based on more than that. But part of it is and we're not getting into the details of it here, but part of it is the logic. Whoever the Red Raiders are playing, you want the Red Raiders to win, by definition, you want their opponent to lose.

CONAWAY:
I know, but this says that -- that you wanted both of them -- you wanted her to lose and wanted him to win. Is that what you were saying?

COMEY:
Right, they're inseparable -- right, it's a two -- it's a two person...

CONAWAY:
Right, right.

COMEY:
... event.

CONAWAY:
I got you. So I'm just wondering when you decided you wanted him to win?

COMEY:
Well, logically when he wanted her to lose, wanted...

CONAWAY:
No, no, no, I'm not talking about him, Putin, I got that. I got that. But the question is, we're on this clear -- well let me finish up then.

So we go through that sentence about the clear preference for Donald Trump. And we don't know exactly when you guys decided that was the case. Then it says, when it appeared to Moscow that Secretary Clinton was likely to win the election, the Russian influence campaign then focused on undermining her expected presidency.

So -- and then election then says, the government -- the Russian government aspired to help President-elect Trump election chances. So when did they not think she was going to win?

COMEY:
Well, the assessment of the Intelligence Committee was, as the summer went on and the polls appeared to show that Secretary Clinton was gonna win, the Russians sort of gave up and simply focused on trying to undermine her, it's your Red Raiders, you know they're not going to win.

COMEY:

So you kind of hope key people on the other team get hurt so they're not such a tough opponent down the road. And so there was at some point...

(CROSSTALK)

CONAWAY:
Sir, do you believe that the FBI was consistent through early December and on that that was the case. That they -- they assessed that they really wanted Trump to win it and were working to help him win and her lose.

COMEY:
Yes, our analysts had a view that I don't believe changed, from late fall through to the report on January 6 that it had those three elements.

CONAWAY:
All right. So then on December the 9th, well in advance of the January 6th deal, the -- the Washington Post, put out an article. Their least sentence was that this -- and again, CIA, they're not here today but we'll hopefully have them next week, concluded in a secret assessment that Russia intervened in the '16 election to help Donald Trump win the presidency rather than to undermine the confidence in the electoral system. Rather than just undermine it, they don't mention Mrs. Clinton at all.

And then it says to help Trump elected, the U.S. senior briefed on the intelligence position -- that the U.S. -- that U.S. official briefed by -- briefed on intelligence presentation to U.S. Senators said that's the consensus view. How much did it -- this is written by name Adam Intas Elaine (ph) something and Greg Miller. Do they have drafted you last -- the January 6th document for the Intel Committee.

COMEY:
I'm sorry.

CONAWAY:
Did those writers from the Washington Post help you write the January 6 assessment?

COMEY:
No, they did not.

CONAWAY:
I wonder how they got almost the exact language on December the 9th.

COMEY:
It hadn't been written yet. I don't know. This is the peril of trying to comment on newspaper articles that report to report classified information. I can't say much about them, they're often wrong.

CONAWAY:
You mentioned earlier in one of our hearings that when anybody uses -- the I can't talk because I'm bound by position anonymity or whatever, that really is code for breaking the law generally, right?

When somebody says I'm talking to a reporter, I'm declassifying secret information, you can't tell -- the reporter can't tell who it is because, as Mr. Gowdy was saying earlier, speaking on condition of anonymity. That really should be interpreted because I'm breaking the law and I don't want to be ousted. It that a fair statement?

COMEY:
Sometimes. I think there are other motives behind people requesting anonymity but that can be one of them.

CONAWAY:
So it's you're statement to us then that the FBI was consistent in it's assessment that they integrate the U.S. electoral process, hurt Hillary and her potential and current across all of that across all of that, that they intended to help Trump, that's your testimony this morning?

COMEY:
Correct.

CONAWAY:
Thank you. I yield back.

NUNES:
Mr. King?

KING:
Thank you Mr. Chairman.

If you could yield me a few minutes into the next round -- I'll just start with this -- make the comment.

First of all, let me thank Director Comey and Admiral Rogers for being here today. And for what I believe it's been the cooperative you've always given this committee. So thank you very much for that, for your service.

Director Comey, I think we're in a predicament here today. I understand your situation where you can't comment on the investigation. And yet we've can have various scenarios laid out which can go on for months and months and months without anyone be able to disprove them until the investigation is completed.

I just like to use the example, for instance we could've said that in 2012 President Obama was overheard on microphone telling Medvedev that I'm reelected, tell Vladimir we can work out better arrangements. We know that he ridiculed candidate Romney in the 2012 election when Romney said that he thought Russia still a threat.

And then in 2013 we saw that basically President Obama invited the Russians into Syria when they've been pretty much removed from the Middle East 40 years before. And also as far as aid to Ukraine, far as I recall, the Obama administration always refuse to give the lethal aid to Ukraine and it can be argued that the Republican platform in 2016 was actually stronger than the Democratic platform on that.

So again if we -- if there was investigation going on with the Obama administration, we can lay out all these scenarios and say well that proves something or it might prove something. Until the investigation was completed, that type of almost possibly slanderous comments could be made.

So I would just, again, if -- I'm not asking you to hurry the investigation along, you have to do what you have to do. But I guess I could ask you just in the remaining moments I have in this round, I know that -- I guess it was just two weeks ago that Director Clapper said that as far as he knows, all the evidence he's seen, there's no evidence of any collusion at all between the Trump campaign and the Russians.

Now obviously a detailed, exhaustive report was put out talking about Russian influence in the campaign along with the intelligence apparatus had input into that. Do either you or Admiral Rogers have any reason to disagree with the conclusion of General Clapper that there's no evidence of collusion between the Russians and the Trump campaign.

COMEY:
Mr. King, it's not something I can comment on.

ROGERS:
Likewise, I'm not going to comment on an ongoing investigation's conclusions.

KING:
But again, you're not going to disagree with General Clapper, you're just not going to comment. And the reason I'm pointing that out is, that's sort of the situation, you know, the other way around that you can't comment on something, often there's inference out there that because a person's name is brought up, because he may have worked with somebody at a certain time, that there's a guilt implied in that so that's one problem.

I'm not in any way being critical of either of you, I'm just saying this is a situation I think can be damaging to the country and does advance the Russian interest of trying to destabilize democracy and cause a lack of confidence in our system.

And with that, I yield back, Mr. Chairman.

NUNES:
Gentleman yields back.

I recognize Mr. Schiff for 15 minutes.

SCHIFF:
Thank you, Mr. Chairman.

I just have a couple of follow-up questions before I pass to Representative Sewell. It wasn't simply that the Russians had a negative preference against Secretary Clinton, they also had a positive preference for Donald Trump, isn't that correct?

COMEY:
Correct.

SCHIFF:
And I won't ask you to say whether this is an accurate characterization of Mr. Trump, I won't put you in that spot, but would it be logical for the Kremlin to prefer a candidate that disparaged NATO to be president of the United States?

COMEY:
You're not going to put me in that spot, you said?

SCHIFF:
Yes.

(LAUGHTER)

COMEY:
I'm happy with that. I'm happy with that.

SCHIFF:
I'm not going to put you in the spot of answering whether this is an accurate characterization of Mr. Trump's views, but it would be logical for the Kremlin to want someone who had a dim view of NATO. Is that right?

COMEY:
All kidding aside, I don't think that's something I should be answering. That's beyond my responsibilities.

SCHIFF:
Well, what is the Russian view of NATO. Do they like NATO? Do they want to see NATO strong?

COMEY:
Again, I'm sure you have already spoken to people who are greater experts than I but yes, they don't like NATO. They think NATO encircles them and threatens them.

SCHIFF:
And would they have a preference for a candidate that expressed an openness to repealing the sanctions over Ukraine?

COMEY:
Again, I don't want to get into business of commenting on that. I know...

SCHIFF:
Then let me ask you this way, Director. Would they like to see the sanctions on Ukraine go away?

COMEY:
Yes.

SCHIFF:
Would they have a preference for a candidate who expressed open admiration for Putin?

COMEY:
Can I help you reformulate the question? Mr. Putin would like people who like him.

SCHIFF:
Would they have a preference for a candidate who encouraged Brexit and other departures from Europe? Would they like to see more Brexits?

COMEY:
Yes.

SCHIFF:
And have the Russians in Europe demonstrated a preference for business people as political leaders with the hope that they can entangle them in financial interests or that they may allow their financial interests to take precedence over the interests of the countries in Europe they represent?

COMEY:
In our joint report, we recount that the Russians -- that President Putin has expressed a preference for business leaders in leading other governments and mentions Gerhard Schroder and -- I'm going to forget one. Berlusconi because he believes they're people that are more open to negotiation, easier to deal with.

SCHIFF:
At this point, let me yield to Representative Sewell.

SEWELL:
I'd like to continue my questioning -- the line of questioning on Michael Flynn.

I'm sure you can understand my concern that Mr. Flynn not only failed to disclose the contacts with the Russian ambassador, but he said he did not remember whether he discussed sanctions against Russia with that ambassador and I find that really hard to believe. And wouldn't you think that at the height of our concern about Russian hacking, that Mr. Flynn would have remembered meeting with the Russian ambassador and would have been --and would have told him to stop meddling in our affairs, but that didn't happen, did it?

COMEY:
Mrs. Sewell, that's not something I can answer.

SEWELL:
Not only did Mr. Flynn not remember talking to the Russian ambassador and not only did he not remember what they talked about, he also appeared to have lied to Vice President-elect Mike Pence all about it.

Now, Mr. Comey, do you think that Mr. Flynn's failure to disclose the communication and contact he had with the Russian ambassador and their topic of conversation along with a blatant lie to Vice President Pence meet the standard for an investigation by the FBI?

COMEY:

I have to give you the same answer, I'm not going to comment.

SEWELL:
Now, I know, Director Comey, that you probably can't comment on this as well but I think it's really important that we review a short timeline and -- that's based on press reportings because we need to get this for the public record, I think.

So on December 25, 2016, Mr. Flynn reportedly exchanged text messages with the Russian ambassador. On December 28, 2016, Mr. Flynn reportedly spoke on the phone with the Russian ambassador. By then, it was pretty clear that the Obama administration was going to take actions against Russia. On December 29, 2016, Mr. Flynn reportedly spoke on the phone with the Russian ambassador again.

That day, the Obama administration expelled 35 Russian operatives from the United States and announced new sanctions. We also know from press reportings that sometime in December, Mr. Flynn met in person with the Russian ambassador at Trump Tower and that Mr. Trump's son- in-law, Jared Kushner was also there. The purpose of the meeting was to quote "Establish a line of communication" end quote, with the Kremlin.

I should add that the White House and Mr. Flynn didn't disclose this December face-to-face meeting until this month. On January 20 -- January 12, sorry -- 2017, press reported that Mr. Flynn contacted the Russian ambassador again.

And on January 15, 2015 vice President-elect, Mike Pence stated on several Sunday morning shows regarding Mr. Flynn's conversation with ambassador quote, "What I can confirm, having spoken to him about it, is that those conversations that happened to occur around the time that the United States took action to expel diplomats had nothing whatsoever to do with those sanctions," end quote.

On January 26, the -- the acting Attorney General, Sally Yates reportedly told president Trump's White House counsel, who immediately told President Trump that Mr. Flynn was vulnerable to Russian blackmail because of discrepancies between Vice President-elect Pence's public statement and Mr. Flynn's actual discussions.

On February 10, President Trump denied knowledge of this, telling reporters on Air Force One, quote, "I don't know about that," end quote, in response to questions about Mr. Flynn's conduct. The White House also publicly denied that Mr. Flynn and the Russian ambassador discussed sanctions. And of course on February 13, 2017, Mr. Flynn resigned as national security advisor.

Now, Director Comey, all of these accounts are open source press reportings. Given Russian's long-standing desire to cultivate relations with influential U.S. persons, isn't the American public right to be concerned about Mr. -- Mr. Flynn's conduct, his failure to disclose that contact with the Russian ambassador, his attempts to cover it up and what looks like the White House's attempts to sweep this under the rug.

Don't we, as the American people, deserve the right to know and shouldn't our FBI investigate such claims?

COMEY:
I can't comment. I -- I understand people's curiosity about our work and intense interest in it, and as Mr. King said, oftentimes, speculation about it. But we can't do it well or fairly to the people we investigate if we talk about it. So I can't comment.

SEWELL:
I'd like to turn to another topic about Mr. Flynn, his failure to disclose until pressured last week, by my colleagues on the House Oversight and Government Relations Committee, Government Reforms Committee,

payments he received from Russia for his 2015 trip to the 10th anniversary Gala of RT, the Russian owned propaganda media outlet.

According to the January 2017 declassified IC assessment report, RT's criticism of the United States was quote, "The last facet of its broader and long-standing anti-U.S. messaging likely aimed at undermining viewer's trust in the U.S. Democratic procedures," end quote. This January assessment points out that this was a strategy that Russia employed, going back to before, the 2012 elections, according to the IC assessment.

So Admiral Rogers, am I right that the RT is essentially owned by the Russian government? And how long has the intelligence community been looking at RT as an arm of the Russian government?

ROGERS:
So we're certainly aware and have been for some period of time of the direct connections between Russian government and RT individuals, we're aware of monetary flow and other things. We have been...

(CROSSTALK)

SEWELL:
And how long have you known about that, a few months, a few years, I mean how long has the United States...

(CROSSTALK)

ROGERS:
Some number of years, I apologize ma'am, I just don't know off the top of my head.

SEWELL:
Aren't I right to assume then, that the former Director of DIA, the Defense Intelligence Agency Mr. Flynn, would have been aware that RT's role as an anti-U.S. Russian propaganda outlet when he agreed to speak at their anniversary Gala in 2015. Isn't it reasonable to assume that he would know?

ROGERS:
I'm not in a position to comment on the knowledge of something else from another person, ma'am.

SEWELL:
Director Comey, would be unusual for a foreign government official to be -- to get paid by a foreign adversary to attend such an event? And would it be unusual and raise some questions at the FBI, if that person failed to disclose the payments received for that trip?

COMEY:
I don't know in general and as to the specific, I'm -- I'm just not gonna comment.

SEWELL:
Yes, sir. I understand that you can't comment. But I'd like to read an exchange between Mr. Flynn and a Yahoo news correspondent from July 2016 regarding his trip to Russia, during the RT event. The correspondent asked, "Were you paid for that event?" Then, there was back and forth for a bit. And then Mr. Flynn said, quote, "Yeah. I didn't take any money from Russia if that's what you're asking me," end quote.

So Director Comey, isn't it true that the House Oversight Committee last week, received information and released publicly that Mr. Flynn accepted nearly $35,000 in speaking fees and traveling fees from RT, this government -- Russian government owned media outlet.

COMEY:
I believe I've seen news accounts to that effect.

SEWELL:
Moreover, isn't it also true that according to the emoluments clause of the United States Constitution, a person holding any office of profit or trust cannot accept gifts or payments from a foreign -- from a foreign country.

And doesn't the DOD, the Department of Defense prohibit retired military officers from taking any consulting fees, gifts, traveling expenses, honorariums, a salary from a foreign government, including commercial enterprises owned by or controlled by a foreign government like RT?

COMEY:
That's not something I can comment on.

SEWELL:
Can you -- can you speak to whether or not the emoluments clause would apply to someone like Mr. Flynn, a retired three-star general?

COMEY:
I can't.

SEWELL:
So isn't is -- I just find be really hard to believe that given the emoluments clause does apply to retired officers like Mr. Flynn. I can't believe that Mr. Flynn, a retired military officer would take money from the Russian government in violation of the United State Constitution. And I believe that such violations worthy of a criminal investigation by the FBI.

What level of proof do we need in order for us to have a criminal investigation by the FBI of Mr. Flynn?

COMEY:
I can't comment on that.

SEWELL:
Shouldn't the American people be concerned what -- I think that it's really hard for us to fathom that he wouldn't know that he should've disclosed that he received $30,000 as a part of -- of a speaking engagement to RT, the Russian U.S. anti-propaganda outlet.

COMEY:
I can't comment on that Ms. Sewell.

SEWELL:
My final line of questioning is in regard to Mr. Flynn working as an agent of a foreign power.

Now Director Comey, following on Mr. Himes's line of questioning, am I correct that the Foreign Agents Registration Act requires that individuals who lobby on behalf of a foreign government must register with the United States government?

COMEY:
I believe that's correct. I know keep saying I'm not an expert. The reason I'm saying that is, I don't know exactly how they define things like lobbying in the statute. But as a general matter, if you're going to represent a foreign government here in the United States, touching our government, you should be registered.

SEWELL:
And isn't it true that just last November 2016, Mr. Flynn was working as a foreign agent doing work that principally benefited the government of Turkey and yet reported until just last week?

COMEY:
I can't comment on that.

SEWELL:
Isn't it true that Mr. Flynn was reportedly paid over half $1 million for this work?

COMEY:
Same answer.

SEWELL:
And isn't it true that the Trump White House, on at least two occasions, was asked by Mr. Flynn's lawyers whether he should report that work, the work that he was doing on behalf of the Turkish government. And yet the administration didn't give him any advice to the contrary.

Do you know anything about that?

COMEY:
I have to give you the same answer.

SEWELL:
So Director Comey, I know you I cannot discuss whether any investigations are ongoing with U.S. persons, and I respect that. I think it's important though that the American people understand the scope and breath of what, in public open source press reportings of Mr. Flynn's actions that led to his resignation.

And while we can't talk about whether there are an investigation, I believe that we here at HPSCI, at the House Permanent Select Committee on Intelligence must put those facts into the public domain. And they are one, that Mr. Flynn lied about his communication with the -- with the Russian ambassador.

Secondly, That Mr. Flynn lied about taking money from the Russian government and thirdly, that Mr. Flynn at a minimum did not disclose work as an agent of a foreign -- of a foreign power and that the White House did not help in this concern.

So gentlemen, it's clear to me that Mr. Flynn should be under criminal investigation. And I know you cannot comment but I believe it is my duty as a member of this committee to comment to the American people that this -- that his engagement of lying and failure to disclose really important information and contacts with a foreign ambassador do rise to the level of -- of disclosure and to me, criminal intent.

So I say this to say that the American people deserve to know the full extent of Mr. Flynn's involvement with the Russians and the extent to which it influenced the 2016 election. I believe our democracy requires it.

Thank you, I yield back to my ranking member.

NUNES:
Time's expired. Recognize myself for 15 minutes.

Mr. Comey and Mr. Rogers, you both said that the Russians had -- they favored Donald Trump, the selection. And you made that change, from the beginning of December it was not that they were trying to help Donald Trump, but that changed by early January. Mr. Conaway talked about that. Do -- do Russians...

COMEY:
I don't -- I don't agree with that. I want to make sure I didn't misspeak earlier. We didn't change our view from December to early January. We, the FBI -- and I don't know that anybody else did on the I.C. team.

ROGERS:
Me, from my perspective, we didn't have a fully formed view until the end of December...

NUNES:
At some point -- at some point, the assessment -- at some point, the assessment changed from -- from going from just trying to hurt Hillary Clinton to no, that they were actually trying to help Donald Trump get elected. That was early December as far as I know and then by January, you had all changed your mind on that.

COMEY:
Well that's not my recollection.

ROGERS:
That's not my recollection either, sir.

NUNES:
OK. So is it -- do Russians historically prefer Republicans to win over Democrats?

COMEY:
I don't know the answer to that. I don't know the answer to that.

NUNES:
Did the Russians prefer Mitt Romney over Barack Obama in 2012?

ROGERS:
I don't know that we ever did -- drew a formal analytic conclusion.

NUNES:
Did the Russians prefer John McCain in 2008 over Barack Obama?

ROGERS:
I never saw a U.S. intelligence community analytic position on that issue.

NUNES:
Don't you think it's ridiculous to say that -- for anyone to say that the Russians prefer Republicans over Democrats?

ROGERS:
I didn't think that that's what you just heard us say, I apologize, sir.

COMEY:
I hope you didn't hear us to say that. We don't know in those particular races and I'm not qualified enough...

NUNES:
I'm just asking a general question. Wouldn't it be a little preposterous to say that historically, going back to Ronald Reagan and all that we know about maybe who the Russians would prefer, that somehow the Russians prefer Republicans over Democrats?

COMEY:
There is -- I'm not going to discuss in an unclassed forum, in the classified segment of the reporting version that we did, there is some analysis that discusses this because remember this did come up in our assessment on the Russian piece. I'm not going to discuss this unclassified forum.

NUNES:
Mr. -- Mr. King.

KING:
Thank you, Mr. Chairman.

And I would just say on that because again, we're not going into the classified sections, that indicating that historically Russians have supported Republicans, and I know that language is there, to me puts somewhat of a cloud over the entire report. It seems to indicate the direction it was going in, but anyway, let me just say this for the record, and I know what your answer's going to be, but I have to get this statement on the record.

On March 15, former acting director of CIA, Mike Morell, who was the acting director under President Obama and put on the record I've had differences with Mike Morell in the past but he was asked about the question of the Trump campaign conspiring with the Russians and his answer was there's smoke but there is not fire at all. There's no little camp fire, there's no little candle, there's no spark.

COMEY:
I can't comment, Mr. King.

KING:
Admiral Rogers.

ROGERS:
I'm not going to comment on an ongoing investigation.

KING:
I understand that. That was my way of getting on the record, so I appreciate that. You were talking about the significance of leaks and how important it is we stop them. And to me -- and I've been here a while -- I've never seen such a sustained period of leaks.

Going back to December where, not the Intelligence Committee, but the Washington Post was told the conclusion of the report -- a similar one -- what it was going to be. We have situations in the New York Times where they talk of meetings, they talk about transcripts, they talk about conversations.

There was one in particular that spoke about Trump campaign individuals meeting with Russian intelligence agents and again, Director Comey, I don't know if you can comment on this, but the White House chief of staff, said against that day, on the next day that Mr. McCabe from your office you went to him at the White House and told him that that story was BS.

Is there any way you can comment on whether or not Mr. McCabe told that to Mr. Priebus?

COMEY:
I can't, Mr. King, but I can agree with your general premise. Leaks have always been a problem. I read over the weekend something from George Washington and Abraham Lincoln complaining about them. But I do think in the last six weeks, couple of months, there's been at least -- apparently a lot of conversation about classified matters that's ending up in the media.

Now, a lot of it is just dead wrong, which is one of the challenges because we don't correct it, but it does strike me there's been a lot of people talking or at least reporters saying people are talking to them in ways that have struck me as unusually active.

KING:
I fully understand the media's fascination with palace intrigue, with which faction of the White House is trying to outdo the other, that's all -- to me, that's all legitimate, that goes with the game. But if you're talking about leaking classified information, if you're talking about leaking investigations, I mean -- you've stated today that there is an FBI investigation going on.

So if the New York Times can be believed, I would think there would have to be somebody from the FBI who is telling them about these purported meetings, which Mr. McCabe said was BS, with the Russian intelligence

agencies. Somebody who's familiar with that investigation spoke to the New York Times. And so I'll use that as an example and also, one where there's a small universe.

I think it was on January 6, when yourself, Admiral Rogers, Director Brennan, and General Clapper went to Trump tower to meet with President Trump. The media reports are that at the end of that meeting, Director Comey, you presented president-elect Trump with a copy of the now infamous or famous dossier. And I don't know how many people were in the room, but within hours, that was leaked to the media and that gave the media the excuse or the rationale to publish almost the entire dossier.

Do you -- does that violate any law? I mean you were at a classified briefing with the president-elect of the United States and it had to be a very, very small universe of people who knew that you handed them that dossier and it was leaked out within hours. Are you making any effort to find out who leaked it and do you believe that constitute a criminal violation?

COMEY:
I can't say, Mr. King except I can answer in general.

KING:
Yes.

COMEY:
Any unauthorized disclosure of classified conversations or documents is potentially a violation of law and a serious, serious problem. I've spent most of my career trying to figure out unauthorized disclosures and where they came from. It's very, very hard.

Often times, it doesn't come from the people who actually know the secrets. It comes from one hop out, people who heard about it or were told about it. And that's the reason so much information that reports to be accurate classified information is actually wrong in the media. Because the people who heard about it didn't hear about it right. But, it is an enormous problem whenever you find information that is actually classified in the media.

We don't talk about it because we don't wanna confirm it, but I do think it should be investigated aggressively and if possible, prosecuted so people take as a lesson, this is not OK. This behavior can be deterred and its deterred by locking some people up who have engaged in criminal activity.

KING:
Well, could you say it was -- obviously, Admiral Rogers was in the room, you were in the room, General Clapper was in the room and Director Brennan was in the room. Were there any other people in the room that could've leaked that out?

I mean this isn't a report that was circulated among 20 people. This is an unmasking of names where you may have 20 people in the NSA and a hundred people in the FBI, its not putting together a report or the intelligence agency. This is four people in a room with the president-elect of the United States. And I don't know who else was in that room and that was leaked out, it seemed within minutes or hours, of you handing him that dossier and it was so confidential, if you read the media reports that you actually handed it to him separately.

So believe me, I'm not saying it was you. I'm just saying, it's a small universe of people that would've known about that. And if it is a disclosure of classified information, if you're going to start with investigating the leaks, to me that would be one place where you could really start to narrow it down.

COMEY:
And again, Mr. King, I can't comment because I do not ever wanna confirm a classified conversation with a president or president-elect. I can tell you my general experience. It often turns out, there are more people who know about something you expected.

At first, both because there may be more people involved in the thing than you realized, not -- not this particular, but in general. And more people have been told about it or heard about it or staff have been briefed on it. And those echoes are in my experience, what most often ends up being shared with reporters.

KING:
Well, could you tell us who else was in the room that day?

COMEY:
I'm sorry?

KING:
Could you tell us who else was in the room with you that day?

COMEY:
No, because I'm not going to confirm that there was such a conversation because then, I might accidentally confirm something that was in the newspaper.

KING:
But could you tell us who was in the room, whether or not there was a conversation?

COMEY:
No, I'm not confirming there was a conversation. In a classified setting, I might be able to share more with you, but I'm not going to confirm any conversations with either President Obama or President Trump or when President Trump was the President-elect.

KING:
Well, not the conversation or even the fact that you gave it to him, but can you -- can you tell us who was in the room for that briefing that you gave?

COMEY:
That you're saying later ended up in the newspaper?

KING:
Yes.

COMEY:

So my talking about who was in the room would be a confirmation that was in the newspaper was classified information, I'm not going to do that. I'm not going to help people who did something that -- that is unauthorized.

KING:
Yeah, but we all know that the four of you went to Trump Tower for the briefing, I mean that's not classified, is it?

COMEY:
How do we all know that, though?

KING:
OK.

(LAUGHTER)

COMEY:
Yeah.

KING:
You know, you can -- you see the predicament we're in, here.

COMEY:
I get it. I get it. But we are duty-bound to protect classified information, both in the first when we get it, and then to make sure we don't accidentally jeopardize classified information by what we say about something that appears in the media.

KING:
Well, if they're listening, I would just advise that Director Clapper and Director Brennan, we'll be asking them the same questions last week -- next week and perhaps, they can give us some answers.

Mr. Chairman, I -- I yield back.

NUNES:
Gentleman yields back...

(CROSSTALK)

KING:
Thank you. Thank you for testifying.

NUNES:
Mr. Lobiondo is recognized.

LOBIONDO:
Thank you, Mr. Chairman.

Director Comey, Admiral Rogers, thank you for your service and thank you for being here. Understanding that what both of you have been saying about the classified nature of the investigation, the classified nature of the topics we're talking about, can you give us any indication of when we, the committee, may in a classified setting know something from you. Would we have ongoing updates?

COMEY:
Mr. LoBiondo, I don't know how long the work will take. I can't commit to updates, as you know. I have briefed the committee as a whole on some aspects of our work and I've briefed in great detail the chair and the ranking.

I don't know -- I can't -- I can't predict or commit to updates. But as your work goes on, we're in constant touch with you and we'll do the best we can, but I can't commit to that as I sit here.

LOBIONDO:
So as the House Intelligence Committee and the Senate Intelligence Committee are conducting our bipartisan investigations and looking wherever it may lead with individuals or circumstances.

If you, through the FBI investigation, come across a circumstance with an individual or a situation would we be made aware of that under normal course of business?

COMEY:
Not necessarily, but it's possible.

LOBIONDO:
OK. So can you, either Director Comey or Admiral Rogers, tell us what we are doing or what we should be doing to protect against Russian interference in future elections or any meddling with our government or for that matter any state sponsor Iranians, North Koreans, Chinese, with any -- any meddling they may be doing?

ROGERS:
So first, I think a public discussion and acknowledgment of the activity is a good positive first step because it shines us a flashlight on this, if you will. It illuminates a significant issue that I think we all have to -- have to deal with. There's a variety ongoing efforts both within the government, as well, in the private sector.

In terms of how we harden our defenses, I think we also need to have a discussion about just what for example, does critical infrastructure meeting in the 21st-century. I don't think we traditionally would have thought of an election infrastructure as critical. We traditionally viewed critical infrastructure as something that generated an industrial output, aviation, electricity, finance, I don't think we've traditionally thought about it and informational kind of dynamic.

I think that's a challenge for us coming ahead and then continued partnership between the elements within the government, as well is in the private sector, that's the key to the future to me.

LOBIONDO:

So just for the record, I also had a whole list of specific questions about individuals and/or circumstances that don't want to be repetitive and have you say, I can't comment on them. But I would anticipate when we move to classified session that this committee will be able to explore some of those -- some of the situations in a little more depth.

I have a couple of other questions about the -- about the -- the Russian intervention. But I don't have enough time to get into it right now.

Mr. Chairman, if you could give me a couple minutes when we get to the next round.

NUNES:
(OFF-MIKE)

LOBIONDO:
OK. So very briefly the -- if you can describe the elements of the Russia's active measures in the campaign in the 2016 election. We've only got 35 seconds, but that's the first thing I want to get into about exactly what they were doing if you can tell us anything about that.

ROGERS:
So we saw cyber used, we saw the use of external media, we saw the use of disinformation, we saw the use of leaking of information, much of which was not altered.

I mean, we saw several, if you will, common traits that we have both seen over time as well as I would argue that the difference this time was that the -- the cyber dimension and the fact that the release of so much information that they had extracted via cyber is a primary tool to try to drive an outcome.

LOBIONDO:
So in this setting, can you talk to us at all about what tools they used?

ROGERS:
I'm not going to go into the specifics of how they executed the hacks. I apologize, no sir.

LOBIONDO:
We'll try to get into that in classified. I'll hold off for now, thank you.

NUNES:
Gentleman yields back.

Mr. Schiff's recognized for 15 minutes.

SCHIFF:
Thank you, Mr. Chairman. I just had a couple follow-up questions.

Director Comey, can you tell me what an SF86 is?

COMEY:
SF86?

SCHIFF:
Yes.

COMEY:
It's the standard background clearance form that all of us who are hired by the federal government and want to have access to classified information fill out.

SCHIFF:
Would someone who is an incoming national security advisor have to fill out an SF86?

COMEY:
Yes, I think so.

SCHIFF:
Would that SF86 require that the applicant disclose any payments received from a foreign power?

COMEY:
I think so. I mean, the form is the form. I think so and foreign travel as well.

SCHIFF:
I'd make a request through you to the Justice Department or whatever IC component would have custody of Mr. Flynn's SF86, I'd make a request that that be provided to the committee.

And I yield now to Mr. Carson.

CARSON:
Thank you, Ranking Member.

I'd like to focus my line of questioning on Russia's views toward Ukraine. In March 2014, Russia illegally annexed the Ukrainian territory of Crimea beginning a conflict which has effectively yet to be resolved.

Admiral Rogers, can you please briefly describe, as you understand it, sir, how Russia took Crimea?

ROGERS:
I would argue the insertion of military force. They occupied it and physically removed it from Ukrainian control.

CARSON:
Sir, we've heard terms like little green men and hybrid warfare. Can you please explain how these relate to Russia and Ukraine?

ROGERS:
So on the Ukraine side, what we saw was over time, rather than the kind of overt kind of activity we saw to such a degree on the Crimea side, what we saw was a much bigger effort on the influence and attempts to distance Russian actions from any potential blowback to the Russian state, if you will, and hence the use of the little green men surrogates in military -- unmarked military uniforms, the flow of information, the provision of resources to support forcible separation of the Ukraine.

CARSON:
Admiral, has Russia returned Crimea back to Ukraine, sir?

ROGERS:
No.

CARSON:
Do they have intentions to?

ROGERS:
They publicly indicated that they will not.

CARSON:
Admiral, why does Russia even care about Ukraine?

ROGERS:
I'm sure in their view they view this is a primary national interest for them. It's on the immediate periphery of the Russian state.

CARSON:
Am I right, sir, that they see it as a part of their broader objective to influence and impact Russia's -- Ukraine's desire for self-determination?

ROGERS:
Yes. I think that's part of it.

CARSON:
Sir, as Russia tried to claim stolen territory in Ukraine, the U.S. and the rest of the world saw the annexation for what it was; a crime. Shortly after Russia invaded, the United Nations essentially declared it a crime in a nonbinding resolution. In our own government, recognizing the seriousness of the event instituted new sanctions against Russia, is that right sir?

ROGERS:
Yes sir.

CARSON:
Now this was a time where much of the world was united but Russia invaded another country and illegally annexed it's territory as we all stood shoulder-to-shoulder with Ukraine. Now one person who didn't see it that way, however, was president Donald Trump.

On July 30, in an interview with ABC News, Mr. Trump said of Putin, and I quote, "He's not going into Ukraine, OK? Just so you understand, he's not going into Ukraine, all right?" end quote.

Now, Admiral, hadn't Putin already gone into Ukraine two years before and hadn't left?

ROGERS:
We're talking about the Crimea and influence on the Ukraine generally, yes, sir.

CARSON:
And he still hasn't left, correct, sir?

ROGERS:
Now we're starting to get into some very technical questions about are the Russians physically in the Ukraine, is it surrogates that the Crimea is a very example of to me. They outright invaded with armed military force and have annexed it.

CARSON:
But are they effectively still in Ukraine?

ROGERS:
They're certainly supporting the ongoing effort in the Ukraine to split that country.

CARSON:
We'll get back to Mr. Trump in a minute. First, tell me sir, what would it mean to Russia and to Putin to have sanctions lifted?

ROGERS:
Clearly, even easing of economic impact, greater flexibility, more resources.

CARSON:
Now according to NATO analysis, the Russian economy shrunk by as much as 3.5 percent in 2015 and had no growth in 2016 in big part because of western sanctions, especially those against the oil and gas industry.

Now, we're talking about a loss of over $135 billion just in the first year of sanctions. That's a huge sum of money and sanctions aren't meant to push their economy over a cliff, but to put long-term pressure on Putin to change his behavior. Putin, himself, said in 2016 that sanctions are severely harming Russia. So we know they've had success in putting pressure on the Kremlin.

Admiral, what would it mean geopolitically? Would it help legitimate Russia's illegal land grab?

ROGERS:
Sir, I'm not -- I'm not in a position to talk broadly about the geopolitical implications. I mean we have stated previously, from an intelligence perspective, we tried to -- we have tried to outline to policy makers the specifics of the Russian invasion on Crimea, the specifics of the continued Russian support to separatists in the Ukraine that Russians continue to -- to pressure and the keep the Ukraine weak.

CARSON:
Would it help cleave the United States from her allies?

ROGERS:
If we remove the sanctions?

CARSON:
There's a lot of steak -- there's a lot at stake here for Russia. This is big money, big strategic implications. If they can legitimate their annexation of Crimea, what's next? Are we looking at a new iron curtain descending across Eastern Europe? You know, most in our country recognize what is at stake in how the United States, as the leader of the free world, is the only check on Russian expansion.

So back to Mr. Trump and his cohort. At the republican convention in July, Paul Manafort, Carter Page, and Trump himself changed the republican party platform to no longer arm Ukraine. So the same month that Trump denied Putin's role in Ukraine, his team weakened the party platform on Ukraine and as we have and will continue to hear, this was the same month that several individuals in the Trump orbit held secret meetings with Russian officials, some of which may have been on the topic of sanctions against Russia or their intervention in Ukraine.

Now this is no coincidence in my opinion. In fact, the dossier written by former MI6 agent, Christopher Steele alleges that Trump agreed to sideline Russian intervention in Ukraine as a campaign issue, which is effectively a priority for Vladimir Putin. There's a lot in the dossier that is yet to be proven, but increasingly as we'll hear throughout the day, allegations are checking out. And this one seems to be as accurate as they come.

In fact, there is also one pattern I wanna point out before yielding back, Manafort, fired, Page, fired, Flynn, fired. Why? They were hired because of their Russian connections, they were fired. However, because their connections became public, they were effectively culpable. But they were also the fall guys. So I think after we hear Mr. Quigley's line of questioning, we might guess who could be next.

Mr. Chairman, Mr. Ranking Member, I yield back.

SCHIFF:
I yield the balance to Representative Speier.

SPEIER:
Thank you, Ranking Member. Thank you gentlemen for your service to our country.

You know, I think it's really important as we sit here that we explain this to the American people in a way that they can understand it. Why are we talking about all of this? So my first question to each of you is, is Russia our adversary? Mr. Comey?

COMEY:
Yes.

SPEIER:
Mr. Rogers?

ROGERS:
Yes.

SPEIER:
Is -- do they intend to do us harm?

ROGERS:
They intend to ensure, I believe, that they gain advantage at our expense.

SPEIER:
Director Comey?

COMEY:
Yes, I wanna be -- harm can have many meetings. They're an adversary and so they wanna resist us, oppose us, undermine us, in lots of different ways.

SPEIER:
So one of the terms that we hear often is hybrid warfare. And I'd like to just stand give a short definition of what it is. It blends conventional warfare, irregular warfare and cyber warfare. The aggressor intends to avoid attribution or retribution.

So would you say that Russia engaged in hybrid warfare in its effort to undermine our Democratic process and engage in our electoral process? Director Comey?

COMEY:
I don't think I would use the term warfare. I think you'd -- you'd wanna ask experts in the definition of war. They engaged in a multifaceted campaign of active measures to undermine our democracy and hurt one of the candidates and -- and hope to help one of the other candidates.

ROGERS:
I'd agree with the director.

SPEIER:
All right, well, thank you both.

I actually think that their engagement was an act of war, an act of hybrid warfare and I think that's why the American people should be concerned about it.

Now, in -- in terms of trying to understand this, I -- I think of a spider web, with a tarantula in the middle. And the tarantula, in my view, is Vladimir Putin, who is entrapping many people to do his bidding and to engage with him. And I would include those like Roger Stone and Carter Page and Michael Caputo and Wilbur Ross and Paul Manafort and Rex Tillerson.

I'd like to focus first on Rex Tillerson in the three minutes I have, here. He was the CEO of Exxon Mobil. In 2008, he said that the likelihood of U.S./Russia businesses was, in fact, a poor investment, that Russia was a poor investment climate, that was in 2008. In 2011 he closed the $500 billion deal with Rosneft Oil. The CEO of Rosneft is Igor Sechin, who is a confident of President Putin, second most powerful man in Russia and probably a former KGB agent.

The deal gives Exxon access to the Black Sea and the Kara Seas and Siberia for oil development. Rosneft gets minority interest in Exxon in Texas and the Gulf. Rex Tillerson calls Sechin a good friend. In 2012, Mr. Tillerson and Mr. Sechin go on a road show here in the United States to talk about this great deal that they had just consummated.

Also in 2012 there's a video of President Putin and Mr. Tillerson toasting champagne at the deal. And in 2013, Mr. Tillerson receives the Russian Order of Friendship and he sits right next to President Putin at the event.

So my question to you Director Comey is, is it of value to President Putin knowing what you know of him and that his interest in doing harm to us, is it of benefit to Mr. Putin to have Rex Tillerson as the Secretary of State?

COMEY:
I can't answer that question.

SPEIER:
Admiral Rogers?

ROGERS:
Ma'am I'm not -- I'm not in the position answer that question.

SPEIER:
All right. So in 2014 at Igor Sechin is sanctioned and he laments that he no longer will be able to come to the United States to motorcycle ride with Mr. Tillerson. Could you give me an understanding of what are some of the reasons that we impose sanctions, Direct Comey?

COMEY:
On Sechin?

SPEIER:
Well, just in general.

COMEY:
Again, you'd have to ask an expert, but from my general knowledge it's to punish activities that are criminal in nature, that involve war crimes, that involve violations of U.N. resolutions or United States law in some other

way, it's to communicate and enforce foreign policy interests and values of United States of America. That's my general sense, but an expert might describe it much better.

SPEIER:
Admiral Rogers?

ROGERS:
I would echo the Director's comments. It's also a tool that we use to attempt to drive and shake the choices and actions of others.

SPEIER:
So in the case of Igor's session, who was sanctioned by the United States, in part to draw attention to the fact that Russia had invaded Crimea. It's an effort to try and send a very strong message to Russia, is that not true?

COMEY:
I think that's right.

ROGERS:
Yes ma'am.

SPEIER:
With that, Mr. Chairman, I'll yield back for now.

NUNES:
Gentleman yields back.

I'm going to yield myself 15 minutes and now yield to the general lady from Florida Ms. Ros-Lehtinen.

ROS-LEHTINEN:
Thank you so much Mr. Chairman.

It's never acceptable, we can all agree, for any foreign power to interfere with our electoral process and this committee has long been focused on Russia's reprehensible conduct. And we will remain focused on the threat emanating from Moscow. And I agree with you Director Comey, when you say this investigation that is ongoing, we will follow the facts wherever they lead on a bipartisan level and there will be no sacred cows.

There are many important issues at stake, as you gentlemen have heard. There is bipartisan agreement on the danger of illegal leaks and our ability to reauthorize important programs upon which our intelligence community relies. But I want to assure the American people that there's also bipartisan agreement on getting to the bottom of Russian meddling in our election which must remain the focus of this investigation and yours.

So Admiral Rogers, I agree in what you said that a public acknowledgement of this foreign meddling to be a problem is important as we move forward. And following on Congressman LoBiondo's questions and based on this theme, I'd like to ask you gentlemen if you could describe what, if anything, Russia did in this election that to your knowledge they did or they didn't do in previous elections, how -- how it was -- were their actions different in this election than -- than in previous ones.

ROGERS:
I'd say the biggest difference from my perspective was both the use of cyber, the hacking as a vehicle to physically gain access to information to extract that information and then to make it widely, publicly available without any alteration or change.

COMEY:
The only thing I'd add is they were unusually loud in their intervention. It's almost as if they didn't care that we knew what they were doing or that they wanted us to see what they were doing. It was very noisy, their intrusions in different institutions.

ROS-LEHTINEN:
And what specifically based on this loudness did the FBI or the NSA do to prevent or counter this Russian active measure that we read about in the intelligence community assessment? As loud as they were, what did we do to counter that?

COMEY:
Well, among other things, we alerted people who had been victims of intrusions to permit them to tighten their systems to see if they couldn't kick the Russian actors out. We also, as a government, supplied information to all the states so they could equip themselves to make sure there was no successful effort to affect the vote and there was none, as we said earlier.

And then the government as a whole in October called it out. And I believe it was Director Clapper and then-secretary Jeh Johnson issued a statement saying this is what the Russians are doing, sort of an inoculation.

ROS-LEHTINEN:
And the loudness to which you refer, perhaps they were doing these kinds of actions previously in other elections but they were not doing it as loudly. What -- why do you think that they did not mind being loud and being found out?

COMEY:
I don't know the answer for sure. I think part -- their number one mission is to undermine the credibility of our entire democracy enterprise of this nation and so it might be that they wanted us to help them by telling people what they were doing.

Their loudness, in a way, would be counting on us to amplify it by telling the American people what we saw and freaking people out about how the Russians might be undermining our elections successfully. And so that might have been part of their plan, I don't know for sure.

ROGERS:
I've -- I agree with Director Comey. I mean, a big difference to me in the past was while there was cyber activity, we never saw in previous presidential elections information being published on such a massive scale that had been illegally removed both from private individuals as well as organizations associated with the democratic process both inside the government and outside the government.

ROS-LEHTINEN:

And this massive amount and this loudness, now that it's become public knowledge, now that we have perhaps satisfied their -- their -- their thirst that it has become such a huge deal, do you expect their interference to be amplified in future U.S. elections?

Do you see any evidence of that in European elections or do you think that this public acknowledgment would -- would tamper down the volatility?

COMEY:
I'll let my -- maybe I'll just say as initial matter they'll be back. And they'll be in 2020, they may be back in 2018 and one of the lessons they may draw from this is that they were successful because they introduced chaos and division and discord and sewed doubt about the nature of this amazing country of ours and our democratic process.

It's possible they're misreading that as it worked and so we'll come back and hit them again in 2020. I don't know but we have to assume they're coming back.

ROGERS:
I fully expect them to continue this -- this level of activity because I -- our sense is that they have come to the conclusion that it generated a positive outcome for them in the sense that calling into question the democratic process for example is one element of the strategy.

We're working closely, we -- our FBI teammates, others working closely with our European teammates to provide the insights that we have seen to try to assist them as they, themselves, France and Germany for example, about to undergo significant national leadership elections over the course of the next two months.

ROS-LEHTINEN:
And in terms of the European elections, what -- what have you seen or any information that you can share with us about the Russian interference in that process?

ROGERS:
So you see some of the same things that we saw in the U.S. in terms of disinformation, fake news, attempts to release of information to embarrass individuals, you're seeing that play out to some extent in European elections right now.

ROS-LEHTINEN:
I look forward to continuing with you.

Thank you so much, Mr. Chairman.

NUNES:
Gentlelady yields back.

Mr. Turner is recognized.

TURNER:
Thank you, Mr. Chairman.

Mr. Comey, Admiral Rogers, thank you for being here today and for your -- what appears to be attempts at being forthcoming with the committee. I also want to thank the Chairman and the Ranking Member Schiff. This is a bipartisan effort.

I think as you've looked to what this committee is undertaking, everyone wants answers and everyone want answers to all of the questions that are being asked because this does go to such an important issue concerning our elections.

Admiral Rogers, I'm going to begin with a question to you concerning the Foreign Intelligence Surveillance Act. Now Admiral, as you know that the foreign service -- Foreign Intelligence Surveillance Act provides the circumstances or the authority under which the intelligence community may collect or intercept the communication of a foreign person located outside of the United States, or as Mr. Comey's indicated a person who is covered under a FISA court order.

Now, with Mr. Rooney and Mr. Gowdy you discussed the minimization procedures under the Foreign Intelligence Surveillance Act and those minimization procedures are supposed to protect the privacy rights of U.S. citizens. Specifically, it's geared toward the communications of those who maybe inadvertently or incidentally collected as a result of the intelligence community's lawful collection of communications of others.

So Mr. Rogers, is the intelligence community required to cease collection or the interception of communications if the result of the collection or interception includes the communications of an incoming U.S. administration official, the president-elect or the president- elect's transition team.

ROGERS:
It depends under what authority work, as I said early on, there's a series of questions we go through, was there criminal associated activity, does the conversation deal about threats to U.S. persons, breaking of the law. So there's no simple yes or no, there's a series of processes we have in place.

TURNER:
Mr. Rogers, is there any provision of minimization that requires you to cease collection? Because that is my question, are you under any circumstances required to cease collection if the collection results in the either inadvertent or incidental collection of an incoming U.S. administration official, the president-elect or the president-elect's transition team?

ROGERS:
Purely on the basis of exposure, I wanna make sure I understand the question, is -- is...

(CROSSTALK)

TURNER:
Are you required to cease, if you are -- are undertaking lawful collection under the Foreign Intelligence Surveillance Act of a person or individual, either because they're a foreign person located outside the United States or the person that you're collecting against, is the subject of a FISA Court order.

If incidental to that collection or inadvertently, the collection results in the collection of communications of an incoming U.S. administration official, the president-elect or the president-elect's transition team, are you required under the minimization procedures, to cease collection?

ROGERS:
Not automatically.

TURNER:
Thank you. So the answer's no, correct?

Well, the reason why this is important is because intuitively, we would all know that incoming administration would have conversations with those that the intelligence community may be collecting against, either by making phone calls to them or receiving phone calls to them.

And so it's important for us to understand that the minimization procedures that are intended to collect the privacy rights of Americans, do not inherently include the -- a prohibition of the intelligence community incidentally or inadvertently, collecting the communications of an incoming administration.

ROGERS:
Yes, sir.

TURNER:
Yep.

Mr. Comey, are you aware whether or not the Director of National Intelligence Director Clapper, ever briefed the President of the United States, then President Obama, concerning the possible inadvertent or incidental collection or interception by the U.S. intelligence community of any communication of members of the incoming Trump administration?

COMEY:
That's not something I can comment on.

TURNER:
And then why not, Mr. Comey.

COMEY:
A couple of reasons, it might involve classified information, it might involve communications with the president of the United States. On both of those grounds, I can't talk about it here.

TURNER:
Mr. Comey, have you previously discussed your conversations with President Obama with this committee?

COMEY:
I don't remember. I may have with the chair and ranking, I don't remember with the full committee.

TURNER:
Well, we'll have to refresh your memory on those conversations, then.

Mr. Comey, did and am used to combing. I did President Obama ever acknowledge to you of having been briefed, concerning possibly inadvertent or incidental collection or interception by the intelligence community of any communications of members of the incoming Trump administration?

COMEY:
I have to give you the same answer, Mr. Turner.

TURNER:
Well, Mr. Comey, the first question related to whether or not Mr. Clapper had briefed the president of the United States and we'll certainly be following up with him. He is going to be appearing before us next week and we'll certainly be directing the question to him also.

So Mr. Comey, are you aware of any evidence that General Flynn prior to the inauguration, ever communicated to the Russian government or a Russian government official that the Trump administration in the future would release, resend, or reverse U.S. sanctions against Russia or ever made any offer of a quid pro quo for releasing resending or reversing U.S. sanctions against Russia. Are you aware of any evidence?

COMEY:
That's not something I can comment on, Mr. Turner.

TUNER:
And why's that?

COMEY:
I'm trying very hard not to talk about anything that relates to a U.S. person, or that might rule in or rule out things, might be investigating. I'm trying to be studiously vague here to protect the integrity of the investigation.

So please don't -- as I said in the beginning please don't interpret my no comment as meaning this or meaning that. I just can't comment.

TURNER:
Well, Mr. Comey, there are statutes, guidelines and procedures concerning the what does it take for the FBI to open up a counterintelligence investigation into a U.S. citizen.

It is not just subject to discretion. You can't just say well let's go look at somebody, you have to have a basis. You've now informed us that you've opened a counterintelligence investigation into the Trump campaign, members the Trump campaign, concerning Russia in July of 2006 (sic). Now we're trying to get a picture of what does it take to tip over for investigation?

Now previously people have said that there been individuals who attended a meeting with Russian officials, individuals who -- a member who was paid to attend a conference, a picture that was taken, traveled to a foreign place. There many people both in -- in all of our administrations and sometimes, you know, certainly members who have left Congress who would all qualify for that.

What -- what is the tipping point? I mean it can't just be that. Don't you need some action or some information besides just attending a meeting, having been paid to attend a conference, that a picture was taken, or that you traveled to a country before your open to investigation for counterintelligence by the FBI?

COMEY:
The standard is, I think there's a couple different at play. A credible allegation of wrongdoing or reasonable basis to believe that an American may be acting as an agent of a foreign power.

TURNER:
Well the reason why we're with this, Mr. Comey, is that we obviously have the statements of Mr. Clapper that there is no evidence of collusion with Russia and he just left the intelligence community. And as you are aware, we now sit because this is you said, Admiral Rogers, you know, the Russians wanted to put a cloud over our system.

And Mr. Comey, by your announcement today, I mean, there is now a cloud that undermines our system. There is a cloud that where we're sitting with Mr. Clapper who was obviously in a very important position to know, who stated to us that there is no evidence of conclusion, and you will not give us evidence or -- or -- or give us any -- any substantive evaluation of it.

We now sit with this cloud and it's important that -- Mr. Chairman I have a few additional questions if I might when we regain time.

NUNES:
We'll get back to Mr. Turner.

Mr. Schiff's recognized for 15 minutes.

SCHIFF:
Thank you Mr. Chairman.

I recognize representative Jackie Speier.

SPEIER:
Thank you Mr. Schiff.

Again, let's go back to this tarantula web. So Mr. Tillerson, in 2014, started to lobby the United States government asking them to shifter or lift the sanctions. Now in his -- his confirmation hearing he says he's -- as he said, I have never lobbied against sanctions, personally, to my knowledge, Exxon Mobil never directly lobbied against sanctions.

And yet there is lobbying reporting that shows that Exxon Mobil actually paid over $300,000 to lobbyists in 2014. And that Mr. Tillerson visited the White House five times in 2014 and treasury with Secretary Lew, seven times.

Is -- is there something disconcerting about a U.S. CEO attempting to undermine The sanctions imposed by our government against another country for acts that we find to be disadvantageous to the world order. Director Comey?

COMEY:
That's not a question I can answer. For a variety of reasons, I'm not qualified to answer and I shouldn't be answering questions like that.

SPEIER:
All right. OK. How about this then? Is it disconcerting to you as the director of the FBI that a U.S. CEO would say publicly that he is very close friends with President Putin and has had a 17-year relationship with him?

COMEY:
That's not a question I can answer.

SPEIER:
Would it raise any red flags?

COMEY:
That's not a question I can answer.

SPEIER:
Admiral Rogers?

ROGERS:
Ma'am, lots of American corporations do business in Russia. I have no knowledge of the specifics you're talking about, I am in no way qualified or knowledgeable enough to comment on this.

SPEIER:
All right, let's move on to someone else in that web. His name is Michael Caputo. He's a PR professional, conservative radio talk show host. In 1994, he moved to Russia and there he was working for the agency for international development. He was fired from that job because he refused to follow a State Department position.

He then opened a PR firm in Moscow and married a Russian woman. He subsequently divorced her and in 1999 his business failed. Roger Stone, a mentor to him, urged him to move to Florida and open his PR firm in Miami which is exactly what Mr. Caputo did. And then in 2000 he worked with Gazprom-Media to improve Putin's image in the United States.

Now, do we know who Gazprom-Media is? Do you know anything about Gazprom, Director?

COMEY:
I don't.

SPEIER:
Well, it's a -- it's an oil company. In 2007, he began consulting the Ukrainian parliamentary campaign. There he met his second wife.

So I guess my question is, what possible reason is there for the Trump campaign to hire Putin's image consultant? Any thoughts on that Director Comey?

COMEY:

No thoughts.

SPEIER:
Admiral Rogers?

ROGERS:
Likewise, ma'am.

SPEIER:
All right. Do either of you know what Michael Caputo is doing for the Trump effort today?

ROGERS:
I have no idea.

COMEY:
And I'm not going to talk about U.S. persons.

SPEIER:
All right, let's move on now to Carter Page.

Carter Page was the founder of Global Energy, it's an investment fund. He has only one partner and that partner is Sergei Yatsenko who's the former executive of a Russian state-owned Gazprom oil company. Before that, from 2004 to 2007, he worked for Merrill Lynch in Moscow.

In March of 2016, Then-Candidate Trump referred to Carter Page as his foreign policy advisor to the Washington Post. The next day, Page asserts that he's an advisor on Russia and energy. But then subsequently, Candidate Trump says he doesn't know him.

SPEIER:
On September 26, he takes a leave of absence from the campaign and then Page publicly supports a relationship with Russia, criticizes U.S. sanctions and NATO's approach to Russia, saying -- and then subsequently says he's divesting his stake in Gazprom in August. In 2014, he writes an article criticizing the U.S. sanctions, praising Sechin in an article and global policy and then rebuked the west for focusing on so-called annexation of Crimea.

In July of 2016, he gives a graduation speech at the new economic school, denies meeting with the prime minister, Christopher Steele, in his dossier, says he met with, again, Igor Sechin, offering a 19 percent interest in Rosneft. It becomes the biggest transfer of public property to private ownership.

Now, Carter Page is a national security adviser to Donald Trump. Do you believe that -- why do we -- I guess, again, here's another company that has had sanctions imposed upon it. Could you again clarify why we impose sanctions on companies?

COMEY:
Admiral Rogers did it better than I, so I'm going to (inaudible) him.

SPEIER:
OK.

ROGERS:
I apologize. I don't remember the specifics of my answer, but I'll stand by my answer...

COMEY:
Which was excellent.

SPEIER:
All right.

I think at that point, I will yield back, Mr. Chair.

SCHIFF:
I now yield to Mr. Quigley.

QUIGLEY:
Thank you, Mr. Ranking Member.

Gentlemen, thank you for your service. Thank you for being here. We've talked a little bit about the Russian playboook, right? Extortion, bribery, false news, disinformation, they all sound very familiar, correct? Well, as we talk, without thinking about anybody in the United States, just generally the Russian playbook and how it's worked in particularly Eastern Europe and Central Europe, a lot of it involves trying to influence individuals in that country, correct?

ROGERS:
Yes.

QUIGLEY:
So what we've talked about a little bit today seems so -- be sort of a black and white notion of whether there was collusion, but does a Russian active measure attempting to succeed at collusion -- does the person involved have to actually know? I mean, does it have to involve knowing collusion for there to be damage?

COMEY:
I can answer generally. In the world of intelligence, oftentimes there are people who are called co-optees, who are acting -- don't realize they're dealing with agents of a foreign power and so are doing things for someone they think is a friend or a business associate, not realizing it's for that -- the foreign government. So it can happen, it's actually quite a frequent technique.

QUIGLEY:
Is it beyond that sometimes to include things where the -- the actor doesn't necessarily know what they're doing is helping that other government?

COMEY:
Exactly.

QUIGLEY:
And what are instances, just examples of what that might include in a generic sense, in Europe and so forth?

COMEY:
Oftentimes, a researcher here in the United States may think they're dealing with a peer researcher in a foreign government and not knowing that that researcher is either knowingly or unwittingly passing information to a foreign adversary of the United States.

QUIGLEY:
And can you explain and elaborate how this sort of -- problems with defining what collusion is -- the differences that might be involved with explicit or implicit collusion?

COMEY:
Collusion is not a term, a legal term of art and it's one I haven't used here today, as we're investigating to see whether there was any coordination between people associated with the campaign...

QUIGLEY:
Explicit or implicit coordination?

COMEY:
I guess implicit, I -- I would think of it as knowing or unknowing. You can do things to help a foreign nation state, as I said, without realizing that you're dealing with. You think you're helping a buddy, who's a researcher at a university in China and what you're actually doing is passing information that ends up with the Chinese government. That's unwitting, I don't know whether it's same as your implicit.

Explicit would be, you know, I'm sending this stuff to this researcher in China and I'm doing it because I wanna help the Chinese government and I know he's hooked up with the Chinese government.

QUIGLEY:
Admiral Rogers, would you give other examples of what you witnessed in your career?

ROGERS:
Sometimes, U.S. individuals would be approached by other individuals connected with -- with foreign connections who will misrepresent what not just the researcher, they'll assume an identity if you will, hey I want you to think that I'm actually working for a business, exploring commercial interests, those kinds of things. Create a relationship and then it turns out, there really is no commercial interest, here they're acting as a direct extension of a foreign government...

(CROSSTALK)

COMEY:

And romance can be a feature. Somebody dating someone to create a close relationship and the U.S. government person thinks that they're in love with this person and -- and vice versa and the other person's actually an agent of a foreign power, that's sort of a classic example.

QUIGLEY:
You describe this as naive acquiescence?

COMEY:
I don't -- I'm not sure I know what that means, exactly (ph).

ROGERS:
I don't know what that really means (ph).

QUIGLEY:
You're -- you're going along with it and without really acknowledging, understanding in your mind or being naive about the issue.

COMEY:
Sure, that can happen.

ROGERS:
Yeah, you see that at times.

QUIGLEY:
OK.

Going on to things that you -- you probably can't comment upon which is of equal concern. We're all, at this point, very familiar with Mr. Sessions's testimony before the United States Senate in which he specifically said he had -- he wasn't one who had this contact with the Russians. And then there was the amended, I guess, testimony in which he acknowledged I believe two such testimonies. The first was in July during the convention and then later in September afterwards.

All the while, that the issues that we are talking about today, the hacking, the dumping of materials were taking placing and certainly, someone in the position of Mr. Senator Sessions would've been aware of this. Perhaps, would've remembered these conversations or might've mentioned or asked the Russian ambassador to knock it off. But apparently, none of those things happened or at least he didn't remember that they happened. Unfortunately, what we're reading now is that there was a third meeting as early as April of last year in Washington, D.C., a meeting which Candidate Trump was present and the Russian ambassador was present.

At some point in time, this goes well beyond an innocent, under the best of circumstances, oh I forgot sort of thing, or that doesn't count. When you correct your testimony in front of the United States Senate, you're still under oath and you're swearing to the American people that what you're saying is true. Well, the third time is well beyond that and is quite simply perjury.

So as we look at this as we go forward, gentlemen, I ask that you take that into consideration. This is far more than what we have talked about just in the general sense, did the Russians hack or not and the scope of this too,

a concerted effort and plan to lie to the American public about what took place and what the motivations were beyond these -- this process. Again, I thank you for your service.

And I yield back to the ranking member.

SCHIFF:
I yield to Mr. Swalwell of California.

SWALWELL:
Thank you, Director Comey and Admiral Rogers.

Director Comey, you've served time in a courtroom as a prosecutor and I'm wondering if you remember the instruction that is read to juries every day that if you decide that a witness deliberately lied about something significant in this case, you should consider not believing anything that witness says.

COMEY:
Yes, that's familiar to me.

SWALWELL:
And your testimony at the beginning of this hearing was that President Trump's claims that former President Obama had wiretapped him is false.

COMEY:
I said we have no information that supports them.

SWALWELL:
Thank you.

With respect to Donald Trump, do you remember the other instruction relating to truthfulness of a witness or a defendant? If the defendant makes a false or misleading statement relating to the charged crime knowing the statement was false or intending to mislead that conduct may also show he or she were aware of their guilt.

COMEY:
Yes, familiar to me from my distant past.

SWALWELL:
I want talk about the Kremlin playbook and there are a number of ways that a foreign adversary can seek to influence a person, do you agree with that?

COMEY:
Yes.

SWALWELL:
Financial?

COMEY:
Yes, that can be one.

SWALWELL:
Romance you said is another.

COMEY:
Yes.

SWALWELL:
Compromise?

COMEY:
Correct.

SWALWELL:
Setting up a compromise?

COMEY:
Sure, to execute on a compromise, yes.

SWALWELL:
How about inadvertently capturing a compromise, meaning they have vast surveillance and you stumble into that surveillance and are caught in compromise?

COMEY:
And then they take that information, try and use it to coerce you? Yes, that's part of the playbook.

SWALWELL:
I'll yield back, Chair, and continue once I'm back with us. Thank you, Director.

NUNES:
Gentleman's time's expired.

We'll go back to Mr. Turner.

TURNER:
Thank you.

I want to go back to the issue of -- Admiral Rogers indicated that the goal of the Russians is to put a cloud on our system to undermine our system. And -- and I would think, certainly today, Mr. Comey, with your announcement of an investigation that the Russians would be very happy with that as an outcome because the

cloud of their actions and activities continues and will continue to undermine and until your finished with whatever your investigation is currently in the scope of.

I want to go back to the issue of how does one open an investigation because again, I'm -- I'm a little confused by -- by some of the things that we hear as to the basis of an investigation. Now, Mr. Comey, if -- if an individual attends a meeting with a foreign leader is -- is that enough to open a counter intelligence investigation?

COMEY:
Without more that somebody met with somebody, no.

TUNER:
No. OK. Without more than if they had their picture taken with a foreign leader, is that enough?

COMEY:
It would depend upon where they were, who took the picture.

TURNER:
Well, assume that they're in would (ph) that -- the foreign country, and in that foreign leaders government offices or facilities, if they're having a picture taken with them, is that enough to open a counterintelligence investigation?

COMEY:
It would depend.

TURNER:
On -- on what? Because I'm saying if there's just a picture. Because I can tell you certainly there's lots of people who have had lots of pictures.

COMEY:
Yeah.

TURNER:
Is it enough that a person who has just had their picture taken with a foreign leader at the foreign leaders government official offices or place of residence?

COMEY:
The reason I said it depends is it would depend. Did the person sneak over to the foreign country and meet them clandestinely, did -- was the picture -- reveal something else about the relationship? It just hard to...

TUNER:
Well, let's say it's not clandestine. Let's say it's open, that the person has -- as -- has attended an event and has gone over to meet with the foreign person, foreign government official and is at their foreign government

official facility or their official residence and has a picture taken and has no intention of covertly being present with the foreign person, is that picture enough to open a counterintelligence investigation?

COMEY:
Tricky to answer hypotheticals, but I think my reaction to that is that doesn't strike me as enough. And I know your next question's going to be deeper into hypos.

TURNER:
No, no, I'm not getting deep into hypos. These are pretty straightforward. So what if you're paid, you know, to attend a conference in a foreign -- in a foreign country and you're paid to attend that conference not directly by the foreign government, but nonetheless payment does occur for you to attend a conference? We know President Bill Clinton attended many such conferences and spoke and received payment.

Is receiving payment by attending to speak at a conference -- again, it's not covert, it's open. They're attending to speak at a conference, they receive payment for the purposes of speaking, is that enough to open a counterintelligence investigation?

COMEY:
I can't say as I sit here. It would depend upon a lot of different things.

TURNER:
If you had no other information or evidence other than the fact that they attended, is that enough for you, for the FBI to open a counterintelligence investigation of a private U.S. citizen?

COMEY:
I can't answer the hypothetical because it would depend upon a number of other things.

TURNER:
I limited it to where there would be no other things, Mr. Comey. I said only, if the only information that you had was that they had intended an event in which they were paid which was a conference and it was not covert, is that only sufficient information to open an investigation against a private U.S. citizen?

COMEY:
Who paid them? Did they disclose it? What did they discuss when they were there? Who else was sitting with them? There's lots and lots of other circumstances that make that -- even that simple-seeming hypo difficult to answer.

TURNER:
Well, let's say that they've traveled to a foreign country and they openly traveled, wasn't covert. Is traveling there enough?

COMEY:
Just traveling around the world, no.

TURNER:
OK, well I'm very concerned, Mr. Comey, about the issue of how an investigation is opened and -- and how we end up at this situation once again where Mr. Clapper, had (ph) the director of national intelligence, just said that when he left there was no evidence of collusion and yet, as Admiral Rogers said, we're sitting now where the Russians' goal is being achieved of causing a cloud or undermining our electoral process. So I certainly hope that you take an expeditious look at what you have undertaken because it affects the heart of our democracy.

Mr. Comey, I have a question against -- again concerning classified information. Now, I know that if I attend a classified briefing and I receive classified information and I go and tell someone that classified information, if I leak it, I release it, then I've committed a crime. But what if someone goes to a classified briefing, walks out of that briefing, and openly lies about the content of that briefing? Because it's unclear to me what happens then.

And it's important because, as you know, this committee and certainly both of you gentlemen have handled a lot of classified information and recently, more recently, the purported classified information is put out in the press, The Washington Post, The New York Times reports information. And you know and I know and we all know, having handled classified information, that some of that information is not true. Are the sources of that classified information, if they come out and lie about the content of classified information, have they committed a crime?

COMEY:
That's a really interesting question. I don't think so. If all they've done is lie to a reporter, that's not against the law. If they've done it, I don't wanna break anybody's hearts with that but that's not against the law. But it is not and the reason I'm hesitating is, I can imagine a circumstance where it's part of some broader conspiracy or something, but just that false statement to a reporter is not a crime.

TURNER:
And I just wanna underscore that for a -- just for a second, because I agree with you. I think it's no crime. And so every reporter out there that has someone standing in front of them and saying oh, I'm taking this great risk of sharing with you U.S. secrets, besides them purporting to be a traitor, are committing no crime if they lie to them. So all of these news articles that contain this information that we know is not -- not the case, are being done so at damage to the United States but without the risk of a crime.

And my next aspect of your question to Mr. Comey, is this. What is the obligation of the intelligence community to correct such falsehoods? Some of this information that we read in the Washington Post and the New York Times, is extremely false and extremely incendiary and extremely condemning of individuals and certainly, our whole system. What is your obligation, Mr. Comey, to be that source to say I can't release classified information, but I can tell you, it's not that?

COMEY:
Yeah, it's a great question, Mr. Turner, because there's a whole lot out there that is false. And I suppose some of it could be people lying to reporters. I think that probably happens. But more often than not, it's people who -- who act like they know when they really don't know. Because they're not the people who actually know the secrets, they're one or two hops out and they're passing along (ph) things they think they know.

There is -- we had not only have no obligation to correct that, we can't, because if we start calling reporters and saying hey, this thing you said about this new aircraft we've developed, that's inaccurate actually, it's got two engines. We just can't do that because we'll give information to our adversaries that way and it's very, very frustrating but we can't start down that road. Now, when it's unclassified information, if a reporter misreports

the contents of a bill that's being debated in Congress or a policy, we can call him and say hey, you ought to read it more carefully. You missed this or missed that. We cannot do that with classified information.

It's very, very frustrating because I have read a whole lot of stuff, especially in the last two months, this is just wrong. But I can't say which is wrong and I can't say it to those reporters.

TURNER:
Mr. Comey, if you could help us on this issue, I would greatly appreciate it because what happens, is that you come into a classified briefing with us and you tell us, perhaps what something that is absolutely false, it really shouldn't be classified because you're telling us it's not true. But yet, we can't go tell it's not true because you told us in a classified setting. If there's a way that we can at least have some exchange as to what's not true so the American people don't listen to false stories in The Washington Post and The New York Times that we all know are not true, that would be helpful.

COMEY:
Yeah, I don't...

TURNER:
If you could think about how you could help us with that.

COMEY:
I'd love to invent that machine, but we can't because where do you stop that on that slope?

TURNER:
Well, false is false, Mr. Comey.

COMEY:
Because then, when I don't call The New York Times to say you got that one wrong, bingo, they got that one right. And so I -- it's just an enormously complicated endeavor for us. We have to stay clear of it entirely.

TURNER:
Thank you, Mr. Comey, one last question. So we all read in the press that Vice President Pence publicly denied that General Flynn discussed sanctions with Russia. And I'm assuming that you saw those news reports. Did the FBI take any action in response to the vice president statements?

COMEY:
I can't comment on that, Mr. Turner.

TURNER:
Mr. Comey, The New York Times reported on February 14th, 2017, that General Flynn was interviewed by FBI personnel. Is that correct?

COMEY:

I can't comment on that, Mr. Turner.

TURNER:
Mr. Comey, I do not have any additional questions, but I thank you both for your participation. And again, I thank for the -- the chairman and ranking member for the bipartisan aspect of this investigation.

NUNES:
Gentleman yields back.

Dr. Wenstrup is recognized.

WENSTRUP:
Thank you, Mr. Chairman.

Thank you gentlemen for being here, I appreciate your endurance in this effort today. One question, how long has Russia or the Soviet Union been interfering or attempting to interfere with our election process?

ROGERS:
In the report we've feebly (ph) talked about, we have seen this kind of behavior to some degree attempting to influence outcomes for decades.

(CROSSTALK)

WENSTRUP:
Going back to -- going back the Soviet Union...

ROGERS:
Right. Not to the same level necessary, but the basic trend has been there.

WENSTRUP:
So I'm curious also about what triggers a counterintelligence investigation of a government official. And in some ways, I'm asking for myself. For example, last week I spoke at an event on form policy with Atlantic Council. Unbeknownst to me, the Iraqi ambassador of the United States was there. He comes up to me afterwards, introduces himself and says he'd like to meet with me at some time. So this isn't a theoretical, this is real and this is what I'm asking is this.

Will be in trouble or under investigation if I meet with him?

COMEY:
This is the slope I tried to avoid going down with Mr. Turner. Dr. Wenstrup, I -- I don't think I should be answering hypotheticals. The question is...

WENSTRUP:
It's not hypothetical because I'm asking you in advance because I want to know if I can meet with him and be under investigation or not and I don't think that's an unrealistic question. This is real. This is right now.

COMEY:
I get that. The FBI does not give advisory opinions, and so if you're asking about your particular case, I just can't do that.

WENSTRUP:
So you'll tell me afterwards?

COMEY:
No, I'll -- I'll never tell you.

(LAUGHTER)

WENSTRUP:
Well, you might. Somebody might, somebody might tell the press, right? And that's where I'm going next because I want to know what -- what can I discuss? What am I allowed to discuss? And what -- what triggers the investigation is really what we're trying to get to in general. You know, maybe not with the Iraqi ambassador, but what about with the Russian ambassador? What are my obligations? What am I -- do I need to advise someone that I'm meeting with them? Do I have to discuss the agenda before I meet with them?

You know, just so we're clear. I mean, this is really what it's coming down to, is a lot about what we're talking about. You know, so I don't think it's unnecessary or ridiculous for me to ask that. And so in intelligence reporting, if the identity of a U.S. official is disseminated to those on an as needed basis -- or those that need to know basis. Does that generally lead to a counterintelligence investigation of that individual?

So in -- in general, if a U.S. official is -- is -- is in this report and it's disseminated, does that lead to an investigation of the individual?

COMEY:
No, not in general, not as a rule. No.

WENSTRUP:
OK. That answers...

(CROSSTALK)

COMEY:
It would depend on lots of the circumstances.

WENSTRUP:
Next, I want to go to the article from February 14 in The New York Times which I believe we're all familiar. And you may not be able to answer any of these, but the article sites four current and former American officials. Do you know -- know the identity of those four officials?

COMEY:
Not going to comment on an article.

WENSTRUP:
OK. Well, it's not necessarily on the article, but OK. Do you know for a fact that the four current and former American officials provided information for the story?

COMEY:
I have to give you the same answer.

WENSTRUP:
OK. With or without an investigation going on, has anyone told you that they know who leaked the information or who leaked any information on Russian involvement in the U.S. elections or Russian involvement with the Trump election team?

COMEY:
I'm not going to comment on that.

WENSTRUP:
Is it possible that The New York Times misrepresented its sourcing for this February 14 article? Possible.

COMEY:
I can't comment on that.

WENSTRUP:
Is it possible that The New York Times was misled by individuals claiming to be current or former American officials.

COMEY:
I'll give you the same answer, Dr. Wenstrup.

WENSTRUP:
Can I ask why you can't comment on that?

COMEY:
I think a number of reasons. I'm not confirming that the information in that article is accurate or inaccurate. I'm not going to get in the business of -- that we talked about earlier...

WENSTRUP:
OK. Is it -- then let me ask you this.

COMEY:
And there's other reasons.

WENSTRUP:
Sure.

COMEY:
That I'm also not going to confirm whether we're investigating things, and so if I start talking about what I know about a particular article, I run the risk of stepping on both of those landmines.

WENSTRUP:
I guess one more question before the time is up and we'll come back to me, but I am curious, is it possible -- and nothing to do with this article. Is it possible that a so-called source to a media outlet may actually be a Russian advocate? Nothing to do with this story per say, just is it possible that a Russian surrogate could actually be the source that a newspaper is relying on?

COMEY:
In general, sure, somebody could always be pretending to be something they're not.

WENSTRUP:
Thank you.

And I yield back at this time.

NUNES:
Gentleman yields back.

Mr. Schiff's recognized for 15 minutes.

SCHIFF:
Thank you, Mr. Chairman.

Just a couple follow-up questions and then I'll pass it to Mr. Quigley for entering something into the record.

COMEY:
Mr. Chairman, can I ask you for an estimated time? I'm not made of steel, so I might need to take a quick break.

NUNES:
Would you like to do that now?

COMEY:
If you can, I didn't know how much longer you planned to go.

NUNES:
I think we want to keep going until the members have asked all their questions.

COMEY:
OK. Just a quick rest stop?

NUNES:
Yes. So we'll break for about 10 minutes.

COMEY:
That's plenty.

(CROSSTALK)

(RECESS)

NUNES:
I'm gonna call the hearing back into order after a brief recess. I wanna get on with questions. I'm gonna yield 15 minutes to the gentleman from California, Mr. Schiff.

SCHIFF:
Director Comey, just a couple follow-up questions before I pass it to Mr. Quigley to enter something in the record. You've been asked a number of questions today about is it enough to open an investigation because someone travels or is enough because they have their photograph taken or enough because they attend a conference. I would imagine that you get so many leads, so many people writing to you with information that they're convinced shows (ph) a crime that if you investigated everything that people sent you, you would be squandering your investigative resources in a way you can't afford to do.

My understanding, and correct me if I'm wrong, is that in order for you to open an investigation, you need to see credible information or evidence that someone has either committed a federal crime or become an agent of a foreign power. Is that an accurate understanding?

COMEY:
Yeah, that's a fair statement. And as you said, Mr. Schiff, we have to also choose which -- we get a lot of referrals, which ones align with the threats that the FBI is trying to prioritize because we have limited resources.

SCHIFF:
Exactly. So even when those criteria are met, that enough may not be -- that in and of itself may not be enough because you have so many other cases you need to investigate and you have to prioritize.

COMEY:
Correct.

SCHIFF:
I also wanna ask you, you mentioned that it wouldn't be appropriate for you to be telling reporters that stories they're writing are accurate or inaccurate when they may involve an investigation. That's not an appropriate thing for you to do.

COMEY:
Correct, especially if the story involves classified information.

SCHIFF:
And that's because you would either be disclosing classified information potentially in what you're confirming, or by rebutting a story that was inaccurate, you may be suggesting other stories that contain classified information or then (ph) accurate?

COMEY:
Correct.

SCHIFF:
Now, it's inappropriate for you to be batting down inaccurate stories. Would you also agree it's -- if it's inappropriate for you to be batting down inaccurate stories, would you also agree it's inappropriate for the White House to be asking the FBI to be rebutting stories they don't like?

COMEY:
Yeah, that's when I don't wanna answer, Mr. Schiff, because I don't wanna talk about communications within the executive branch. I can speak for the FBI, that's not something the FBI can or should do.

SCHIFF:
And if you were appearing up before the Senate for confirmation and they asked you as director of the FBI, if you were asked by the White House to refute or acknowledge press stories that they liked or didn't like, what would you tell the Senate in your confirmation hearing? Would that be appropriate for your office?

COMEY:
I would figure out what was the right thing for the FBI to do and then do that thing.

SCHIFF:
And that right thing would be not to be in the business of confirming or denying stories about classified information?

COMEY:
Correct, that's what -- that's with the right thing is for the FBI.

SCHIFF:
Let me recognize Mr. Quigley for purposes of entering something in the record.

QUIGLEY:
Thank you, Mr. Ranking Member. As I do that, I'm reminded of what Hugo Black said, "Only a free and unrestrained press can effectively expose deception in government." I respectfully ask to enter a March 8th article entitled, "Jeff Sessions Likely Met Russian Ambassador a Third Time."

SCHIFF:
I now yield to Mr. Swalwell.

SWALWELL:
Thank you to our ranking member.

And thank you again to -- to our director and Admiral Rogers. Director, would you agree that the FBI, when it's considering the counterintelligence investigation, views contacts between U.S. persons and say Russia differently than it would view contacts between U.S. persons and the U.K. or France or Germans?

COMEY:
Yes, very much so.

SWALWELL:
And that's because they're a foreign adversary?

COMEY:
Correct.

SWALWELL:
And so to land on Russia's radar as somebody that they may want to recruit, would you agree that being a businessperson, a prominent business person is something that would be attractive to them?

COMEY:
Could be. Might depend upon what industry you're in.

SWALWELL:
Could it also -- could also being a politician be something that would be attractive to them?

COMEY:
Sure.

SWALWELL:
And how about somebody who does business with Russians, would that be attractive to them?

COMEY:
Could be. It would depend upon other things as well though.

SWALWELL:
And we were starting to discuss this, efforts to recruit include investing in a U.S. person, is that correct?

COMEY:
Efforts by Russia to invest typically?

SWALWELL:
Yes.

COMEY:
In their tradecraft, that can be one of the ways in which they cultivate a relationship, sure.

SWALWELL:
And if you are a U.S. person with a business, could it also include investing in your business or being a partner in some of your endeavors?

COMEY:
Lots of different ways someone could try and establish a relationship.

SWALWELL:
And going back to compromise, can we assume that any prominent U.S. person traveling to Russia would probably be covered by Russian surveillance?

COMEY:
Depend upon how you define prominent, but they have an extensive surveillance operation of foreign visitors. So no matter who you are, you ought to assume it, but whether that's true in reality is harder for me to answer.

Or do you want to answer that differently?

ROGERS:
No, I agree.

SWALWELL:
And Russia is attempting to recruit and persuade individuals that we've discussed before, just as other foreign adversaries are because they want to get something out of them, is that right?

COMEY:
Correct.

SWALWELL:
And in many cases, it could be if that person is ever in a position of power that they could be in a position to influence policy in the United States.

COMEY:
To influence policy or to supply them with information that's useful to them and maybe other purposes.

SWALWELL:
Now, with respect to your counterintelligence investigations, would be important for you if you were concerned that a U.S. person had financial entanglements with a foreign adversary to see that persons tax returns?

COMEY:
That's a hypothetical I really want to avoid answering, but the answer is it would depend really. It would depend upon a whole lot of circumstances.

SWALWELL:
That would be one of the pieces of evidence that you would consider looking?

COMEY:
Maybe, maybe. You -- you might be able to get the picture you need from other financial records that are more readily available.

SWALWELL:
And you're aware director that President Trump has refused, breaking with tradition of the past 40 years to show the American people his tax returns?

COMEY:
Not something I want to comment on. I'm aware of it from the media.

SWALWELL:
Now, Russia also in their efforts to recruit individuals and develop individuals, praying on or following someone's financial distress is also an avenue number may pursue, is that right?

COMEY:
Potentially, if it offers an avenue for leverage on someone.

SWALWELL:
And Director, would you consider six bankruptcies that an individual may have as been a point of leverage?

COMEY:
I can't say. I don't know.

SWALWELL:
And Director, you're aware that President Trump is at six prior bankruptcies?

COMEY:
That's not something I'm going to comment on.

SWALWELL:
And Director, when your agents are conducting a counterintelligence investigation with respect to a foreign adversary in their efforts to recruit or cooperate with a U.S. person, would you look at the U.S. person's travel to that country?

COMEY:
As part of evaluating whether there is an illicit relationship?

SWALWELL:
Yes.

COMEY:
Sure.

SWALWELL:
And are you familiar that President Trump has traveled at least three times to Russia?

COMEY:
That's not something I'm going to comment on.

SWALWELL:
Are you aware that his son, Donald Trump Jr., has traveled at least six times to Russia?

COMEY:
Same answer.

SWALWELL:
Donald Trump has said a number of times that he has had nothing to do with Russia and I want to ask you, Director, if you're familiar with Deutsche Bank and its $300 million loan to Donald Trump and his organization.

COMEY:
That's not something I'm going to comment on.

SWALWELL:
Director, are you aware that Deutsche Bank has been investigated and fined over $400 million by New York State for failing to stop the corrupt transfer of more than $10 billion out of Russia?

COMEY:
I think generally from press accounts.

SWALWELL:
So an individual's association with the bank that has had dealings with Russian money laundering, that would be something that would be a red flag for a counterintelligence investigation I would assume.

COMEY:
That's a hypo I don't want to answer.

SWALWELL:
Director, would a U.S. businessperson who is associated with a foreign adversary having tenants in their office building that do business with that foreign adversary, would that be a red flag that a counterintelligence agent would look at?

COMEY:
I can't answer that.

SWALWELL:
Are you aware that in Trump Tower were two tenants, Vadim Trincher and Anatoly Golubchik, who ran a high-stakes illegal gambling ring that was run out of Trump Tower?

COMEY:
Same answer.

SWALWELL:
And are you aware that the prosecutor in that case was U.S. attorney Preet Bharara?

COMEY:
Same answer.

SWALWELL:
Are you aware, Director, that that U.S. attorney was recently fired?

COMEY:
Yes.

SWALWELL:
By the president of the United States?

COMEY:
Well, I don't know who fired him. I know from press accounts that he was asked to leave.

SWALWELL:

Director, are you aware of Felix Sater, a former Soviet official and adviser to the Trump Organization?

COMEY:
I'm not going to comment on it.

SWALWELL:
And Director, outside of Mr. Sater's relationship with the Trump Organization, are you aware that the FBI knew of Mr. Sater because of a $40 million stock fraud case that was prosecuted by the federal government?

COMEY:
Same answer.

SWALWELL:
Director, would a U.S. person having multiple trademarks in addition to the other relationships that I just described be a red flag for a counterintelligence investigation if those trademarks were in Russia?

COMEY:
Multiple trademarks?

SWALWELL:
Yeah, registering trademarks in a foreign adversary's country.

COMEY:
I don't know what to make of that.

SWALWELL:
OK. Were you aware that Donald Trump had six trademarks in Russia?

COMEY:
Not going to comment on that.

SWALWELL:
Were you aware that Donald Trump tried to market his Trump Vodka brand in Russia?

COMEY:
Same answer.

SWALWELL:
Were you aware that Donald Trump ran Ms. Universe 2013 out of Moscow?

COMEY:

Same answer.

SWALWELL:
Are you aware that Donald Trump Jr. said on a number of occasions that Russian money is pouring into the Trump Organization and that there is a disproportionate cross-section of the company's revenue coming from Russian money?

COMEY:
Same answer, Mr. Swalwell.

SWALWELL:
So hypothetically speaking though, would a foreign adversary and its oligarchs having a disproportionate cross-section of a company's revenue coming from that country, would that be a red flag for a counterintelligence agent?

COMEY:
I'm not -- I'm trying to be helpful, but I'm not going to answer that hypo...

SWALWELL:
I understand. Thank you, Director. Director, are you familiar with a 2004 home purchase by President Trump in Palm Beach County for about $40 million?

COMEY:
Not going to comment on that.

SWALWELL:
Are you familiar with a 2008 sale of that same property for 129 percent increase at about $98 million?

COMEY:
Same answer.

SWALWELL:
Are you aware that the buyer in 2008 was a Russian businessman?

COMEY:
Same answer.

SWALWELL:
And under the earlier hypothetical, would a foreign adversary's oligarch purchasing a home in the United States for 129 percent more than the home was purchased four years before. Would that be a tool that a foreign adversary would use to try and recruit, develop or bring somebody onto their side?

COMEY:
Same answer as before.

SWALWELL:
You said that it's likely or somebody should assume they're being surveilled when they were in Russia. Would you assume that Donald Trump was being surveilled in 2013 when he was in Moscow?

COMEY:
I'm not gonna answer. I -- I was trying to confine my answer to prominent people should assume, not you know, students and all those people who might go there for a brief holiday, I don't think I'd ask them to assume that.

SWALWELL:
Right. Would it be safe to say that if Donald Trump was doing something he shouldn't have been doing while he was in Russia, the Russians probably saw it?

COMEY:
Same answer as before.

SWALWELL:
Would it be safe to assume that if a prominent person was doing something they shouldn't have been doing while they're in Russia, the Russians probably saw it?

COMEY:
Yeah, I would stick to what I said before about prominent people should assume.

SWALWELL:
Mr. Director, was Donald Trump under investigation during the campaign?

COMEY:
Same answer as before. I'm not gonna answer that.

SWALWELL:
Is he under investigation now?

COMEY:
I'm not gonna answer that. Please don't over interpret what I've said as -- as the chair and ranking know, we have briefed him in great detail on the subjects of the investigation and what we're doing, but I'm not gonna answer about anybody in this forum.

SWALWELL:

Director, from our perspective on the committee, the dots continue to connect. President Trump, his team, people in his orbit, to Russia. And the questions that we have, it's quite simple. Are these merely 100 different coincidences or is this a convergence where you're seeing deep personal, political and financial ties, meeting Russia's interference in our campaign?

So I'm wondering, Director, with your extensive counterintelligence expertise and in view of the Russian intelligence campaign to influence the election in which Donald Trump was candidate, do you consider this -- these number of connections between well-connected Russians and Donald Trump, the Trump Organization, the Trump family and the Trump campaign, to be a coincidence or a convergence?

COMEY:
I'm not gonna answer, Mr. Swalwell.

SWALWELL:
From your perspective, Director, have you ever seen in the history of American politics or at least since you've been alive, any political candidate have this many connections, personal, political and financial, to a foreign adversary?

COMEY:
Same answer.

SWALWELL:
Mr. Director and Admiral Rogers, this past election, our country was attacked. We were attacked by Russia. It was electronic. It was nearly invisible. Thanks to the hard work of the men and women who serve in our intelligence community, we know that the attack came from Russian. It was ordered by Vladimir Putin. He sought to help Donald Trump and to take down Hillary Clinton. The most disturbing finding for me and my fellow committee members is that Russia intends to do this again.

And I see this as an opportunity for everyone on this committee, Republicans and Democrats, to not look in the rearview window but to look forward and do everything we can to make sure that our country never again allows a foreign adversary to attack us. Because I think, Director, you and Admiral Rogers would agree that it's not only Russia that is sharpening the knives to go back at us or to go at our allies. It's also other countries who have similar capabilities. And so, I think the best thing we can do now is unite around this investigation, have also a parallel, independent commission to make sure we get to the bottom of what happened, why we were so vulnerable and to assure the American people we'll never let this happen again.

And I yield back.

NUNES:
Dr. Wenstrup?

WENSTRUP:
Thank you, Mr. Chairman.

If I can, gentlemen, go back to what we were talking about a little bit before with interference from the Russians possibly in through our media. Have Russians or Soviets historically attempted to spread this

information through the U.S. media? As (ph) you -- you mentioned they've been there in over decades trying to interfere, they use media as a resource.

ROGERS:
We see them use media writ large as a resource to disseminate disinformation, false information.

WENSTRUP:
And is that -- been pretty much regardless of who's in the White House?

ROGERS:
It doesn't seem to tie to a particular political party, that tactic, if you will.

WENSTRUP:
Thank you.

Mr. Comey, have you ever formed -- this is going back to the article from February 14 in the New York Times, have you ever formed an articulated opinion about the article from February 14 in the New York Times?

COMEY:
Have I ever formed and articulated opinion?

WENSTRUP:
Formed an opinion or articulated an opinion on that article?

COMEY:
I don't want to say, Dr. Wenstrup.

WENSTRUP:
OK. Thank you. When I look at your jobs and thank you for being there and doing your jobs. And I mean that sincerely, your job, you -- you observe and you investigate and you assess and you try to predict and you sometimes have to act, would that be correct?

COMEY:
Sure.

WENSTRUP:
In what you do. My question is, as far as predictions and actions, Hillary Clinton won the 2016 election for the United States presidency. Which certainly most had predicted, I would conject (ph) that even the Russians predicted that she would win. What -- what were the Russians planning for November 9 and beyond that had she won. You mentioned before, and the reason I ask that -- you mentioned before you said they'll be back.

My question is have they left? Because I -- I would contend they haven't left. This isn't something they their turning on and off. This is a constant. So any -- any idea what -- what may have happened November 9 and beyond that had she won?

COMEY:
Hard to say.

WENSTRUP:
The pattern has been to interrupt us regardless of who is in the White House.

COMEY:
Yes. They want to mess with us and in a continuing and general way. It's hard to answer the counterfactual. I assume they would've continued their efforts to undermine President-Elect (sic) Clinton as they had begun doing during the summer, especially with European allies to create a divide there and probably lots of other things. What I meant by they'll be back is, they're not going away. But in the -- in the -- I mean that that in the sense of their next opportunity to mess with our election is two years from now and in four years. That's what I meant by back.

WENSTRUP:
Thank you. I think your job is -- is difficult because there's a lot of conjecture about any relationship with Russians in general and questions from me and others about, can I meet with the Russian ambassador? Does that get me investigated? Business ties here and there, you know, I mean currently we share a space station with Russians. We buy engines from the Russians for -- for our rockets and in the '90s we had joint military exercises with the Russians. It gets a little bit tough as -- for you guys decide what and -- and when do we investigate and I appreciate you taking the time with us today.

And I yield back.

NUNES:
Gentleman yields back.

Mr. Stewart?

STEWART:
Thank you, Mr. Chairman.

And to the witnesses, thank you both. You know, I'm impressed. I was a B-1 pilot, when I took off one of the first certain (ph) thoughts I had was how long is it going to be until I get to go to bathroom? You guys went almost 4 hours. Our plan was to keep you here until you are in such pain that you would just answer all of our questions.

(LAUGHTER)

I have a list of questions here but I want to divert a little bit and -- and follow up on some of things that have been said here today. Mr. Comey, you confirmed that there's an investigation in the Trump campaign officials. The fact that there is an open investigation does not indicate guilt though, does it?

COMEY:
Certainly not.

STEWART:
And in fact many times in an investigation may find that there is no wrongdoing.

COMEY:
That's one of the reasons we don't talk about it, so we don't smear people who don't end up charged with anything.

STEWART:
I appreciate that and I would say that is especially likely to have, when I say especially talking about have the finding of no wrongdoing when there is a political motive. And if there's one thing that we've seen here today, I think, from some of the line of questions is clearly been a certain political motive in some of the questions that have been asked to you.

Mr. Clapper, the former DNI, and we all know who he is, this is someone who should know. I want to read what he said just a few weeks ago. Mr. Clapper then went on to say that to his knowledge there was no evidence of collusion between members of the Trump campaign and the Russians. We did not conclude any evidence in our report and when I say "our report," that is the NSA, FBI, and CIA with my office, the director of national intelligence said anything -- any reflection of collusion between the members of Trump campaign and the Russians, there was no evidence of that in our report.

Was Mr. Clapper wrong when he said that?

COMEY:
I think he's right about characterizing the report which you all have read.

STEWART:
Well, I want you to know I agree with Mr. Clapper. And at this point, everyone on this dais should agree with Mr. Clapper because we in the committee have seen no evidence, zero, that would indicate that there was collusion or criminal wrongdoing between any members of the previous administration or campaign and Russian officials.

And I'm going to comment very quickly on the leaks. You've said very clearly that it is a crime, both of you have said that, you've indicated it endangers national security which I certainly agree with. It makes it hard for us to reauthorize very important tools that we will need in order to protect our national security and many times, it's inaccurate.

And I would ask you then if someone in intelligence community has some concerns, if they feel like there's been an overreach or the government is doing something they shouldn't be doing, any government official, is there a process they can go to where they could make that known and express their concerns?

COMEY:
Yes. All of us, the intelligence community have robust whistleblower provisions that we educate our folks on and part of the whistleblower track is they can bring information to the appropriate committee of Congress.

STEWART:
That's exactly right and are both of your agencies capable of handling accusations agree with me on that. I'd like to shift quickly if I could to the integrity of the report which the previous DNI when he determined along

with your acquiescence, I might add, both of you, that Russia developed a clear preference for Mr. Trump and this is a huge deal. I mean, think about this story the American people have been told and some believe that our president was elected maybe because of the influence of a foreign government.

And I love you guys, you know that, and I defend you and we respect what you do but I do need to make this point and that is the intelligence community is not perfect, is it?

COMEY:
Not perfect?

STEWART:
Yes.

COMEY:
Certainly not.

STEWART:
Certainly not. We...

COMEY:
I can speak for me, I don't -- he might be perfect.

(LAUGHTER)

STEWART:
Mr. Rogers, I'll allow you to answer the same question.

ROGERS:
I am not -- same as the Director.

STEWART:
And as has been indicated here, and look again, that's not a criticism, it's just the human endeavor. We sometimes make mistakes as do agencies sometimes make mistakes and all of us can think of examples of that including meaningful mistakes, by the way. Mistakes that had clear implications for our policy. And as has been indicated here as well, there's a difference in the level of confidence.

Now, Mr. Comey, you have a higher degree of confidence in this report than you do, don't you Mr. Rogers?

ROGERS:
To be specific, a different level of content on one specific assessment or judgment...

STEWART:
Understanding (ph)...

ROGERS:
But a concurrent overall, in that judgment.

STEWART:
But that one judgment, that one is in a very important part of this report. And if I could make just this last point and this is an important point, I think. And that is the difficulty of determining motive. I mean, we can go back, we can look at facts. We can look at what happened. We can often determine who did it, who they did it with, when they did it. But to determine motive, you've got to crawl inside someone's head. And that's much, much more difficult.

And in fact, quoting from the preamble in this report, talking about a leader's intentions. It says, this objective is difficult to achieve when seeking to understand complex issues in which foreign actors go to extraordinary lengths to hide and obfuscate their activities. Once again, we're trying to determine motive, which is very different -- difficult. Do you agree with that? The determining motive is one of the most difficult challenges when it comes to an intelligence analysis?

COMEY:
I -- I do Mr. Stewart. And I should -- I should emphasize something that Admiral Rogers said earlier, we made no judgment on whether the Russians were successful in any way and having an impact on the election, I just wanna be clear. That -- that's not in report because we didn't opine on it. We didn't -- that's not within our -- our...

STEWART:
I understand that, but we're looking at Russian activities. And we're making a conclusion of why they did that. In this case, that they preferred one -- one candidate over the other. I was in Moscow last August. I came home and I did some media interviews and talked to some folks. And I said, they're gonna mess with our elections. And that wasn't based on any intelligence analyst or specific information, this was just based on history, we knew that they would. And I was always asked, well, who do they want to win?

And I said then, I don't think they care. I don't think they A, could believe they could determine who would win and others (ph), as we've said here a number of times, they just want to break down the foundation, they just want to break the trust in our institutions. They want to take away that faith we have in our electoral process. And by the way, the intelligence community agreed with us, with me, on that analysis. For a long, long time, up until December. And then suddenly, they didn't.

And was when the president asked for this report and he asked for it to be concluded very quickly and then the analysis changed entirely. And -- and it went from no, no, no, they don't really care to no, no, they want Mr. Trump to win. And I think there's another plausible explanation, which is what I want to talk about in the few minutes that I have remaining. Let me begin by asking you, do you think that the Russians expected Secretary Clinton to win the election?

COMEY:
Yes, as of August certainly, August, September.

STEWART:
OK.

Mr. Rogers?

ROGERS:
Yes.

STEWART:
OK. Well, look, Mr. Comey you indicated as of August, September, do you believe they ever came to a conclusion that you know what? Mr. Trump's going to win.

COMEY:
No, our -- the assessment of the intelligence community was that early on, they thought he might have a shot. And so they wanted to mess with our election, hurt our country in general, that's always the baseline. They hated her, Secretary Clinton, wanted to harm her and thought they might have a chance to help Mr. Trump. And then later, concluded that Mr. Trump was hopeless and they would focus then on just trying to undermine Secretary Clinton, especially with the European allies.

STEWART:
Got that, so up -- up until summer and through the fall, they believe that Secretary Clinton would win, is that true?

COMEY:
I think the assessment was, late in the summer, they concluded based on the polling I think a lot of people were reading, that Mr. Trump didn't have a chance. And they shifted to just focusing on just trying to undermine her.

STEWART:
And I tell you, if you were to tell me and I know you didn't but I'm just saying, if anyone were to tell me that they concluded Mr. Trump is going to win. I'd just say they're nuts, because there was no one in the world who thought that. Every media organization, every political organization, every government organization that I'm familiar with last fall thought that Secretary Clinton would be the next President of the United States.

COMEY:
I think the Russians agreed.

STEWART:
I -- absolutely they did agree. Then this is the point and this is such a fine line, but it's such an important point, and that is how can you know for certain if the Russians were motivated by hurting the person they thought in fact, fully expected was going to be the next President of the United States and comparing that with a mode (ph) of this kind of a Hail Mary pass. You know what, maybe this guy's got a shot. Let's try and help him get elected because those motives would be -- and that's -- that' again coming back to my original point, determining motives is very difficult.

You have to either have very direct information or you have to be able to get inside someone's head and really figure out what it is that's driving them. And knowing the Russians expected Secretary Clinton to win, would you see that some of those things that they've done would be consistent with undermining her presidency, not necessarily because they thought Mr. Trump was going to win and they wanted help.

COMEY:

Again, I think it's too close related sides of the same coin. I mean, to put it in a homely metaphor, I hate the New England Patriots and no matter who they play, I'd like them to lose. And so I'm at the same time rooting against the Patriots and hoping their opponent beats them. Because only two teams on the field but what the intelligence community concluded was early on, the hatred for Mrs. Clinton was -- was all the way along.

When Mr. Trump became the nominee, there was some sense that it'd be great if he could win, be great if we could help him. But we need to hurt her to matter what and then it shifted to he has no chance so let's just focus on undermining her. That was the judgment of the intelligence community.

ROGERS:
Well, I'd also if I could highlight, I acknowledge the challenge at times about trying to understand intent, but the level -- we're not going to go in any specifics in an open unclassified forum. But the level of sourcing, the multiple sources we had, which were able to independently corroborate the judgment. And there's a reason why we were high confidence in everything, except just one issue.

STEWART:
Yeah.

ROGERS:
To include the intent.

STEWART:
I understand. I spent some time out at the CIA last week. I went -- was with the staff as best we could, through the 2000 some odd pages and by the way, not many people did. And some people are casting, you know, aspirations (ph) and not making the effort to go out there and actually look at that.

But I'm telling you that having done that, I think a reasonable person could say what I've said here today, that there is another -- another element to this. That there is another, as you said Mr. Comey, another side of the coin. And this is a very, very difficult to, in my opinion, thing to say with high levels of confidence. Which is why, once again the intelligence community isn't perfect sometimes. And we do make mistakes.

And Mr. Chairman, I yield back. I'd like to come back for just a few minutes if we could after.

NUNES:
Gentleman yields back.

Mr. Schiff's recognized.

SCHIFF:

Thank you. Just a couple of quick follow up questions by myself and Mr. Himes and then we'll go to Mr. Castro.

Director, you were asked about the Director Clapper's comments and I think your response indicated that they were correct as far as the unclassified intelligence assessment goes.

COMEY:
Yes. I understood the question to be about the report itself.

SCHIFF:
I want to make it clear to people though the intelligence assessment -- the unclassified intelligence assessment doesn't discuss the issue of U.S. person coordination with the Russians. And I assume that's because at the time of the report in January of this year that was under an investigation that you have now disclosed, is that right?

COMEY:
Correct. The counterintelligence investigation is the FBI's business. The IC report was about what the intelligence community had about what Russia had done. So there is nothing in the report about coordination writing like that. It's a separate responsibly the FBI to try and understand that, investigate it and -- and assess it.

SCHIFF:
So we shouldn't read Mr. Clapper's comments as suggesting that he takes a different view of whether you had sufficient -- sufficiently credible information and evidence to initiate a FBI counterintelligence investigation.

COMEY:
I don't know exactly what he meant. All I can say is what -- what the fact is which as we just laid out. There's the report and then there's our investigation.

SCHIFF:
And the report doesn't cover the investigation?

COMEY:
Correct.

SCHIFF:
Mr. Himes?

HIMES:
Thank you, Mr. Schiff.

Gentlemen, in my original questions to you, I asked you whether the intelligence community had undertaken any sort of study to determine whether Russian interference had had any influence on the electoral process and I think you told me the answer was -- was no.

COMEY:
Correct.

ROGERS:
Correct, we said the U.S. intelligence community does not do analysis or reporting on the U.S. political process or U.S. public opinion, that is not our...

(CROSSTALK)

HIMES:
OK. So thanks to the modern technology that's in front of me right here, I've got a tweet from the president an hour ago, saying the NSA and FBI tell Congress that Russia did not influence the electoral process so that's not quite accurate, that tweet?

COMEY:
I'm sorry, I haven't been following anybody on Twitter while I've been sitting here...

HIMES:
I can read it to you. It says the NSA and FBI tell Congress that Russia did not influence electoral -- the electoral process. This tweet has gone out to millions of Americans, 16.1 million to be exact. Is the tweet, as I read it to you, the NSA and FBI tell Congress that Russia did not influence the electoral process. Is that accurate?

COMEY:
Well, it's hard for me to react to that, let me just tell you what we understand the -- the state of what we've said is. We've offered no opinion, have no view, have no information on potential impact because it's never something that we looked at.

HIMES:
OK. So it's not too far of a logical leap to conclude that your -- that the assertion that you have told the Congress that there was no influence on the electoral process is not quite right?

COMEY:
Right, it wasn't -- it certainly wasn't our intention to say that today because we don't have any information on that subject. And that's not something that was looked at.

HIMES:
Right.

Admiral Rogers, before I -- before I yield back to the ranking member, there's another tweet that says NSA Director Rogers tells Congress unmasking individuals endangers national security. My understanding was, as a member of the committee, that there is a lengthy and very specific process for the unmasking but that it does not inherently in of itself endanger national security.

ROGERS:
I assume the comment is designed to address the leaking of such information, but again, I -- I have not read what you're saying to me so I'm not in a position to comment on it, sir.

HIMES:
Thank you, I'll yield back to the ranking member.

SCHIFF:
Mr. Castro?

CASTRO:
Thank you. And thank you gentlemen for your service to the nation and for your testimony today. I wanna take a moment to turn the Christopher Steele dossier, which was first mentioned in the media just before the election and published in full by media outlets in January. My focus today is to explore how many claims within Steele's dossier are looking more and more likely, as though they are accurate. First, let me ask you, can you describe who Christopher Steele is?

COMEY:
No, I'm not gonna comment on that.

CASTRO:
Are you investigating the claims made in the dossier?

COMEY:
I'm not gonna comment on that, Mr. Castro.

CASTRO:
OK. Well, the reputation of the author, Christopher Steele is a former accomplished British intelligence officer with a career built on following Russia is important. This is not someone who doesn't know how to run a source and not someone without contacts. The allegations it raises about President Trump's campaign aids connections to Russians, when overlaid with known established facts and timelines from the 2016 campaign are very revealing. So let's begin.

In general, as my colleagues have discussed before, is it true that a large number of oligarchs and wealthy businessman in Russia have profited from their continuing close relationships or cooperation with the Kremlin?

ROGERS:
Can you say that one more time sir...

CASTRO:
Sure.

ROGERS:
I want to make sure I understand.

CASTRO:
Have oligarchs and wealthy folks in Russia profited from their connection to the Kremlin?

ROGERS:
Yes.

CASTRO:
And, there are no free lunches in Russia. If you get wealthy under Putin, it's because you support Putin and are expected to support him. Is that fair to say?

ROGERS:
I would assume there's a perception of his banage (ph), but I would assume it also varies by the specifics and the particular...

CASTRO:
Sure.

ROGERS:
... individual and relationship we're talking about.

CASTRO:
OK. But Putin never distrusts, he verifies, right? As a former KGB man, he wants to keep tabs on his wealthiest citizens, especially those that could ever pose a challenge to him. Is that right?

ROGERS:
I assume he maintains knowledge of the situation around him to include particular centers of influence within Russia.

CASTRO:
Thank you. So, is it likely that the Kremlin would accept or actively trade favors or other valuable or sensitive information, intelligence from foreign figures about Russian oligarch or wealthy businessmen living abroad?

ROGERS:
Is it possible? Yes, but again, it depends on the particulars of the situation. I don't know that I would make a flat statement...

CASTRO:
But it's certainly a possibility.

ROGERS:
It's a possibility.

CASTRO:
OK. Well, the dossier definitely seems right on these points. A quid pro quo relationship seems to exist between the Trump campaign and Putin's Russia.

A July 19, 2016 entry for example asserts that Russians were receiving intel from Trump's team on Russian oligarch and their families in the United States. An entry from June 20, 2016 states quote, "Trump and his

inner circle have accepted regular flow of intelligence from the Kremlin, including on his democratic and other political rivals," which is something for something.

A July 30 entry likewise states that a source close to the Trump campaign confirms a regular exchange with the Kremlin has existed for at least eight years, including intelligence being fed back to Russia on oligarch activities in the United States. Is it generally true that Moscow actively seeks and supports, whether through the oligarch, overt Russian officials or undeclared intelligence officers, sympathetic or cooperative foreign figures abroad, whether through business dealings or political backing or a combination of the two.

COMEY:
(OFF-MIKE)

ROGERS:
Generally, it's a tactic we have seen over time, but again, I would caution us -- we're talking about very specific cases theoretically here and I'm not prepared to get into any of the specifics.

CASTRO:
And I know that my colleagues have touched upon this, but I think it's important in the context of Christopher Steele's dossier to bring it up again. So, my question is, is it likely or plausible that the Russians might seek out Americans for Moscow's purposes.

COMEY:
It is one of the focuses of our counterintelligence mission to try to understand the ways in which they try to do that, that's at the core of their intelligence gathering, is trying to coop recruits -- Americans -- to give them information.

CASTRO:
So, the dossier states in an entry dated August 10, 2016, that a quote "Kremlin official involved in U.S. relations" suggested that Moscow might offer assistance to quote "sympathetic U.S. actors." Does this sound like a plausible tactic out of the Russian playbook?

COMEY:
I'm not going to comment on that, Mr. Castro.

CASTRO:
OK. Now, let's get even more specific. Among the U.S. actors, this Kremlin official mentions a Carter Page and Michael Flynn, whom my colleagues have already discussed at length and which the dossier describes as quote "examples of successes by the Kremlin official."

We know that Carter Page went to Moscow on July 7 to give a speech to the new economic school. We're in possession of the slide deck from his speech there. And we know Carter Page obtained approval from the Trump camp from Trump campaign manager at the time, Corey Lewandowski, as reported in Politico, citing national security campaign official, J.D. Gordon.

CASTRO:

Now, let me ask you another question with respect to somebody else. Is it correct that Igor Sechin, the president of Russian oil giant, Rosneft, is a former member of Russian intelligence and a long-time aide and confident of Vladimir Putin.

COMEY:
Not going to answer that, Mr. Castro.

CASTRO:
In an October 18, 2016, entry, the dossier states that, during Page's visit to Moscow, he met with Igor Senchin, offering, quote,"Page and Trump's associate, the brokerage of up to 19 percent stake in Rosneft," which Page conferring (ph) that, quote, "If Trump were elected U.S. President, sanctions on Russia would be lifted."

And although fortunately the White House hasn't been so naive as to (inaudible) unilaterally lift sanctions on Russia, it was widely reported that on January 27th of this year, Rosneft sold a 19.5 percent stake in Rosneft in what Reuters calls, quote,"one of its biggest privatizations since the 1990s." Furthermore, Reuters reported that, quote, "Public records show the ownership structure of the -- of the stake ultimately includes a Cayman Islands company whose beneficial owners cannot be traced." What a coincidence.

Is this the subject of your investigation? One of the subjects of your investigation?

COMEY:
Same answer.

CASTRO:
OK.

COMEY:
Meaning -- meaning I'm not going to comment.

CASTRO:
I understand.

So, let's move to WikiLeaks for a moment, who played such a prominent role in the 2016 election. As has established before and reestablished at this hearing, WikiLeaks was at a minimum an unwitting pawn and, at a maximum, an active co-conspirator of the Kremlin's in publishing stolen DNC and senior Democratic officials' e-mails. And so you agree this was done in order to offer Moscow some measure of separation as to mask its hand in having hacked and stolen the data in the first place, but so it could still have it publicly posted to inflict damage on the Clinton campaign?

COMEY:
Yes, I think that's fair.

ROGERS:
Yes.

CASTRO:
OK. An entry from July 19, 2016, in the dossier states that a Trump associate knew that the Kremlin was using WikiLeaks in order to maintain quote, "plausible deniability of its involvement." Three days after this entry, WikiLeaks carries out the Kremlin's wishes and publishes upwards of 20,000 stolen DNC e-mails, and 8,000 associated e-mail attachments, and the rest, as they say, is history.

Another entry dated August 17th has Carter Page and a Russian associate discussing WikiLeaks publishing e-mails in order to swing Sanders' supporters away from Clinton and to Trump. And again, from a September 14th entry in the dossier, quote, "Kremlin has further compromising material on Clinton in form of e-mails and considers disseminating after parliamentary elections in late September." And on October 7th, WikiLeaks publishes John Podesta's hacked e-mails. So the coincidences keep piling up.

Let's turn, in the few minutes that I have remaining, again to Paul Manafort, as a follow-up to Mr. Himes' questioning. Suffice it to say, Paul Manafort was a major part of the Trump campaign, including serving as its chairman, convention manager, and chief strategist, before departing the campaign in disgrace in August 2016. It's also established the fact that Paul Manafort was a long-time official adviser to pro-Russian Ukrainian political leadership.

Is Paul Manafort -- Manafort a subject in your investigation?

COMEY:
I'm not going to comment on that.

CASTRO:
All right. Director, can you describe to the American people the Russian concept of kompromat?

COMEY:
It's a technique that they use to gather information on people that may be embarrassing or humiliating, and using it to coerce cooperation.

CASTRO:
In your career, have you known instances where that has been successfully leveraged?

COMEY:
Yes, I believe our counter-intelligence division has encountered it a number of times.

CASTRO:
Does that include private places, including places such as hotels that are wired for audio and video?

COMEY:
I don't think I remember enough about the particulars to say, but in theory, sure.

CASTRO:
Thank you.

I yield back. I yield back to Ranking Member Schiff.

SCHIFF:
I recognize Mr. Heck.

HECK:
Admiral Rogers, before I get into my main body in my remarks, I want to go back to your earlier comment about that there is no evidence to indicate that there was a successful Russian hacking of voter results or tabulations. What I did not hear you say is whether or not there had been any attempts to hack into election systems of any kind.

ROGERS:
Yes.

COMEY:
I can answer that because the FBI's responsibility's in the United States. We saw no indication of that. We saw efforts to penetrate voter registration databases, state Boards of Elections, at that level. We saw no efforts aimed at the vote itself.

HECK:
But you did see efforts to penetrate registration roles?

COMEY:
Correct.

HECK:
Did you see efforts to penetrate any other portions of election systems, other than registrations? In this country it's a highly-decentralized system and, as a consequence, you will recall, then-Secretary of Homeland Security, Jeh Johnson, indicated that election systems should become a part of our critical infrastructure for cybersecurity purposes.

COMEY:
Their efforts were aimed at the voter registration systems in various states, and it takes different forms in various states. Sometimes there's a private vendor, sometimes it's state. But it -- that's where it was focused, and not on the -- the vote itself, vote machines, vote tabulation, vote transmission, that we've seen.

HECK:
Thank you. I yield back to the Ranking Member (inaudible).

SCHIFF:
Time's -- time's expired, but let me go quickly to Mr. Turner.

TURNER:

Thank you, Mr. Chairman.

There's been a lot of statements that have been made up here that is opposed to questions. And we don't certainly feel the need to clarify all of them, but there is one aspect that does need to be clarified because it's also involved both of your testimonies.

There's been discussion up here concerning the statements by James Clapper and, rather than do the conjecture as it has been made, I'm going to just read it. Chuck Todd said, "Let me ask you this. Does intelligence exist that can definitively answer the following question whether there were improper contacts between the Trump campaign and Russian officials?" James Clapper said, "We did not include any evidence in our report.

I say 'our,' that's NSA, FBI, and CIA, with my office and the Director of National Intelligence, that had anything, that had any reflection of collusion between members of the Trump campaign and the Russians. There was no evidence of that included in our report." Chuck Todd followed up. "I understand that, but does it exist?" James Clapper answered, "Not to my knowledge." So the text is not merely related to the report.

I yield back.

NUNES:
Mr. Crawford's recognized.

CRAWFORD:
Thank you, Mr. Chairman.

Thank you, gentlemen, for being here today. I'll start with Director Comey. Despite your expressed disdain for the New England Patriots, I think that Tom Brady would probably like to express his gratitude for the FBI's assistance in recovering his stolen Super Bowl jersey, so I'll do that on his behalf now.

COMEY:
Thank you. By the way, I -- if I'm honest with myself, the reason I don't like the Patriots is they represent sustained excellence and, as a Giants' fan, that drives me crazy.

CRAWFORD:
Director Comey, are you familiar with an article, July 18, 2016, from The Washington Post entitled "Trump Campaign Guts GOP's Anti-Russia Stance on Ukraine"?

COMEY:
I'm not familiar with that article. I don't -- I don't remember it.

CRAWFORD:
I'd ask (you) now to consent to add this to the record, just for your edification, Director. There's an allegation contained in that article that at a National Security Committee platform meeting Trump staffers wrote an amendment to an amendment that stripped out platform's call -- call for providing, quote,"Lethal defensive weapons," and replace it with softer language, calling for, quote, "Appropriate assistance."

Are you familiar with a March 18, 2017, story in the Washington Examiner entitled "How Pundits Got Key Parts of the Trump Russia Story All Wrong"? Are you familiar with that?

COMEY:
I don't think I am.

CRAWFORD:
I'd ask you now to consent to add that to the record, and also for your edification I'll go to some of the -- the meat of that story. There -- are you aware of an allegation that Trump staffers gutted the Ukraine plank of the platform?

COMEY:
Am I aware of the article on that?

CRAWFORD:
Are you aware of any -- anything of that nature, the article or any -- any activity that -- that (inaudible)?

COMEY:
Do you want to talk about anything -- I'm willing to comment on whether I've seen different things in the media. I don't want to talk about anything beyond that.

CRAWFORD:
OK. So, then, say you're not aware of the final platform that retained all of the language from the original platform, plus the portion of the amendment offered by the platform committee member?

COMEY:
I don't want to comment.

CRAWFORD:
OK. Then I'll go through -- I know that you're limited on what you comment on. I'll go through some of the -- some of the -- as I said, the meat of this. Reading from the platform, it says, quote, "We will meet the return of Russian belligerence with the same resolve that led to the collapse of the Soviet Union. We will not accept any territorial change in Eastern Europe imposed by force in Ukraine or elsewhere, and we'll use all appropriate measures to bring to justice the practitioners of aggression and assassination," end quote.

Does that sound to you as a -- like a pro-Russian or a pro-Putin statement, in your assessment?

COMEY:
That's not for me to comment on.

CRAWFORD:
OK. Further, in the platform it says quote "We support maintaining and if warranted increasing sanctions together with our allies against Russia and less and until Ukraine's sovereignty and territorial integrity are fully restored. We also support providing appropriate assistance to the Armed Forces of Ukraine and greater coordination with NATO defense planning." And again, that sounds like fairly clear language in their relationship to Russia.

Would you agree?

COMEY:
Same answer Mr. Crawford.

CRAWFORD:
OK, thank you.

The final language I'll get to here in just a second -- there was -- there was an amendment but the final language regarding that plank of a platform with regard to national security relating to Russia. It says "we support maintaining and if warranted, increasing sanctions together with our allies against Russia and less and until Ukraine's sovereignty and territorial integrity are fully restored. We also support providing appropriate assistance to the Armed Forces of Ukraine and greater coordination with NATO defense planning."

And again, that -- to me that sounds fairly clear and straightforward that that is not conducive to a Putin administration. Would you agree?

COMEY:
Give you the same answer, Mr. Crawford.

CRAWFORD:
Thank you, sir.

It's also important to note that that platform was adopted in coordination with and in concert with the Trump administration as they met at the convention and they went through the platform process. The Trump campaign agreed to the platform condemning Kremlin belligerence, calling for continued and perhaps increased sanctions against Russia as I indicated in the text of that platform. For the full restoration of Ukrainian territory, for refusing to accept quote "any territorial change in Eastern Europe imposed by force, Ukraine or elsewhere and pledging to aid Ukraine's armed forces."

So I -- I bring that up just to -- just to highlight and note the fact that none of that appears to be pro-Putin or pro-Russian language.

NUNES:
Mr. Crawford, will you yield that to me?

CRAWFORD:
Yes.

NUNES:
So, Mr. Comey, I just want to make sure -- I know you're not going to comment on this, but I hope that you'll take this back to your investigators because there seems to be the -- the line out there that somehow the Republican Party watered down it's platform. And that's not true. That didn't happen, and in fact, what happened is -- is that the platform was actually increased. Increased its certainty against what the Russians were up to and it actually amended the platform to make it stronger than what it initially was.

So, you know, I know there's a lot of circumstantial evidence out there about all these supposed people that knew -- that knew the Russians, but the reality is and remains the case, Republican Party had a very strong platform that was against the Russians and it was increased in its -- its strength not decreased like has been reported. So I know that you won't comment, but I hope that at least you will -- we'll provide this to your investigative team so that we can at least get this off the table. Will you -- will you take this back?

COMEY:
Sure.

NUNES:
OK, we'll give it to you.

Sorry, Mr. Crawford. We'll go back.

CRAWFORD:
Not at all. Thank you, Mr. Comey, I appreciate that.

Admiral Rogers, would you like to make a comment about the New England Patriots before I move forward?

ROGERS:
I'm a Chicago Bears guy, born and (inaudible).

CRAWFORD:
Admiral, our employees -- you mentioned this before but I just want to go through this list. Are employees of intelligence community -- intelligence community agencies required to disclose visits with foreign nationals?

ROGERS:
Yes, broadly, although I'd be the first to admit not all foreign international interactions are the same. Interactions with the British, for example, are in a very different place than other countries for example.

CRAWFORD:
OK, appreciate that clarification. To your knowledge, are elected officials required to disclose contact with foreign nationals?

ROGERS:
I don't know what the specifics are across the federal government because clearly in many jobs, that's part -- interaction with foreign counterparts is part of your job. I'm the first to acknowledge that. I interact with foreign counterparts as does Director Comey, regularly, in the course of our duties.

CRAWFORD:
Are federal campaign employees required to disclose contacts with foreign nationals to your knowledge?

ROGERS:
I apologize, I just don't know.

CRAWFORD:
OK. Are private citizens required in any way to disclose or to report contact with foreign nationals? That you know of?

ROGERS:
I don't know.

CRAWFORD:
Is it customary for transition teams for a presidential campaign -- for transition team members to meet with foreign nationals to your knowledge? Is that customary?

ROGERS:
It's an area I just don't have any knowledge.

CRAWFORD:
Is that unusual?

ROGERS:
I don't have any -- I don't have any knowledge on it.

CRAWFORD:
Has it happened before?

ROGERS:
I've never been part of a transition team. I don't know.

CRAWFORD:
Are transition team members required by law to disclose contacts with foreign nationals?

ROGERS:
I apologize, I don't know the law there.

CRAWFORD:
Thank you.

I yield back to the Chairman.

NUNES:
Thank you Mr. Crawford.

Ms. Stefanik's recognized.

STEFANIK:
Thank you, Mr. Chairman.

Thank you, Director Comey and Admiral Rogers for your testimony today. My first set of questions are directed at Director Comey. Broadly, when the FBI has any open counter-intelligence investigation, what are the typical protocols or procedures for notifying the DNI, the White House, and senior Congressional leadership?

COMEY:
There is a practice of a quarterly briefing on sensitive cases to the chair and ranking of the House and Senate Intelligence Committees. And the reason I hesitate is, thanks to feedback we've gotten, we're trying to make it better. And that involves a briefing of the Department of Justice, I believe the DNI, and the -- some portion of the National Security Council at the White House...

STEFANIK:
So if that's quarterly...

COMEY:
... to brief them before Congress is briefed.

STEFANIK:
So it's quarterly for all three then, senior congressional leadership, the White House, and the DNI?

COMEY:
I think that's right. Now that's by practice not by rule or by written policy which is why, thanks to the chair and ranking giving us feedback, we're trying to tweak it in certain ways.

STEFANIK:
So since, in your opening statement, you confirmed that there is a counter-intelligence investigation currently open and you also referenced that it started in July. When did you notify the DNI, the White House, or senior congressional leadership?

COMEY:
It's a good question. Congressional leadership, some time recently. They were briefed on the nature of the investigation in some detail as I said. Obviously the Department of Justice has been aware of it all along. The DNI, I don't know what the DNI's knowledge of it was because we didn't have a DNI until Mr. Coats took office and I briefed him his first morning in office.

STEFANIK:
So just to drill down on this, if -- if the open investigation began in July and the briefing of congressional leadership only occurred recently, why was there no notification prior to the recent -- to the past month?

COMEY:
I think our decision was it was a matter of such sensitivity that we wouldn't include it in the quarterly briefings.

STEFANIK:
So when you state our decision is that your decision? Is that usually your decision what gets briefed in those quarterly updates?

COMEY:
No, it's usually the decision of the head of our counter- intelligence division.

STEFANIK:
And just again, to get the detailed -- on the record, why was the decision made not to brief senior congressional leadership until recently when the investigation had been open since July? A very serious investigation -- why was that decision to wait months?

COMEY:
Because of the sensitivity of the matter.

STEFANIK:
Stepping back more broadly, in the case of Russia, we know that cyber hacking is just one tactic that's typically part of a broader influence or information warfare campaign and we know the Russian government is ready and willing to employee hacking as but one of many tools in their toolkit to obtain information for use against the United States. Is there any evidence that Russia tried to hack other entities associated with the 2016 presidential campaign in addition to the DNC or the Clinton campaign operatives?

COMEY:
Yes, many others.

STEFANIK:
Can you specify those others? Did that include the RNC? Did that include any of the other campaigns of candidates in the primaries, either Democrats or Republicans?

COMEY:
I think what we can say in an unclassified setting is what we have in the report that there were efforts to penetrate organizations associated with the Republican party and that -- I think that is what we said in the report. And that there were not releases of material taken -- hacked from any Republican associated organizations.

STEFANIK:
But the hacking -- the use of cyber tools as part of their broader, whether you call it hybrid warfare or information warfare campaigns, it was done to both parties.

COMEY:
Correct.

STEFANIK:

Thank you. Taking a further step back of what's been in the news recently, and I'm referring to the Yahoo! hack, the Yahoo! data breech, last week the Department of Justice announced that it was charging hackers with ties to the FSB in the 2014 Yahoo! data breech. Was this hack done to your knowledge for intelligence purposes?

COMEY:
I can't say in this forum.

STEFANIK:
Press reporting indicates that Yahoo! hacked targeted journalists, dissidence and government officials. Do you know what the FSB did with the information they obtained?

COMEY:
Same answer.

STEFANIK:
OK, I understand that. How -- how did the administration determine who to sanction as part of the election hacking? How -- how familiar with that decision process and how is that determination made?

COMEY:
I don't know. I'm not familiar with the decision process. The FBI is a factual input but I don't recall and I don't have any personal knowledge of how the decisions are made about who to sanction.

STEFANIK:
Looking forward -- and this is for both of you -- what is the NSA and the FBI doing to keep Americans safe, to keep campaign entities -- to keep any entity associated with a major campaign, save from aggressive Russia cyber measures that were utilized in this past election?

ROGERS:
So, we continue to maximize the insights. We're generating about an activity -- for example, this started with the NSA initially gaining access, in the summer of '15, we became aware of that activity, shared it with our FBI teammates. That continues, we try to make sure that the insights we generate our shared with our law enforcement teammates, who then re-interact with the private sector.

We're trying to work broadly across the U.S. government to increase cybersecurity, as you heard discussed -- on-going discussions about what's the role of the voting infrastructure in the United States, in terms of critical infrastructure. Do we need to bring that within the critical infrastructure framework? I know that topic has been ongoing for some period of time.

STEFANIK:
Director Comey?

COMEY:

Yeah, I think that's right and just making sure that we are sharing information when we get it that someone's being hit, but more importantly we're showing people what we've learned from this cycle, so they can tighten up.

STEFANIK:
Thank you. It seems to me in my first line of questioning, the more serious a counterintelligence investigation is. That would seem to trigger a need to update not just the White House, the DNI, but also Senior Congressional Leadership. And you stated, it was due to the severity. I think moving forward, it seems that the most severe and serious investigations should be notified to the Senior Congressional Leadership.

And with that, thanks for the lenience, Chairman, I yield back.

(CROSSTALK)

COMEY:
That's good feedback, Ms. Stefanik. The challenge for us is sometimes we want to keep it tight within the executive branch, and if we're going to go brief congressional leaders, the practice has been, then we brief inside the executive branch. And so, we have to figure out how to navigate that in a good way.

NUNES:
We may have to update the law on that. Gentlelady (ph) yields back.

Mr. Schiff is recognized for 15 minutes and I think -- then we'll come back to our side for 15 and that should be it.

SCHIFF:
Thank you, Mr. Chairman. Just a couple of questions before I hand it back to Mr. Heck.

Do the Russians favor the United States provision of lethal, defensive weapons to Ukraine, Admiral?

ROGERS:
No.

SCHIFF:
They would strongly oppose such an idea, would they not?

ROGERS:
They've been opposed to it to date.

SCHIFF:
And I can tell you that the idea of providing lethal defensive weapons to Ukraine has bipartisan support here on the Hill, including Senator McCain, certainly myself, I would imagine many members of this committee.

There was an effort at the convention to strengthen the platform by including a provision that would provide lethal defensive weapons to Ukraine. That was defeated. The campaign manager for the Trump campaign at the time, Paul Manafort, denied the campaign was involved in defeating that amendment. But the delegate who

offered the amendment later disclosed to the press that in fact it was dropped at the insistence of the Trump campaign.

J.D. Gordon, a national security adviser for the Trump campaign was forced later to admit that in fact, he had weighed in against the amendment that would have provided that the U.S. should give lethal defensive weapons to Ukraine.

So, I would join my chairman in asking you to look into this, particularly since we know that Ambassador Kislyak attended the convention and if there was any communication between the Russians and the Trump campaign, that had the effect any coordination that resulted in the defeat of an amendment that was against Russian interests, the committee would certainly like to know and we welcome that inquiry.

Mr. Heck?

HECK:
Thank you, Ranking Member.

There a lot of emotions kicking around in this room today. I perceive anger and outrage and subdued somberness, one I feel overwhelmingly is sadness. We've heard nothing but terribly disturbing evidence of what has happened to our country at the hands of arguably our greatest advisory.

And what's worse, the evidence we've heard so far all seems -- all seems to lead to the conclusion that they help from the inside. That this was, in part, an inside job from U.S. persons -- willing American accomplices or terribly naive ones, or probably both -- who helped the Russians attack our country and our democracy.

We're both still at the early stages of our investigation. We're not indicting anyone, merely laying out some of the evidence and the facts, dirty though they be, sleazy though they be. And no matter what, we can safely conclude at this point that never in the modern era has a President and his Administration had so many foreign entanglements.

Entanglements that continue to push American foreign policy away from its core roots -- beliefs, interests and alliances towards unprecedented positions that only Putin himself could approve of. How else can we explain the modification to the Republican Party platform in such a decidedly pro-Russian way.

Republicans who are always so strong against geopolitical foes like Russia, I know my colleagues on this committee take the Russia threat very seriously. Why wouldn't the people who inhabit the White House? How else can we explain an Administration that beats up our oldest allies, like Australia and Britain, and our strongest and most sacrosanct alliance, like NATO, but never, ever say a bad word about Putin. In fact, they say a lot of good words about Putin.

An administration that we have heard decisively makes up baseless wiretapping charges against a former United States President, equates our intelligence agencies to Nazi Germany, and argues moral equivalents between a repressive, authoritarian states with an abhorrent human rights record like Russia in our free and open democracy. And yet, this Administration never, ever utters any criticism of Russia.

Let's be clear though. This is not about party. It's not about relitigating the election. It's not as if anything we do here will put a President from a different political party in the Oval Office. So, I hope that it's clear that it's about something much more important. And no, it's not about political motivation, to my friend who said and suggested that earlier, this is about patriotism, about something way more important than party.

This is about country and the very heart of what this country is built on, which is open, free, fair, trusted elections. We don't take our investigation lightly and I know you don't. Indeed, you go through a process to even decide to do that, whether to extend the resources, to begin with credible allegations and reason to believe

that there's something that warrants it. And I no doubt believe you've talked to lawyers in and out of the prosecution divisions about whether or not this warrants an investigation. I know you don't take this lightly.

What we have seen is damning evidence today of what Russia did. We've also seen damning evidence of how they did it. Russia has a history of using active measures, many of which we have heard about today. Let's recap them, we're getting near the end.

Hacking and dumping information to damage or embarrass their enemies. We heard about this, of course, with respect to WikiLeaks and Guccifer 2.0. Using third-party and cutouts, business people, oligarchs (ph) and other ostensibly private individuals to cultivate relationships.

We've discussed Ambassador Sergey Kislyak, CEO Igor Sechin, and of course, Vladimir Putin himself. We're also heard about Russia's use of companies like (inaudible), the Bank of Cyprus, (inaudible) and a confusing web of offshore shell companies used it would seem to hide or to launder money.

We've also heard how Russia released disinformation to spread rumors and confused the public and to sow distrust and the ability to even know truth objectively, using propaganda, media outlets, whether they're owned directly by Russia or not, to release such disinformation in order to claim plausible deniability of Russia's hands.

Here again, we see WikiLeaks and Guccifer 2.0, but we also see the use of propaganda outlets like RT. And of course, the use of U.S. persons of influence. Whether through active collision or coordination or naive acquiescence, we don't yet know the full extent to further Russia's attempts to undermine our elections and ultimately, weaken our democracy.

HECK:
On that last point, we've heard about quite a few individuals in the Trump orbit who feel somewhere on that spectrum from mere naivete, disturbing enough if this naivete is a feature of those who are supposed to be running our country and foreign policy, to unwitting Russian dupes, to willing blindness, to active coordination. This rogues galleries includes those already fired -- Roger Stone, adviser to Donald Trump; Paul Manafort, adviser to Donald Trump; Michael Flynn, national security adviser to Donald Trump; Carter Page, adviser to Donald Trump.

But the cloud of deep suspicion in Russian entanglements extends to those still in power. Rex Tillerson, Secretary of State to Donald Trump; Michael Caputo, adviser to Donald Trump; Jeff Sessions, Attorney General for Donald Trump; and members of the Trump family itself.

This matters. It's serious. Our battleships weren't sunk and our towers didn't collapse a la 2011 (sic). But make no mistake, 2016 is a year that we should mark on our calendars, and it's still going on. The attack didn't end on Election Day. And it will continue as you have suggested unless we, all of us in this room, stop it.

Admiral Rogers, you've proudly worn that uniform your entire career. I am proud of your service and grateful for it. But I would ask you, sir, not even with respect to this specific investigation, to use your own words as someone who no doubt has been in theater, who's lost brothers and sisters in combat, to explain to me, but more importantly to the American people -- don't assume they know the answer. Tell them in your words why we should care about Russia's active measures campaign aimed as destabilizing our democracy and that of our allies. In your words, sir, why should they care?

ROGERS:
I don't think it's best interests of our nation for any external entity to attempt to manipulate outcomes, to shape choices. That should be the inherent role of a democracy.

The investigation we're going through I think is a positive in the sense it will help illuminate to all of us, regardless of party, what are the implications here and what does it mean for us. Because I think our conclusion and that of the intelligence community broadly here is, this absent some change, this behavior is not likely to stop. Absent some change in the dynamic, this is not likely to be the last time we'll be having these discussions about that kind of activity. I don't think that's in anybody's best interest for us as a nation.

HECK:
Director Comey, parallel question. Again, in general terms, not with respect to the specific investigation you have revealed here today, not asking you to go into specifics on any individuals, but please, explain briefly to me, and more importantly to the American public, why we should care about Russia's use of U.S. persons of Americans helping Russia destabilize our democracy.

COMEY:
Well, like Admiral Rogers, I truly believe we are shining city on a hill, to quote a great American. And one of the things we radiate to the world is the importance of our wonderful, often messy, but free and fair Democratic system and the elections that undergird (ph) it. And so when there's something by a foreign nation state to mess with that, to destroy that, to corrupt that, it's very, very serious, threatens what is America.

And if any Americans are part of that effort, it's a very serious matter. And so you would expect the FBI to want to understand, is that so? And if so, who did what? But again, I want to be very careful to people who over0interpret my words, to preserve our ability to answer those questions, we're not talking about our work.

I'm not here voluntarily. Right? I would rather not be talking about this at all. But we thought it was important to share at least that much with the committee and the American people, and now we're going to close our mouths to do our work to see if we can answer those questions, because the answers matter.

HECK:
They do indeed. I thank you both for those answers. And I thank you both for your service to our country. I would like to think that we can turn this from a sad event into a positive one. This country has stood up and fought on behalf of its own health and welfare and that of its citizens and met any number of challenges throughout our nation's history. The worst thing we could do is underestimate the nature of this challenge before us today.

HECK:
With that, ranking member, I would appreciate it if I could yield to my friend from Texas, Mr. Castro, briefly.

SCHIFF:
Mr. Castro.

CASTRO:
I thank you. One more question with respect to Lee (ph) because I know that's been a big topic of the line of questioning and of course is a concern to all of us. Regardless of political party. But I want to ask you director, is it possible that some of those leaks could come from not the intelligence community, but from members of the White House staff for example?

COMEY:

Sure it could come from lots of different places. And it's often one of the things that is challenging as I said about a leak investigation. You think it's going to be a small circle, but it turns out a lot of people either knew about it, or heard echoes of it and it's stories to tell to journalists about it. So in my experience trying to figure these things out for decades, it's often coming from places you didn't anticipate.

CASTRO:
No and the reason I asked the question is because the President has berated the FBI and the intelligence community on the issue of leaks. And others have berated the intelligence community in the press because of these leaks. But I think it's worth considering that it's quite possible that there are folks who have a kind of political Munchausen by proxy syndrome, where they leak information because they want to be the savior once it blows up. You know they're all sorts of individual's that serve on political staff and I think that we ought to consider the possibility that perhaps it is somebody at the White House.

Thank you. I yield back.

NUNES:
(inaudible). The gentleman yields back.

The gentleman yields back to Mr. Hurd.

HURD:
Thank you, Chairman.

And gentlemen, thank you all for being here. And thank you for your continued service to your country. I've learned recently the value of sitting in one place for a long period of time and listening and today I'm has added to that understanding and I'm going to try to ask questions that y'all can answer in this format and are within your areas of expertise.

And Director Rogers, my first question to you -- the exploit that was used by the Russian's to penetrate the DNC, was it sophisticated? Was it a zero day exploit? A zero day being some type of -- for those that are watching, an exploit that has never been used before?

ROGERS:
In an open unclassified forum, I am not going to talk about Russian tactics, techniques or procedures about how they executed their hacks.

HURD:
If members of the DNC had not -- let me rephrase this, can we talk about spear fishing?

ROGERS:
Sure, in general terms, yes sir.

HURD:
Spear fishing is when somebody sends an email and they -- somebody clicks on something in that email...

ROGERS:

Right, the user of things (inaudible) they're receiving an email either of interest or from a legitimate user, they open it up and they'll often click if you will on a link -- an attachment.

HURD:
Was that type of tactic used in the...

ROGERS:
Again, I'm not in an unclassified forum just not going to be...

HURD:
Copy, I apologize. Director Comey, when was the first time the FBI notified the DNC of the hack? Roughly.

COMEY:
I think august of 2015.

HURD:
And was that prior to information being leaked to -- being sent on -- put on WikiLeaks?

COMEY:
Yes the -- the first Russian directed releases where middle of June of the next year by D.C. leaks and this Guccifer 2.0 persona and then that was followed by Wikileaks. So about a year. A little less than a year really.

HURD:
So there was about a year between the FBI's first notification of some potential problems with the DNC network and then that information getting on -- getting on Wikileaks.

COMEY:
Yes, sir.

HURD:
Have you been able to -- when did the DNC provide access for -- to the FBI for your technical folks to review what happened?

COMEY:
Well we never got direct access to the machines themselves. The DNC in the spring of 2016 hired a firm that ultimately shared with us their forensics from their review of the system.

HURD:
Director Rogers, did the NSA ever get access to the DNC hardware?

ROGERS:
The NSA didn't ask for access. That's not in our job...

HURD:
Good copy. So director FBI notified the DNC early, before any information was put on Wikileaks and when -- you have still been -- never been given access to any of the technical or the physical machines that were -- that were hacked by the Russians.

COMEY:
That's correct although we got the forensics from the pros that they hired which -- again, best practice is always to get access to the machines themselves, but this -- my folks tell me was an appropriate substitute.

HURD:
The -- at what point did the company and the DNC use -- share that forensic information to you?

COMEY:
I don't remember for sure. I think June. I could be wrong about that.

ROGERS:
The company went public in June of 16, with their conclusions. I would assume it was around that time.

COMEY:
I think it was about the time -- I think it was a little bit before the announcement, but I'll say approximately June.

HURD:
So -- so that was -- how long after the first notification of -- that the FBI did of the DNC?

COMEY:
Ten months.

HURD:
Ten months? So the FBI notified the DNC of the hack and it was not until 10 months later that you had any details about what was actually going on forensically on their network?

COMEY:
That's correct, assuming I have the dates about right. But it was -- it was some months later.

HURD:
Knowing what we know now, would the FBI have done anything different in trying to notify the DNC of what happened?

COMEY:
Oh Sure.

HURD:
What -- what -- what measures would you have done differently?

COMEY:
We'd have set up a much larger flare. Yeah we'd have just kept banging and banging on the door, knowing what I know now. We made extensive efforts to notify, we'd have -- I might have walked over there myself, knowing what I know now. But I think the efforts we made, that are agents made were reasonable at the time.

HURD:
Good copy. And do you have a ball park of the number of private sector entities that you have to notify of these types of breaches?

COMEY:
Hundreds and thousands. In this particular case we had to notify hundreds, I think maybe more than 1,000 entities that the Russians were hitting at the same time.

HURD:
Admiral Rogers, do you have anything to add to that?

ROGERS:
No, because as we pass the information to the FBI, what started all this was a pretty massive effort on the part of our Russian counterparts.

HURD:
I've said this many times. The outcome of grizzly staff (ph), what the intelligence community as the Russian hacking, has been the wedge, whether real or perceived between the executive branch, the intelligence community and the public.

And this is an asymmetrical tool, that the Russians are using to destabilize liberal democratic institutions. And I think it is important that we do everything we can to review this, which I fully believe federal law enforcement, is doing as y'all have talked to here. And I would like to end before yielding back to the chairman, that my colleague from California, the Ranking Member said in his opening statement, the question that most people have is whether we can really conduct this investigation, in the kind of thorough nonpartisan manner that the seriousness of the issues merit, or whether the enormous political consequences of our work will make that impossible.

And he adds, the truth is, I don't know the answer. I do. We must. The American people demand this. The future of our democratic institutions demand it and I'm glad we have two people like y'all involved in this. Mr. Chairman I yield back my time to you.

NUNES:
Gentleman yields back.

And Mr. Gowdy's got a follow up.

GOWDY:
Thank you, Mr. Chairman. And Mr. Chairman I want to thank you and Ranking Member Schiff for having this. Here Mr. Chairman you were talking about Russia far before it became -- long before it became fashionable to talk about Russia. If memory serves me correctly, you referred to Russia as possibly our greatest national security threat post 9/11. And as you know Chairman I come from a state with a fellow name Graham, who is also no fan of Russia.

So Director Comey, Admiral Rogers, people in your line of work are incredibly respected both your current line of work and the work that you came from and people in my line of work are not and there's a reason. The justice system is respected and the political process is not. So this is -- while this hearings important. What's really important is what you do after this hearing.

GOWDY:
And I want you to go find every single witness who may have information about interference, influence, motive, our response, collusion, coordination, whatever your jurisdiction is, wherever the facts may take you, though the heavens may fall, go do your jobs because nature abhors a vacuum. And right now you can't answer most of the questions, either by policy, by law, or because the investigation has not been complete. Therefore, a vacuum exists which people in my line of work are more than happy to fill. So I need you to fill. I need you to do it with all deliberate speed.

Director Comey, I think it's also important for my fellow citizens to take note of why the system that you come from, the one that I come from, is respected, and this system that I'm in now is not.

What is hearsay?

COMEY:
Information you don't know of your own personal knowledge but learn from someone else.

GOWDY:
It's an out of court statement offered to prove the truth of the matter asserted.

COMEY:
I was trying to be a little less lawyerly.

GOWDY:
All right. Well, we'll go with your answer. And it is almost never admissible in court. How about anonymous sources? When you were in the southern district could you ever call on an anonymous source to testify in one of your proceedings?

COMEY:
No.

GOWDY:
You couldn't even use hearsay, unless there was some widely accepted exception. It would never -- a newspaper article would never, ever be admitted as evidence in a courtroom. So the system we respect would

laugh you out of court if you came in armed with a newspaper article. But in the political process, that's enough.

Let me ask you this. Cross examination. Why are you able to cross examine witnesses in trial? Why do we have a right to confront witnesses?

COMEY:
Well, it's embedded in our Constitution, and the reason it makes great sense is, it's the crucible out of which you get truth.

GOWDY:
It is the single best way to elucidate the truth -- to test and to probe and to challenge, and to test someone's personal exposure to the facts. Cross examination's the best tool that we have. How do you cross examine an anonymous source? How do you cross examine hearsay? I hope that you go find every single witness that you need to talk to, and examine every single document.

People are counting on you two and your line of work to find the facts. And people are welcome to draw whatever conclusions they want from the facts. But when I hear the word evidence, as I've heard lots and lots this morning, let me ask you this, Director Comey, did you ever -- are you familiar with any trials where one witness may have said the light was red and one witness may have said the light was green?

Has that ever happened?

COMEY:
Yes, that's why you have a trial.

GOWDY:
Does it ever happen where one bank teller said the assailant was 5'10" and one said the assailant was 6'2"?

COMEY:
Sure.

GOWDY:
So that's evidence. You've got evidence he's 6'2" and evidence he's 5'11", he just can't be both. The light can't be red and green. So the word evidence, while fancy and legal, the reality is you find facts and then the finder of the fact can draw conclusions and inferences from those facts.

So I wish you luck as you begin this process. It is all important. The fact that someone may have had a line of questions about leaks does not mean that they're not interested in all aspects of Russia. And vice versa, the fact that they may not have asked questions about leaks doesn't mean they're not interested in them.

You have jurisdiction over all of it. So, God bless you as you go on this journey for the facts. And then people can draw whatever conclusions they want. I hope that you will fill (ph) the vacuum that is created when you all are not able to answer questions.

With that, I will yield back to the chairman.

NUNES:
The gentleman yields back.

Mr. Comey, this is my final list of questions here. I just want to make sure we get this on the record. Do you have any evidence that any current Trump White House or administration official coordinated with the Russian intelligence services?

COMEY:
Not a question I can answer.

NUNES:
I figured you were going to say that, but I just wanted to make sure we got it on the record. How about counselor to the president, Kellyanne Conway?

COMEY:
It's the same answer. And as I said earlier, I constantly want to ask people, don't over interpret the fact that I say I can't comment. I'm not going to comment on anybody.

NUNES:
Well, I think -- I understand that. But here's the challenge. Is that you've announced that you have this big investigation, but now you've got people that are involved in our government that are -- the Secretary of State, for example -- these are important players. And the longer this hangs out here, the bigger the cloud is.

And I know that you're not going to tell me whether or not you have any evidence, but I can tell you that we don't have any evidence. And we're conducting our own investigation here, and if you have some -- if you have evidence I'd -- especially as it relates to people in the White House that are working in the White House or the administration, I mean, that would be something that we really should know about and we should know about quickly.

And so if you can't give it to the entire committee, I hope you can at least give it myself and Mr. Schiff because you know, there is a big gray cloud that you have put over people who have very important work to do to lead this country. And so the faster you can get to the bottom of this, it's going to be better for all Americans.

COMEY:
I understand. Thank you.

NUNES:
All right. With that, I want to thank the members today and especially our witnesses. It was a long day, but I think a good discussion.

CQ Transcriptions, March 20, 2017List of Panel Members and Witnesses
PANEL MEMBERS:
REP. DEVIN NUNES, R-CALIF. CHAIRMAN

REP. K. MICHAEL CONAWAY, R-TEXAS

REP. PETER T. KING, R-N.Y.

REP. FRANK A. LOBIONDO, R-N.J.

REP. TOM ROONEY, R-FLA.

REP. ILEANA ROS-LEHTINEN, R-FLA.

REP. CHRIS STEWART, R-UTAH

REP. MICHAEL R. TURNER, R-OHIO

REP. BRAD WENSTRUP, R-OHIO

REP. RICK CRAWFORD, R-ARK.

REP. TREY GOWDY, R-S.C.

REP. WILL HURD, R-TEXAS

REP. ELISE STEFANIK, R-N.Y.

REP. PAUL D. RYAN, R-WIS. EX OFFICIO

REP. ADAM B. SCHIFF, D-CALIF. RANKING MEMBER

REP. JIM HIMES, D-CONN.

REP. TERRI A. SEWELL, D-ALA.

REP. ANDRE CARSON, D-IND.

REP. MIKE QUIGLEY, D-ILL.

REP. JACKIE SPEIER, D-CALIF.

REP. ERIC SWALWELL, D-CALIF.

REP. JOAQUIN CASTRO, D-TEXAS

REP. DENNY HECK, D-WASH.

REP. NANCY PELOSI, D-CALIF. EX OFFICIO

WITNESSES:
FBI DIRECTOR JAMES COMEY

ADMIRAL MICHAEL S. ROGERS (USN), DIRECTOR, NATIONAL SECURITY AGENCY, AND COMMANDER, U.S. CYBER COMMAND

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Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Friday, March 31, 2017 11:56 AM
To: James B. Comey
Subject: AG: STL Remarks

Attorney General Jeff Sessions Delivers Remarks on Efforts to Combat Violent Crime in St. Louis

St. Louis, MO,.
United States ~

Friday, March 31, 2017

Good morning, everyone. Thank you, Carrie [Costantin, Acting U.S. Attorney for the Eastern District of Missouri], for the kind introduction. It's also good to have with us your outstanding new attorney general in Missouri, Josh Hawley and your new secretary of state, Jay Ashcroft.

I want to welcome the many law enforcement leaders from the St. Louis area who have joined us today. Thank you for everything you and your people do to protect your communities I look forward to meeting with you.

All of us who work in law enforcement want to keep people safe. Plain and simple. That is the heart of our jobs; it is what drives us every day. For many of you and your staffs, you take the extra step of putting your lives on line with every traffic stop, search warrant, and arrest. We are all disturbed to learn that violent crime is on the rise in American cities. We are even more discouraged to learn that this is happening amid an unprecedented epidemic of heroin and opioid abuse. In some places, like here in St. Louis, these two crises are closely connected.

That is what I want to talk about with you today.

First, we should remember some context. In the past four decades, our nation has won great victories against crime. Overall, crime rates remain near historic lows. Murder rates are half of what they were in 1980. We have driven the violent crime rate down to almost half of what it was at its peak. The good people of St. Louis have seen this progress firsthand: In 2013, the violent crime rate here was less than half of what it was at its highest point 20 years before.

But today, we see warning signs that this progress is now at risk.

The latest FBI data tell us that from 2014 to 2015, the violent crime rate in the U.S. increased by more than 3 percent - the largest one-year increase since 1991. The murder rate increased 10 percent - the largest increase since 1968.

If this was just a one-year spike, we might not worry too much. But the preliminary data for the first half of 2016 confirmed these trends. The number of violent crimes was more than 5 percent higher than the same period in 2015. The number of murders was also up 5 percent.

What's happening in St. Louis mirrors this trend. In 2015, violent crime here rose more than 8 percent, and the murder rate was the highest in two decades - almost 19 percent higher than the year before, and an astounding 67 percent higher than just three years before. And the preliminary data for 2016 show that violent crime continues to rise in St. Louis.

These numbers should trouble all of us. Behind all the data are real people whose safety and lives are at stake - like the good people whose stories I will hear later today. Each victim of this recent spike in violent crime is someone's parent, child or friend. And every loss of a life to guns or drugs is a tragedy we must work to prevent.

My fear is that this surge in violent crime in St. Louis, and throughout America, is not a “blip,” but the start of a dangerous new trend. This increase risks losing the hard-won gains that have made our country a safer and more prosperous place; gains that were made on the backs of the brave men and women in uniform.

While we can hope for the best, hope is not a strategy. When crime rates move in the wrong direction, they can move fast.

We know this, because some of us have lived it. In the early 1960s, crime rates began to rise in our country. By 1973, crime rates in almost every category had doubled over their levels just a decade before. As the '70s went on, levels of crime and violence that we once deemed unacceptably high became the “new normal” in America.

I lived through that dark time in our history. I dealt with its consequences every day as a prosecutor.

And I can assure you: We do not want to go back to those days. We must act decisively at all levels - federal, state and local - to reverse this rise in violent crime and ensure public safety.

Last month, President Trump gave us clear direction. He issued three executive orders directing the federal government to reduce crime and restore public safety. This is a high priority for him. This task is also a top priority of the Department of Justice, and we are excited and energized to tackle it. I'd like to talk briefly about how we are doing that.

First, we're making sure the federal government focuses our resources and efforts on this surge in violent crime.

Last month, I announced the formation of a Department of Justice Task Force on Crime Reduction and Public Safety. It includes crime reduction experts from throughout our Department, including the heads of the FBI, ATF, DEA and the U.S. Marshals Service.

The task force is evaluating everything we are doing at the federal level. It has a variety of subcommittees that are already hard at work. I have asked for their initial recommendations by July 27th, but I will continue to act on their recommendations as they become available.

Second: We need to use every lawful tool we have to get the most violent offenders off our streets.

Earlier this month, I sent a memo to all our federal prosecutors, urging them to work closely with their

federal, state, and local law enforcement partners to target the most violent offenders in their districts. There are not that many people capable of murder. The more of them we put in jail, the fewer murders we will have.

It is only through collaborative efforts between federal, state and local law enforcement that we can effectively identify and remove the most dangerous criminals from the streets. The U.S. attorney's office here has given us a great example of this type of partnership. Over the past two years, Carrie and the team have doubled the number of federal prosecutions of gun cases.

Working together, we will determine which venue - federal or state - would best be suited to remove these criminals from our communities, and ensure they are held fully accountable for their crimes.

While the job of a prosecutor is to enforce the law, we also recognize that prevention efforts and re-entry programs for offenders play a key part in an effective strategy to reduce violent crime. The department's task force is also looking at how we can best support good local efforts on these fronts wherever possible.

Third: To turn back this rising tide of violent crime, we need to confront America's heroin and opioid crisis - and dismantle the transnational cartels that bring drugs and violence into our neighborhoods.

Our nation is in the throes of an epidemic of heroin and opioid abuse. According to the CDC, heroin-related overdose deaths have more than quadrupled since 2010. On average, about 140 Americans now die each day from a drug overdose. That means every three weeks, we lose as many American lives to overdoses as we lost in the 9/11 attacks.

Unfortunately, the people of St. Louis know this problem all too well. Last year, 256 people in this city died from an opioid overdose. That is almost double the total from the previous year - and more than the number of murders during that time.

What makes this crisis an epidemic is that it knows no zip code. Its victims are white and black and brown; they are in the city, the suburbs and the country; and they are rich, poor and everything in between.

And the victims aren't just addicts and users. Here in St. Louis and in other American cities, transnational drug cartels are working with street gangs to traffic heroin that is both cheaper and stronger than ever. As the market for this heroin expands, these gangs fight for territory and new customers - and innocent people are caught in the crossfire.

Those people include Clara Walker, a grandmother of eight who lived here in St. Louis. A little over three years ago, just after Christmas, she was in her home when she heard gunfire. She thought it was coming from a T.V. show. But outside her house, a gang enforcer was shooting to protect his gang's drug-dealing turf. Two of the bullets hit Mrs. Walker and killed her.

We know that drugs and crime go together. One factor in the fall of murder rates was a decline in drug use. To save lives and stop the new wave of violence connected with this heroin epidemic, we must fight the scourge of drugs in our country.

There are three main ways to do this: criminal enforcement, treatment programs and prevention.

We need criminal enforcement to stop the transnational cartels that smuggle drugs across our borders, and the thugs and gangs who use violence and extortion to move their product.

One of the President's executive orders directed the Justice Department to dismantle these organizations - and we will do just that.

Treatment programs are also vital. But treatment often comes too late to save people from addiction or death - especially with powerful drugs like heroin.

Let me share an example. Last month, the St. Louis newspaper ran a story on the heroin crisis here. It featured a young woman named Ashley. She has used heroin off and on for a decade - even though it has meant losing her three children to state custody. Ashley told the reporter that she wished she had never started using. She said: "I just wanted to try it." She called that decision, quote: the "dumbest thing ever."

If our nation was sending a stronger message never to use drugs, how different might Ashley's life be - or the lives of so many others like her? What if someone had told them that "trying it" just once is all it takes to start down the road of addiction?

My point is that while enforcement and treatment programs are crucial, they aren't enough. We need to focus on the third way we can fight drug use: preventing people like Ashley from ever trying drugs in the first place.

Educating people and telling them the terrible truth about drugs and addiction can result in better choices. We can reduce the use of drugs, save lives, and turn back the surge in crime that inevitably follows in the wake of increased drug abuse. It will not be easy; there is no quick cure, and this effort will take years. But we can and will do it.

Finally: The federal government alone cannot meet the challenge of violent crime and drugs - so we need to protect and support our brave men and women in state, local and tribal law enforcement. About 85 percent of all law enforcement officers in our nation are state and local. These are the men and women on the front lines.

Unfortunately, in recent years law enforcement as a whole has been unfairly maligned and blamed for the unacceptable deeds of a few bad actors. Amid this intense public scrutiny and criticism, morale has gone down, while the number of police officers killed in the line of duty has gone up.

This issue is especially sensitive here in the St. Louis area, after the events that took place in Ferguson nearly three years ago. Since then, Ferguson has become an emblem of the tense relationship between law enforcement and the communities we serve, especially minority communities.

We all have a lot of work to do to improve this situation - both law enforcement leaders and community leaders. And we must improve it; this is critical. St. Louis and its suburbs are one community, and they are in this together. Certainly, we must continue to address police misconduct. And we must improve it; this is critical. St. Louis and its suburbs are one community, and they are in this together.

But we also can't lose sight of two things. First, the vast majority of men and women in law enforcement are good people, who have chosen to do tremendously hard and dangerous jobs because they want to protect us all. Also, it is proactive, up-close policing - when officers get out of their squad cars and interact with everyone on their beat - that builds trust, prevents violent crime and saves lives.

Unfortunately, many law enforcement leaders say this kind of policing has become more difficult in an age of viral videos and targeted killings of police. In some cities, arrests have fallen even as murder rates have surged.

This is a terrible place to be, because you and I know that tough and professional law enforcement can make a real difference. It can reduce crime and save lives. We have seen it happen in our country over the past four decades.

To turn back rising crime, we must rely heavily on all of you in state and local law enforcement to lead the way - and you must be confident in our steadfast support. This Department of Justice will use our money, research, and expertise to help you figure out what is happening and determine the best ways to fight crime. We will strengthen partnerships between federal, state and local officers. We will encourage the proactive policing that keeps our neighborhoods safe. And we will have the back of all honest and honorable law enforcement officers and prosecutors.

The recent surge in violent crime is real. The epidemic of heroin and opioid abuse is also real. We can't wish these problems away, or hope that things will get better on their own. Instead, we must act to ensure justice and safety for all Americans.

Fortunately, we know what we need to do. We must enforce our laws and remove dangerous criminals from the street. We must fight the scourge of drug abuse. And we must support the brave men and women of law enforcement, as they work day and night to protect us.

In this great task, I am proud to call each of you partners. Thank you for having me here in St. Louis today. I look forward to talking with you all and learning from you.

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Monday, April 3, 2017 10:42 AM
To:	James B. Comey
Subject:	FW: You're Invited: "The President and the Press" on April 12

From: Rybicki, James E. (DO) (FBI)
Sent: Monday, April 03, 2017 10:41 AM
To: (DO) (FBI) <
Cc: (DO) (FBI) ;
(DO) (FBI)
Subject: RE: You're Invited: "The President and the Press" on April 12

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b7E

Thanks, Please decline on the Director's behalf. Thanks!

From: (DO) (FBI)
Sent: Monday, April 03, 2017 10:28 AM
To: Rybicki, James E. (DO) (FBI)
Cc: DO) (FBI) ;
(DO) (FBI)
Subject: FW: You're Invited: "The President and the Press" on April 12

H

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I'm sure the Director remembers from his meeting with him last year. Mr is now inviting the Director, as his guest, to attend this event. Could we go ahead and get a decision since this event is next week? Thanks!

From (DO) (FBI)
Sent: Thursday, March 30, 2017 1:34 PM
To: ; (DO) (FBI) < ;
(DO) (FBI)
Subject: RE: You're Invited: "The President and the Press" on April 12

b6
b7C
b7E

Hi,

Yes, of course we remember. We will forward your kind invitation to the Director's Office and will touch base with you as quickly as we can.

Many thanks.

From: [mailto
Sent: Thursday, March 30, 2017 1:18 PM
To: (DO) (FBI) <>;
(DO) (FBI) <>; (DO) (FBI) <>
Subject: Fwd: You're Invited: "The President and the Press" on April 12

b6
b7C
b7E

Dear

The three of you may (or may not) recall that the Director was kind enough to host a group of Atlanta CEO's, including me, at FBI offices last year.

The idea of this upcoming symposium at the Newseum on April 12 was one that I suggested.

Nobody has been at the center of press attention more than the Director.

Would you route this through proper FBI channels to see if he would like to attend as my guest. He would NOT need to participate unless he wished to answer a question.

This probably is the last thing on the planet he wants to do because "the press" can at times be most critical.

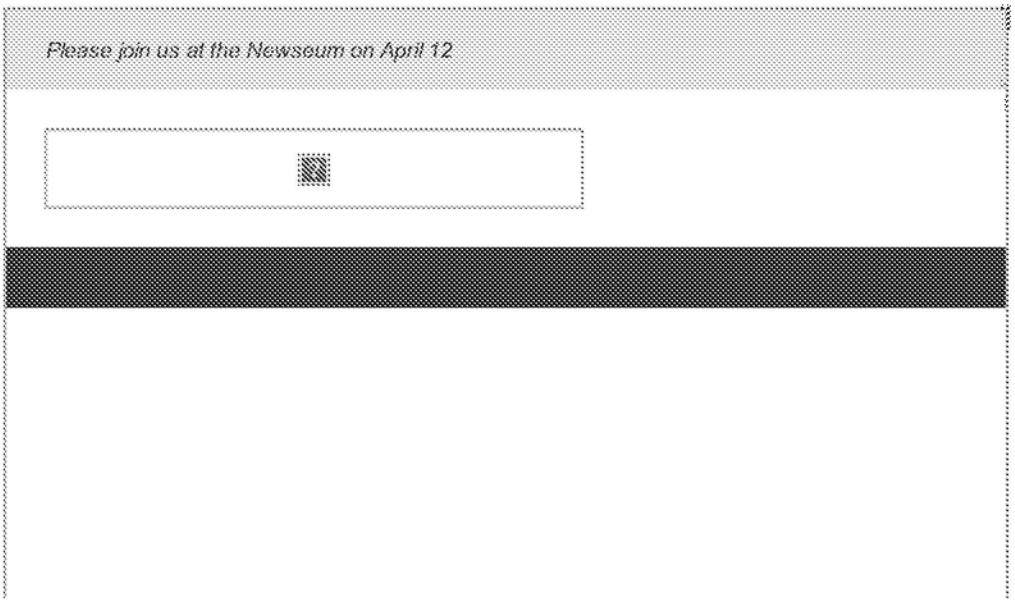
However, I was so impressed by the integrity, honesty, openness, and overall character of Director Comey that I think he might want to attend this---to be on the other side in the audience rather than in a hot seat on stage.

Sincerely,

b6
b7C

Home cell)

Subject: You're Invited: "The President and the Press" on April 12



Press and Trump

Please be our guest

The President and the Press: The First Amendment in the First 100 Days

With Special Guest: Sean Spicer, White House Press Secretary

Confirmed participants include:

Mike Allen, Axios
Bret Baier, Fox News Channel
David Fahrenthold, *The Washington Post*
Ari Fleischer, Fmr. White House Press Secretary
Julie Pace, The Associated Press
Jennifer Palmieri, Fmr. White House Communications Director
Charlie Spiering, Breitbart News
Greta Van Susteren, MSNBC
Glenn Thrush, *The New York Times*
Kristen Welker, NBC News
Michael Wolff, *The Hollywood Reporter*

NEW DATE:
April 12, 2017
Continental breakfast 7:30 a.m.
Program 8 a.m. - 12 p.m.

Newseum
Walter and Leonore Annenberg Theater
555 Pennsylvania Ave., N.W.
Washington, D.C.

On Wednesday, April 12, 2017, the Newseum will host "The President and the Press: The First Amendment in the First 100 Days," a half-day forum that will explore the administration's relationship with the press in the critical first months of Trump's presidency.

The program will feature one-on-one conversations, panel discussions, and individual presentations. Participants will examine current challenges to the First Amendment, a free press, and protecting the flow of information in a divided nation.

RSVP HERE >

Seating for this event is extremely limited. To reserve a seat for you and your guest, please RSVP no later than April 3, 2017.
This invitation is non-transferable.

555 Pennsylvania Ave., N.W. | Washington, DC 20001 | © 2017 Newseum

This email was sent to [redacted]

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b7C

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Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Monday, April 3, 2017 6:20 PM
To: James B. Comey

THE GLOBAL POLITICO

Did Obama Blow It on the Russian Hacking?

Top White House aide Lisa Monaco is one of the few officials to go on the record about how the Obama team handled the hacks.

By Susan B. Glasser
| April 03, 2017

It's a question that still rankles many a Clinton loyalist: Why didn't the Obama administration do more to sound the alarm over Russia's meddling in the 2016 presidential campaign?

Few former officials have explained it, but in a new interview for The Global POLITICO, Lisa Monaco, President Obama's top homeland security and counterterrorism adviser, describes a White House afraid of "doing the Russians' work for them." By going public before the election with evidence that the Kremlin was trying to help Donald Trump , the Obama team feared it would be accused of intervening to help Hillary Clinton. So it mostly kept quiet despite intense lobbying from fellow Democrats to say more before the voting.

That decision continues to be hotly debated months later now that the FBI has acknowledged it is investigating whether Trump or his team colluded with the Russians, and Monaco's comments amount to the most extensive on-the-record description yet about the Obama White House's internal thinking as it struggled to come up with a proper response to what it would eventually characterize as "unprecedented" foreign interference in a U.S. election.

"There has been this theory we didn't do anything, which I take issue with," Monaco says in the interview, describing a decision by the administration—despite the extraordinary nature of a series of cyberattacks targeting the American political process itself—to treat the Russian intervention using the same law enforcement-focused approach it had in previous major hacks by "malicious" state actors.

The comments by Monaco, a longtime Justice Department official who rose to become Republican-appointed director Robert Mueller's chief of staff at the FBI before moving into senior roles in the Obama administration, came in a wide-ranging interview that focused on the sharp policy shifts Trump has promised on the issues she helped oversee in the Obama White House, from the war against the Islamic State in Iraq and Syria to the vetting of refugees.

Obama came into office promising to roll back what Democrats saw as the excesses of the Bush years and put in place a more sustainable approach to fighting terrorism. And Monaco, who helped lead those efforts,

acknowledges that Trump may well undo much of that Obama legacy. “In this area, so much of this is by executive order, so there is no constraint,” she says. “It can go with the stroke of a pen, as we're seeing.”

But as Russiagate has ballooned into a full-scale Washington scandal engulfing the Trump White House, with congressional and law-enforcement investigations and multiple emerging new plotlines, the conversation with Monaco, a cautious former prosecutor who refused to discuss any of the underlying evidence in the unfolding Russia case and retains a tone of lawyerly discretion even when describing the policy struggles of the Obama White House, is a reminder of just how much the Russia story has come to overshadow almost everything else.

When a trove of hacked Democratic National Committee emails came out in July 2016, the Obama administration reacted as it had to past cyberattacks—despite the extraordinary political nature of the intrusion.

“We treated it very much in the way that we have done other malicious activity by cyber actors,” Monaco says, choosing to turn the case over to the FBI and intelligence agencies to figure out how and when to “attribute” the attack publicly without giving away the evidence used to reach that conclusion. “We applied the same framework that we have in other contexts, whether it was China stealing intellectual property, whether it's Iran committing denial of service attacks on our financial institutions, whether it's North Korea in the Sony attack,” Monaco says. “We applied a framework and a playbook that we have done many times.”

But strong supporters of Clinton's campaign argued—some at the time, many more in the wake of the former secretary of state's shocking November election defeat—that the Obama team should have done more to publicize the hacking for what it was: a heavy-handed Kremlin intervention on behalf of one side in America's presidential election. Monaco pushed back against that, recalling that the heads of U.S. intelligence agencies issued a joint statement publicly blaming the Russians for the pre-election hack on Oct. 7. “That was an unprecedented statement,” she says, “a fact that sometimes gets lost in this discussion” given that it came on the same day as the revelation of the “Access Hollywood” tape showing Trump joking about sexually assaulting a woman.

But Monaco confirmed in the interview that top White House officials privately objected to a strong statement from Rep. Adam Schiff and Sen. Dianne Feinstein, the two top Democrats on the congressional intelligence committees, in September that said Russia was specifically targeting the U.S. elections; they did so, she said, because the statement was “not bipartisan.”

Monaco says that's because the Obama administration was at the time focused on seeking cooperation for a last-ditch effort by the Department of Homeland Security to avoid Russian tampering in the actual voting process. But the administration, she said, faced a backlash from state and local governments who viewed the DHS cybersecurity election push as “a big federal takeover” and were reluctant to cooperate. That was the case that she, FBI Director James Comey and DHS Secretary Jeh Johnson made in a secret briefing of top members of Congress in the fall, during a session at which Senate Majority Leader Mitch McConnell (R-Ky.) reportedly balked at their characterization of the evidence of Russian involvement in the hack.

“Our focus was really to make sure that the election process was not undermined, because here's the thing: Whatever else was a subject of debate about motive, we knew, and everyone agreed, that one of the goals that Russia had in all of this was to undermine confidence in our democratic process, to sow discord, to sow confusion,” she says. “And so, we were very conscious that we not do their work for them by creating a partisan discussion about this. So, the Schiff and Feinstein statement, I think, one of the concerns was that it was not bipartisan.”

Why, then, I asked her a couple of times, did Comey seem to take a less than bipartisan approach in communicating publicly about the probes of Clinton's private email server, which ended with no charges, while refusing even to acknowledge the ongoing investigation of Trump's campaign and its Russia ties? Had he tarnished the ability of U.S. law-enforcement agencies to act independently?

"I think that's regrettable," Monaco says, "because I don't think Comey is a partisan actor." Justice Department investigations, she adds, "should be completely walled off from partisan political considerations and White House interference." So, "to the extent that the events over the last year have tarnished that in any way, I think that's really regrettable."

As for Trump's recent tweet charging that Obama had "wire tapped" him amid the campaign and swirling Russia allegations, Monaco had a flat "no" for an answer. Comey and others, she says, have "debunked" it and testified to the "ludicrousness of that accusation."

***

As Obama's top homeland security adviser, Monaco was in charge of helping to drive many of the policies President Trump has said he will reverse or re-engineer, vowing, for example, a stepped-up war on what he calls "radical Islamic terrorism" and more "extreme vetting" of people from six majority-Muslim countries subject to a temporary ban on admission to the United States in his now-contested executive order.

Monaco, who says she was nicknamed "Dr. Doom" by the former president (because every time Obama "saw me coming he knew something bad had happened"), acknowledges that while Trump can undo many of Obama's counterterrorism policies "with the stroke of a pen," she hopes that much of the rules-based framework he tried to create for fighting terrorism will nonetheless survive.

On style as well as substance, Monaco describes a White House that couldn't have been more different from its drama-heavy successor. Life in the Obama White House as she describes it working in her windowless "cave" in the West Wing was process-intensive and at times even painstakingly deliberative, with a boss who did all the homework and cared deeply about even minor details she presented him in the Situation Room. Obama, she tells me, was "a voracious consumer of written information" who made showing up at the presidential daily brief "like appearing before a tough judge every day."

Monaco acknowledges, however, that Obama did not deliver on several key campaign pledges connected with the terrorism fight, such as closing the prison in Guantanamo Bay and trying in court those accused of a role in the 9/11 plot, and she called it "tremendously troubling and heartbreaking, I suspect, for many of the families of the 9/11 victims to not have seen justice done."

While she recounted many of the administration's internal agonizing debates over whether and how to take a more active approach in trying to stop the bloody, long-running civil war in Syria, she says it was the far less scrutinized administration debate over what to do about the current conflict in Yemen that remains one of her biggest regrets. In fact, if she could have one do-over, she says, it would be the approach to that "heartbreaking" Yemen conflict, suggesting in effect the United States prioritized working with its longtime ally Saudi Arabia there at the expense of doing more to stop the "humanitarian disaster" that now is putting millions at risk of starvation.

When I asked Monaco what kept her up at night after years of briefing the president about all manner of possible horrors, she lived up to her Dr. Doom nickname, reciting the usual litany of potential terrorism threats and worries about cyberwarfare. But her big fear, she told me, is what she calls "emerging

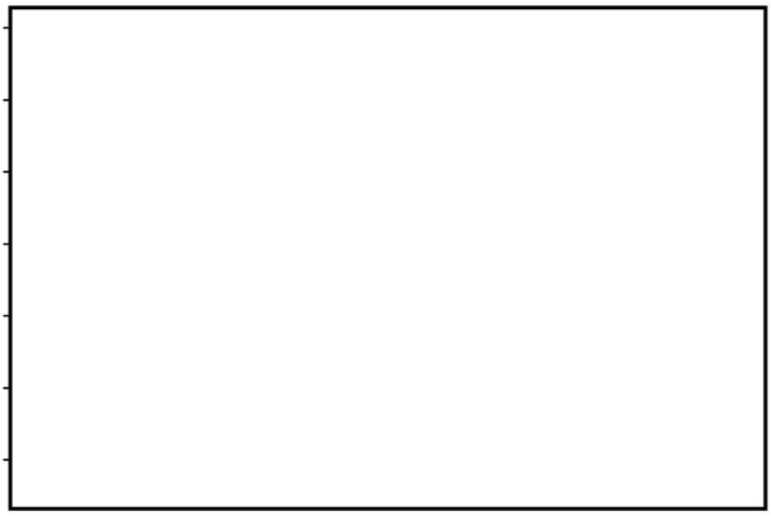
infectious disease”—the kind of terrifying new threat like Ebola or Zika that comes from nature and spreads through the globalized world in a flash.

“You don't need to have a terrorist or a criminal actor trying to do something bad with a pathogen.”

Susan Glasser is POLITICO's chief international affairs columnist and host of its new weekly podcast, The Global Politico.

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Wednesday, April 5, 2017 11:41 AM
To: James B. Comey
Subject: SAC/EM SVTC Draft Topics



b5

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Wednesday, April 5, 2017 1:06 PM
To: James B. Comey
Subject: RE: SAC/EM SVTC Draft Topics

[redacted] b5

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Thursday, April 6, 2017 5:45 PM
To:	James B. Comey
Subject:	NYTimes

https://www.nytimes.com/2017/04/06/us/trump-russia-cia-john-brennan.html?hp&action=click&pgtype=Homepage&clickSource=story-heading&module=first-column-region&region=top-news&WT.nav=top-news&_r=0

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Thursday, April 13, 2017 8:09 AM
To:	James B. Comey
Subject:	Newsweek

I just started reading: http://www.newsweek.com/2017/04/21/fbi-director-james-comey-russia-investigation-583154.html

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Thursday, April 13, 2017 10:37 AM
To:	James B. Comey
Subject:	FW: ATTORNEY GENERAL JEFF SESSIONS ANNOUNCES THE DEPARTMENT OF JUSTICE'S RENEWED COMMITMENT TO CRIMINAL IMMIGRATION ENFORCEMENT
Attachments:	Memo on Renewed Commitment to Criminal Immigration Enforcement.pdf; TPs on FBI Role in Immigration Enforcement - Final.docx

From: [redacted] (SECD) (FBI) b6 b7C b7E
Sent: Thursday, April 13, 2017 10:37 AM
To: [redacted]
Cc: [redacted] (OPE) (FBI) [redacted]
Subject: FW: ATTORNEY GENERAL JEFF SESSIONS ANNOUNCES THE DEPARTMENT OF JUSTICE'S RENEWED COMMITMENT TO CRIMINAL IMMIGRATION ENFORCEMENT

All,
For your situational awareness,

On 4/11/17, AG Sessions mandated US Attorney offices to prioritize for prosecution the improper entry (8 U.S.C. § 1325) by an alien into the US as a criminal offense. OPE assesses that this may offer an avenue for some cities and police departments to comply with DHS requirements in the immigration context and therefore, remain eligible for federal funding.

Below are the AGs remarks from April 11, 2017 in AZ.

Please see attached the AGs Memo on the Renewed Commitment to Criminal Immigration Enforcement as well as the approved Talking Points on the FBI Role in Immigration Enforcement.

V/R

SSA [redacted] b6 b7C b7E
Unit Chief - LEEU
FBI - Office of Partner Engagement
Mobile: [redacted]

From: [redacted]
To: [redacted]
Subject: ATTORNEY GENERAL JEFF SESSIONS ANNOUNCES THE DEPARTMENT OF JUSTICE'S RENEWED COMMITMENT TO CRIMINAL IMMIGRATION ENFORCEMENT

NOTE: The memo is attached as a PDF.



FOR IMMEDIATE RELEASE

AG

TUESDAY, APRIL 11, 2017

(202) 514-2007

WWW.JUSTICE.GOV

TTY (866) 544-5309

ATTORNEY GENERAL JEFF SESSIONS ANNOUNCES THE DEPARTMENT OF JUSTICE'S RENEWED COMMITMENT TO CRIMINAL IMMIGRATION ENFORCEMENT

WASHINGTON – Attorney General Jeff Sessions today spoke to Customs and Border Protection personnel at the United States-Mexico border in Nogales, Arizona.

In his remarks, the Attorney General announced that he has issued the attached memo to United States Attorneys that mandates the prioritization of criminal immigration enforcement. The memo directs federal prosecutors to focus on particular offenses that, if aggressively charged and prosecuted, can help prevent and deter illegal immigration.

Additionally, the Attorney General revealed that the Department of Justice will add 50 more immigration judges to the bench this year and 75 next year. He also highlighted the Department's plan to streamline its hiring of judges, reflecting the dire need to reduce the backlogs in our immigration courts.

Please find below the full remarks from Attorney General Sessions.

* * *

REMARKS PREPARED FOR ATTORNEY GENERAL JEFF SESSIONS

Meeting with Customs and Border Protection Personnel and Immigration Policy Announcement

NOGALES, ARIZONA

Good morning, everyone. Let me start by thanking the brave men and women of Customs and Border Protection, who not only served as our gracious hosts today, but who put themselves in harm's way each day to secure our borders and protect us.

Here, along our nation's southwest border, is ground zero in this fight. Here, under the Arizona sun, ranchers work the land to make an honest living, and law-abiding citizens seek to provide for their families.

But it is also here, along this border, that transnational gangs like MS-13 and international cartels flood our country with drugs and leave death and violence in their wake. And it is here that criminal aliens and the coyotes and the document-forgers seek to overthrow our system of lawful immigration.

Let's stop here for a minute. When we talk about MS-13 and the cartels, what do we mean? We mean criminal organizations that turn cities and suburbs into warzones, that rape and kill innocent citizens and who profit by smuggling poison and other human beings across our borders. Depravity and violence are their calling cards, including brutal machete attacks and beheadings.

It is here, on this sliver of land, where we first take our stand against this filth.

In this fight, I am here to tell you, the brave men and women of Customs and Border Protection: we hear you and we have your back. Under the President's leadership and through his Executive Orders, we will secure this border and bring the full weight of both the immigration courts and federal criminal enforcement to combat this attack on our national security and sovereignty.

The President has made this a priority — and already we are seeing the results. From January to February of this year, illegal crossings dropped by 40 percent, which was unprecedented. Then, last month, we saw a 72 percent drop compared to the month before the President was inaugurated. That's the lowest monthly figure for at least 17 years.

This is no accident. This is what happens when you have a President who understands the threat, who is not afraid to publically identify the threat and stand up to it, and who makes clear to law enforcement that the leadership of their country finally has their back. Together, we will drastically reduce the danger posed by criminal aliens, gang members and cartel henchmen.

To that end, the President and I want to do our best to arm you, and the prosecutors who partner with you, with more tools in your fight against criminal aliens. So today, I am pleased to stand here with you and announce new guidance regarding our commitment to criminal immigration enforcement. As we speak, I am issuing a document to all federal prosecutors that mandates the prioritization of such enforcement.

Starting today, federal prosecutors are now required to consider for prosecution all of the following offenses:

- The transportation or harboring of aliens. As you know too well, this is a booming business down here. No more. We are going to shut down and jail those who have been profiting off this lawlessness — people smuggling gang members across the border, helping convicted criminals re-enter this country and preying on those who don't know how dangerous the journey can be.

- Further, where an alien has unlawfully entered the country, which is a misdemeanor, that alien will now be charged with a felony if they unlawfully enter or attempt enter a second time and certain aggravating circumstances are present.

- Also, aliens that illegally re-enter the country after prior removal will be referred for felony prosecution — and a priority will be given to such offenses, especially where indicators of gang affiliation, a risk to public safety or criminal history are present.

- Fourth: where possible, prosecutors are directed to charge criminal aliens with document fraud and aggravated identity theft — the latter carrying a two-year mandatory minimum sentence.

- Finally, and perhaps most importantly: I have directed that all 94 U.S. Attorneys Offices make the prosecution of assault on a federal law enforcement officer — that's all of you — a top priority. If someone dares to assault one of our folks in the line of duty, they will do federal time for it.

To ensure that these priorities are implemented, starting today, each U.S. Attorney's Office, whether on the border or interior, will designate an Assistant United States Attorney as the Border Security Coordinator for their District. It will be this experienced prosecutor's job to coordinate the criminal immigration enforcement response for their respective offices.

For those that continue to seek improper and illegal entry into this country, be forewarned: This is a new era. This is the Trump era. The lawlessness, the abdication of the duty to enforce our immigration laws and the catch and release practices of old are over.

In that vein, I am also pleased to announce a series of reforms regarding immigration judges to reduce the significant backlogs in our immigration courts.

Pursuant to the President's executive order, we will now be detaining all adults who are apprehended at the border. To support this mission, we have already surged 25 immigration judges to detention centers along the border. I want to thank personally the judges who answered the call to help us with this new initiative.

In addition, we will put 50 more immigration judges on the bench this year and 75 next year. We can no longer afford to wait 18 to 24 months to get these new judges on the bench. So today, I have implemented a new, streamlined hiring plan. It requires just as much vetting as before, but reduces the timeline, reflecting the dire need to reduce the backlogs in our immigration courts.

With the President's Executive Orders on Border Security, Transnational Criminal Organizations and Public Safety as our guideposts, we will execute a strategy that once again secures the border; apprehends and prosecutes those criminal aliens that threaten our public safety; takes the fight to gangs like MS-13 and Los Zetas; and makes dismantlement and destruction of the cartels a top priority. We will deploy a multifaceted approach in these efforts: we are going to interdict your drugs on the way in, your money on the way out, and investigate and prosecute your trafficking networks to the fullest extent of the law.

Why are we doing this? Because it is what the duly enacted laws of the United States require. I took an oath to protect this country from all enemies, foreign and domestic. How else can we look the parents and loved ones of Kate Steinle, Grant Ronnebeck and so many others in eye and say we are doing everything possible to prevent such tragedies from ever occurring again?

Let me finish where I started, by thanking you — the brave men and women in uniform who are at the front lines of this fight. I know we ask a tremendous amount from all of you, but know this: we have your back, and will do all we can to empower you and support you in your work.

God bless you and thank you.

###

17- 378

DO NOT REPLY TO THIS MESSAGE. IF YOU HAVE QUESTIONS, PLEASE USE THE CONTACTS IN THE MESSAGE OR CALL THE OFFICE OF PUBLIC AFFAIRS AT 202-514-2007.

Office of the Attorney General
Washington, D. C. 20530

April 11, 2017

MEMORANDUM FOR ALL FEDERAL PROSECUTORS

FROM: THE ATTORNEY GENERAL

SUBJECT: Renewed Commitment to Criminal Immigration Enforcement

Charging Practices

It is a high priority of the Department of Justice to establish lawfulness in our immigration system. While dramatic progress has been made at the border in recent months, much remains to be done. It is critical that our work focus on criminal cases that will further reduce illegality. Consistent and vigorous enforcement of key laws will disrupt organizations and deter unlawful conduct. I ask that you increase your efforts in this area making the following immigration offenses higher priorities. Further guidance and support of executing this priority—including an updated memorandum on charging for all criminal cases—will be forthcoming.

8 U.S.C. §1324 ("[b]ringing in and harboring certain aliens") and related offenses: Each District shall consider for prosecution any case involving the unlawful transportation or harboring of aliens, or any other conduct proscribed pursuant to 8 U.S.C. § 1324. If a determination must be made regarding use of finite resources, a priority should be given to those who are bringing in three or more aliens into the United States and those who are transporting or harboring three or more aliens, as well as offenses where there are aggravating circumstances, such as those involving serious bodily injury, physical or sexual assault, or the death of any person. Priority should also be given to prosecuting any offenses under section1327 ("aiding or assisting criminal aliens to enter") and section 1328 ("importation of aliens for immoral purposes").

8 U.S.C. § 1325 ("[i]mproper entry by alien"): Each District shall consider for felony prosecution under 8 U.S.C. § 1325 any case where a defendant has two or more prior misdemeanor improper entry convictions or one or more prior misdemeanor improper entry convictions with aggravating circumstances, such as a felony criminal history, gang membership or affiliation, multiple prior voluntary returns, prior removal, deportation or exclusion, or other aggravating circumstances. Each District shall also consider for felony prosecution under 8 U.S.C. § 1325 any case where a defendant knowingly enters into a marriage for the purpose of evading any provision of the immigration laws.

Regarding misdemeanor violations of 8 U.S.C. § 1325, I ask that each U.S. Attorney's Office on the Southwest Border (i.e., District of Arizona, District of New Mexico, Southern

District of California, Southern District of Texas, and Western District of Texas) work with the U.S. Department of Homeland Security and any other appropriate agency to develop a set of guidelines for prosecuting such violations. These guidelines should aim to accomplish the goal of deterring first-time improper entrants. Each District should submit its guidelines to the Office of the Deputy Attorney General by April 24, 2017.

8 U.S.C. § 1326 ("[r]eentry of removed aliens"): Each District shall consider prosecution of 8 U.S.C. § 1326 for each illegal reentrant. Priority, however, must be given to defendants who have been convicted of an aggravated felony, have any prior criminal history indicating the defendant poses a danger to public safety, have one or more administrative or criminal immigration violations, gang membership or affiliation, or where other aggravating circumstances are present.

18 U.S.C. § 1028A ("[a]ggravated identity theft") & 18 U.S.C. § 1546 ("[f]raud and misuse of visas, permits, and other documents"): Each District shall consider, to the extent practicable, prosecution of both aggravated identity theft under Section 1028A and document fraud under Section 1546 in relation to the immigration offenses listed above.

18 U.S.C. § 111 ("[a]ssaulting, resisting, or impeding" officers): Each District shall consider, to the extent practicable, prosecution of assault, resisting, or impeding officers under Section 111, while they are engaging in the performance of their official duties in the administrative and criminal immigration context. More information on this will follow.

Sentencing Practices

At the sentencing phase of each federal case, prosecutors should seek, to the extent practicable, judicial orders of removal and a term of supervised release that is consistent with the factors set forth in 18 U.S.C. § 3553(a). I know many of you are already seeking these measures from District Courts, and I ask that you continue this effort to achieve the results consistent with this guidance.

Border Security Coordinators

In furtherance of these objectives, I also direct every District to designate a Border Security Coordinator ("Coordinator") by close of business on April 18, 2017. These Coordinators will be responsible for:

- overseeing the investigation and prosecution of the offenses listed above;
- attending training programs with other Coordinators regarding these offenses;
- providing legal advice and training to AUSAs regarding these offenses; and
- maintaining and routinely reporting prosecution statistics related to these offenses.

Each Coordinator will be responsible for convening meetings with representatives from the Department of Homeland Security—including Immigration and Customs Enforcement, Homeland Security Investigations, U.S. Customs and Border Protection, and United States

Citizenship and Immigration Services as well as other law enforcement partners deemed necessary to accomplish this criminal immigration enforcement effort. The Coordinator will work with this group to (1) coordinate specific immigration enforcement initiatives, emphasizing those initiatives that will have the greatest impact on public safety; (2) initiate training programs; and (3) facilitate information sharing.

Federal Bureau of Investigation
Office of Partner Engagement
Office of Public Affairs

03/09/2017

FBI's Role in Immigration Enforcement

Purpose: To arm SACs with information to respond to questions about the FBI's role in immigration enforcement raised due to the Executive Order on Protecting the Nation from Foreign Terrorist Entry into the United States.

What is the FBI's role in immigration enforcement?

- The Department of Homeland Security and its components are primarily responsible for immigration enforcement.

- The FBI does not have an investigative program specifically dedicated to pursuing immigration violations, but the FBI may use immigration violations to disrupt any FBI subject who lacks legal status to be in the United States.

    - For example, the FBI has used immigration violations to disrupt suspected terrorists, violent gangsters, and human rights offenders.

Has the FBI changed its role in immigration enforcement recently?

- The FBI's role in immigration enforcement has not changed. The FBI will continue to use immigration violations, as appropriate, to disrupt subjects who pose a threat to our communities.

What does the Executive Order say about the number of FBI refugee investigations?

- The Executive Order states the FBI is currently conducting more than 300 counterterrorism investigations of people who initially entered the United States as refugees.

- The FBI opens investigations of people who entered the United States as refugees using the same standards for opening investigations of all other types of people.

How do the 300 counterterrorism investigations of people who entered the country as refugees relate to the FBI's 1,000 HVE investigations?

- Director Comey has publicly acknowledged that the FBI has around 1,000 open Homegrown Violent Extremist (HVE) investigations, which is a subset of the total number of ongoing FBI counterterrorism investigations.

- In some cases, the 300 investigations of individuals who entered the United States as refugees may overlap with the 1,000 HVE investigations if the individuals who entered as refugees have been primarily based and operating in the United States for some time.

Does the FBI maintain statistics for the number of investigations of refugees?

- The FBI does not regularly maintain statistics for the number of investigations of individuals who entered the United States as refugees because the predication for these investigations may be unrelated to the subject's entry as a refugee.

How does the Executive Order impact the FBI?

- The Executive Order tasks a number of federal agencies, including the Department of Justice, to identify potential improvements to the security vetting process for immigrants to ensure that the security vetting process is as comprehensive as possible.

- This work is not new to us. The FBI has continually worked with its partners in the federal government to make improvements to the security vetting process.

Will White House policy changes regarding immigration make us safer?

- The FBI does not participate in the immigration policymaking process, so we would refer you to the White House on this question.

Do you expect the proposed immigration policy changes to alter the FBI's relationships with the communities it serves?

- No. The FBI has no desire to alter its mutually beneficial relationships with the communities it serves.

- The better we know our communities, the better we can protect them. The Community Relations Unit at FBI Headquarters and FBI community outreach specialists in field offices across the country will continue to create and strengthen relationships locally and nationally with minority groups, religious and civic organizations, schools, non-profits, and other entities.

Will the JTTF or other FBI-led task forces be used against Muslims/minorities?

- The FBI's mission, to include that of all task force members, is to protect the American people and uphold the Constitution. This includes protecting the Muslim community as much as it does any other community in our country. Adhering strictly to the US Constitution and FBI policy, the FBI does not initiate or investigate

any matter based solely on activities protected by the First Amendment, or the race, ethnicity, or religious affiliation of any individual or organization.

What is the impact of losing task force officers from FBI-led task forces?

- In the wake of 9/11, it is clear that FBI-led task forces, where multiple agencies leverage their respective resources and authorities in a collaborative environment, are a very effective means to address priority threats like violent crime and terrorism.

- We rely heavily on our relationships with our state and local law enforcement partners in the communities we serve. Our state and local partners enhance our task forces with unique skills and strong ties to our local communities. The departure of state and local partners from the task forces would significantly diminish our ability to investigate threats to our communities, be they criminal or national security in nature.

Legal Background Information (not for external dissemination):

- Historically, the FBI has possessed broad authority to investigate federal criminal violations related to immigration offenses under both Title 18 and Title 8 of the United States Code and to arrest those who commit such violations.

- In 2002, Attorney General Ashcroft expanded the FBI's immigration authority to include the investigation and arrest of aliens who have committed or are committing non-criminal, i.e. civil, violations of the Immigration and Nationality Act (INA). This grant of authority has not been rescinded.

- Even with this grant of authority, the Department of Homeland Security retains primary jurisdiction over the enforcement of immigration statutes, including both criminal and civil violations of the INA.

- [redacted] b7E

- [redacted]

- [redacted]

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, April 19, 2017 3:03 PM
To:	James B. Comey
Subject:	FW: TRANSCRIPT - Director Remarks Texas
Attachments:	Director Texas Remarks, 4-13-17.docx

I don't see that line in here, but I'll do another read through.

From: Kortan, Michael P. (DO) (FBI)
Sent: Tuesday, April 18, 2017 6:40 PM
To: Rybicki, James E. (DO) (FBI) <[redacted]>; Burton, Dawn (DO) (FBI) [redacted] b7E
Subject: TRANSCRIPT - Director Remarks Texas

Order

Client	[redacted]
Ref #	Director Texas Remarks
Order #	TC0975421971

b6
b7C

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Director: Thank you. My mike working okay?

Speaker 2: Yeah. It's great.

Director: So thank you for the introduction. Thanks for keeping it short, too. It's an honor and a thrill for me to get a chance to talk to you. What I want to do is share some thoughts and then shut up and take your questions, comments, feedback. We can talk about whatever you want. I'm hoping you don't want to talk about Hillary Clinton's emails, but if you do, let's go for it. That has been a source of endless pleasure for me as you might imagine.

So, it's great to be here with so many partners and friends. I hope you know this, but one of my priorities as Director of the FBI is to drive deeper and wider our partnerships with you because we depend upon those relationships to be effective. We need you and I hope we're useful to you as well. The commander's intent to every FBI field office is if your local partners need help with something, go. Offer our equipment. Offer our technology. Offer our help. It doesn't matter to me whether it's a federal matter. It matters to me that it's important to law enforcement. Go and help. And then we'll sort it out later.

And speaking of partnerships, let me start by saying a brief word about Cliff Greenwood who was killed, as you know, on April the third and was a thirty year law enforcement veteran. A good man. A year ago, I gave him his diploma at his graduation from the National Academy. And somebody described him as the epitome of a Texas gentleman. Now I'm a kid from the Northeast so I guess I don't speak about what that complement means with great authority, but I think it's about the highest compliment you can pay somebody. I wish we didn't live in a world where a family person, where a caring friend and partner, where someone who dedicated his life to doing good is taken from us in that way and I don't have anything useful to say except we are so, so sorry. And we will do everything we can to assist our partners in making sure that justice is brought for Cliff Greenwood's murder.

Let me start by talking about leadership in law enforcement, especially in tough times, something I know a little bit about over the last 3 1/2 years. I've had the good fortune to get to know a whole lot of chiefs and sheriffs around this country as I've traveled to all 50 states. And I have not walked in your shoes, but I've now talked to enough of you and heard enough of you tell me that this is the hardest time in your career in law enforcement. The challenges we face are extraordinary that I believe you. And I think, although unique is an overused word, I think we're in a uniquely challenging time. Enough of you have told me about your struggles with budget cuts, with pension reductions, with attrition and recruiting, which I'm going to talk about in a second, and with tense community relations.

Here's how I think about it. I think all of us in law enforcement, but especially in uniform law enforcement, are in the midst of dangerous riptides. Your people are being pulled in

different directions. There is water rushing in and rushing out tearing them in different directions. They're being pulled by the expectations of the communities they serve. They're being pulled by the expectations of the media that covers us. They're being pulled by the expectations of leaders and community organizations. There is a real risk in the midst of those riptides of drowning. I think there's also a need in the midst of those riptides for people to be leaders and stand firmly in the midst of those rushing waters. Plant their feet, stand tall, speak the truth, and by doing that, calm the waters and reduce the risk that their folks are going to drown in those waters. Real leadership is needed.

I think you're got it, so this will sound familiar to you. The way I think about it is in four buckets. The first thing we need are leaders who know their people, who know that people sign up for this work because they want to do good for a living. They want to do work with moral content. They are people who sign up to serve because they want to help people and they don't care what the people look like.

I was in Orlando last June after the attack on the Pulse nightclub. I wanted to meet privately with all the first responders. No press. I just want to come down and thank them for what they've done. And we met in a big church and after I said thank you, I said I'd love to take questions or feedback and an officer stood up in uniform and he said, "My name is Menachim Green and I'm Jewish," which confused me at first. And then he went on. He said, "I was there that night. And I ran towards the sound of that gunfire and running next to me was a Muslim officer. We were Jew and Muslim and Christian. We were white, black and Latino and Asian. And we were rushing towards danger to help people we did not know. We didn't know what they looked like. We didn't know what they believed. We didn't know anything about them except they were people who needed us. And he said, "I wanted you to know that." He said, "I think the American people should know that." And then he sat down. And afterwards an officer came up lo me sheepishly and said, "I'm the Muslim guy. That's a true story." And I said, "I'm going to tell that story all over this country because I know that. The American people should know that."

The leaders we need in law enforcement are people who not only know that, they've made that part of their being. They know the kind of people who sign up for this work. That's the first. The second thing is the leaders we need know what good policing looks like. They know that good policing has always been the same. It's up close. It's respectful. It's firm. It's lawful and it's transparent. That's always been the law enforcement that works and our leaders know that. The leaders we need today know that a combination of kindness and toughness, of confidence and humility is what makes for effective policing and delivers the best results.

Third, the leaders that we need know their neighborhoods, especially the neighborhoods with the greatest need for police services. And they know the people who live there. In particular, the leaders we need know the history and the journey of black America which I think is uniquely at issue in the challenges we face today. They know the hopes, the dreams, the disappointments and the pain of that district. They also know the history of law enforcement's interaction with black Americans. And they

know it because black people cannot forget it for reasons that make sense to me. They know that African-Americans, like all Americans, want good policing and need it to be able to raise families in a healthy, productive way. It's the only path to prosperity and to safety.

The fourth thing. The leaders we need understand that the challenges that we face are magnified by a narrative that's forming about American policing. It's a narrative that has formed honestly in the absence of good data, in the absence of actual information. But the narrative is this. Biased police are killing black men at epidemic rates. That's the narrative. It's a narrative driven by video images. It's a narrative driven by images of real misconduct, of possible misconduct and of perceived misconduct. It's a narrative pushed forward by empathy which is natural in human beings. It's a narrative also reinforced by the shock and surprise of civilians in how fast, how ambiguous law enforcement situations often are.

The leaders we need know that a whole lot of people of good will in this country believe that narrative. And they believe, these decent people, they believe with all their hearts that American law enforcement is using deadly force against minority communities, especially against black men at epidemic rates. The leaders we need know that good Americans believe that because those are the videos that they see over and over again. To those people, each video is confirmation of the existence of this epidemic of nationwide police brutality. People of good will protest because they believe it.

Now, what's the truth? However good their hearts and however good their intentions, Americans actually have no idea whether the number of black people or brown people or white people being shot by police is up, down or sideways. They have no idea whether black people or brown people are more likely to be shot through an encounter than white people are with law enforcement. A Harvard research study from last year focused on ten major departments, including Houston's, and reviewed over a thousand shootings. The research surprised the result the researchers because they found that lethal force was more likely to be used against white people. Non-lethal force was more likely to be used against black people. But we really don't know well enough on a national basis. That's ten departments.

We need actual data to tell us what's happening in this country because in the absence of it, every single conversation about our use of force is uninformed. We don't have the arrest data yet for 2016, but there were in 2015, over ten million arrests made in the United States. And you add to that many, many more encounters that don't result in an arrest between police and civilians. Tens of millions of encounters. So how many people were shot? What did they look like? What were the circumstances? Is deadly force trending up or down? Where was it worst and where is it best? Nobody knows. Nobody in this country has any idea because we have no idea. As a country, we have never collected the data to be able to force informed conversations, which is a very bad place to be.

We have data on how many people saw a particular movie last weekend. We have data on how many books were sold. We have data on how many people showed up with the

flu in every hospital in this country. We don't have data on our use of deadly force. And so in its absence, anecdotes drive the entire conversation. That is why we are passionate, and I hope you share my passion, that we are going to move this entire country not only towards NIBRS collection rich crime data collection, but also towards a national use of force data base that the FBI will be responsible for maintaining. Because in the absence of that data, an anti-cop use of force narrative continues. And the danger is obvious. One of the most obvious dangers that doesn't get much coverage in the media is that that narrative sometimes suggests that law enforcement is deserving of violence directed against us because we are in the midst of an epidemic of violence against civilians. That's a crazy place to be. We need better data to help us all make a judgment about what's actually happening and where we're falling short to improve.

I want to thank you for submitting NIBRS data to us this past year. It is going to make a huge difference. So, we need that better data because we'll make better decisions with it. We will resist the anecdotes that are driving us in an unhealthy direction. The leaders we know need know the danger in the narrative forming and taking hold. That narrative makes it harder for us to recruit good people. It makes it harder for us to interact, especially with the communities that need police services the most. We have to show America what is true.

Now, the narrative also has another effect. I believe it drives a chasm between uniformed law enforcement and the communities that need the most policing. That narrative can keep good officers in their cars and keep good people inside their homes and not talking to us. Police officers are human beings and they see the videos. They have families who they love deeply. Their families and they do not want to be in one of those videos. They do not want to get famous or get dead. They also saw Dallas and Baton Rouge and Palm Springs and they follow every end of watch notification as I do. They think not only about the videos a lot. They think all the time about that loss of life to law enforcement. They desperately do not want to leave their families behind. The leaders we need work with self-initiated police activity is dropping in some of our most violent cities.

Of course, police officers respond to calls. Of course, they do their jobs. Of course, they still risk their lives. Because they are good people who signed up for this work to help. But they're also people. And a good leader knows that. A good leader understands the impact that this narrative, and especially those videos images, can have on our good people. And our leaders that we need today also see that's only one side of the chasm. Because on the other side of that chasm are good people who saw something, who know something, who suspect something. When homicides are up and clearance rates are down, to my mind, good leaders think about the chasm. If people don't trust the police, they aren't going to talk to us. They aren't going to whisper to us as they so often do. They saw the gun get thrown behind the dumpster. They know or heard who was involved in the shooting. They know who just left 20 shell casings on a sidewalk in the middle of the day. But if they don't trust the police, if the narrative drives them to open up a chasm, they're going to stay on their own side of that divide.

Lots of police departments in this country, including in this great state, are working hard to change that narrative. To take a couple examples that have been in the media recently. In Camden, New Jersey, which is ... If there's a city that was a poster child for violence and disfunction and poverty, it was Camden, New Jersey for many years. Chief Scott Thomson has tried to shake things up and to change the narrative in Camden. His officers follow what a newspaper recently described as a Hippocratic oath for policing. Their mantra is minimizing harm and try to save lives. It was a policy shaped partly by violent videos like those of Michael Brown and other shooting, shot or wounded citizens lying on the street. As a result, Chief Thomson decided that they were going to adopt a new policy which was, he called it "scoop and go." To drive immediately gunshot wound victims to the hospital rather than waiting for an ambulance. He did that to show something to their community where a whole lot of people are shot.

They've also revised their use of force policy to try to, as often as possible, deescalate. They had an incident there on video, viral in 2015 in a good way. A disturbed guy with a big knife waving it in the air was surrounded by a circle of officers who moved with him and actually cleared traffic to keep the perimeter and moved him and moved him and moved him until he dropped the knife. It took several tense minutes, which is a lifetime in the middle of a situation like that. But that guy's life was saved. Chief Thomson said, "Twelve months earlier that guy would have been shot dead in the first few seconds of that encounter."

And then there were the viral video stories on Facebook that we have to make sure more people see, which are the narratives of us changing lives. There are a couple that are my favorites. There was one in Westland, Michigan that you may have seen. It's a cop does a traffic stop and he pulls the guy over and notices that there's a toddler not in a car seat. The driver's name was Lavante Dell. The officer stops him and says, "What's the deal here? Why is that child not in a car seat?" And Mr. Dell says that his family can't afford a car seat. So the police officer, whose name is Scaglione, says, "Follow me." And he leads him to a Walmart and out of his own pocket, that police officer buys a car seat. Mr. Dell told ... The driver told ABC News that he hoped people hearing this story quote learn to never judge a book by its cover and realize there's still good people out there going above and beyond.

Texas cops are changing that narrative too. In San Antonio, Neil Rocha is a police officer who became famous in viral videos for just stopping to shoot hoops with a twelve-year-old kid. You may remember the story. His mother didn't get the name of the officer so she put a video on Facebook trying to identify this officer and it went all over the place. An Austin higher enforcement unit officer named Jason Borne, spelled differently, not the Jason Bourne whose movies I will watch any time they come on to the incredible annoyance of my wife. She'll say, "What are you doing?" And I said, "The Bourne Supremacy's on." She says, "You've seen it eight times." "Yes I have.' So a different Jason Borne stopped to assist a stranded motorist and it was a kid on his way to high school. One of his tires had blown. The other three were bald. So Borne and his partner had the kid's car towed to a repair shop and those two officers split the cost of two new front tires for that kid. And then they started a GoFundMe page to raise money to fix the car's

alignment. And they're raising more to try and take care of other damage to this kid's car.

There are a lot of good cops in this country and in Texas. In today's environment, where that dark narrative drives us, it's sometimes easy to forget that. People need to be reminded that for every bad video ... There's no doubt there are some videos that show misconduct. For every bad video, there are thousands, hundreds of thousands of encounters like the ones I just laid out. A good leader with a good police force can change the narrative of their own department, can change the narrative in this country. And it's not marketing. It's about real cops and real deputy sheriffs doing good work and then trying to make sure that people hear about it.

As leaders, I think it's our job to remind our people that good policing is up close and it's firm, but respectful, and that good policing is really, really hard. And sometimes bad things happen. But when those bad things happen, they're going to be met by the leaders showing transparency and thoughtful judgment. And good leaders in law enforcement insist that community leaders understand that they should support their officers because they are their officers. They're in those communities to save lives and to create healthy spaces. It's our job to talk to our troops and to make sure they know we love them, that we support them and we will hold them accountable. We will fight for the equipment and the training that they need. We will make clear what's expected and we will make clear that if they follow that training and they make reasonable judgments, we will be there to support them no matter what.

They look to us for guidance. They look to us to set a tone. If we're negative, the tone is negative. If we're forward leaning, they are forward leaning. All of you know this because you're leaders. What is a pain in the neck about being a leader is the pain in the neck about being a parent. They're always watching you. There's no time ... I have five children. There's no time when I'm able to say to my children, "I'm going to turn you off because my beloved New York football Giants are playing the hated Dallas Cowboys and I'm going to drink beer from a bottle and shout bad things at the television." There's no opportunity for me to turn children off. There's no opportunity for me to turn off the people who work for me. They're always watching as yours are. That's a pain. But it's an opportunity to shape them, to change an environment and to change a narrative because they see the way you stand. They see the way you speak. They see where you go and how you conduct yourselves.

We also need to make sure that our folks take care of themselves. Every great police officer, every great agent possesses a singular quality which is judgment. Judgment is very different from intelligence. Intelligence is the ability to nail a riddle, to master an equation, to solve some hard puzzle. Judgment is the ability to take that answer and circle it and see it through the eyes of others or move it in place and time and see it as it might be seen in a different environment. That is judgment. You cannot be an effective law enforcement officer without it. I'm not exactly sure where it comes from. I think it comes from the way you were raised and it comes from making mistakes and learning from them. Oh, that ticks people off. Okay, I got that. But it's protected in ways I know

for sure. It's protected by stepping away from this work and maintaining fighting for some kind of balance in your life.

I give a speech to every new FBI employee and if I can't be there in person, they are forced to watch a video. And I tell them I expect them to fight to maintain balance in their lives because it's essential to protecting that judgment. Then I tell them two other things that seem weird. I say, "I direct you to sleep. Sleeping is not a moral failing. It is essential to you being effective. It's essential to you exercising sound judgment. And I joke with them. I say, "Look. This is not much to look at. But I do core, cardio. I lift weights. I stretch. And I sleep. Because I have to make sound decisions. I need judgment."

And then I tell them something else weird. "I expect you to love somebody. There are people in your lives called loved ones because you're supposed to love them. And in our work there is a disease called "get back-itis," which is the idea that I'm protecting people so I'll get back to these people that I'm supposed to love, whether it's children, parents, siblings, spouses, it doesn't matter. All of you know, there's no getting back. Bad things happen to good people and children grow up like that. SO I tell every new employee in the FBI, "I expect you to love them. It's good for you. It nurtures your judgment." And I also add, "Sometimes you can multitask by sleeping with people you love in appropriate circumstances and get both done at the same time. You're very busy so you put it together." This seems like a weird thing for a law enforcement leader to talk about. Maybe it is. But I need them healthy. This country needs them healthy. Body, mind and spirit. I need them to work out, but I need them to do more than that to maintain a sense of balance and health.

The term "police reform" is thrown around a lot these days and I think it gets a bad rap. As we work to change the narrative about policing in this country, we should never stop thinking about trying to reform ourselves, about trying to get better. I think that's what it means to be an effective leader. I'm always trying to figure out how I can do better. That can be institutional reform. That can be informal reform based on neighborhoods, based on your people. You know better than anyone in this country what your communities need. You know what works there. You know how to build effective relationships. Do what works for you. But do something. And work as hard as you can to make sure that images of that something get out there so the good people of this country and the good young people who might choose this work see it and we change the narrative.

I also mention my son Brian. I have five kids, two girls, a boy and two girls. My son Brian lives in my basement. He's got, give him about another 12 months. He is just finishing FTO. He's on his last month of field training as a police officer and he's a very talented kid like his mother. He went to great college. He was an economics and philosophy honors student. He was the captain of his college basketball team. That kid could have done anything. And as he was getting ready to graduate, he said, "Dad, I want to be a police officer because I want to help people and I think that's the way to help them when they need you the absolute most." And I said, "Brian, I completely agree. I support you a hundred percent. Your mother's a little nervous about that choice." But it is about

a young person seeking service over self in the most meaningful way I can imagine. I couldn't be prouder of this young man.

My worry? Are other boys and girls ... Although he turned 23 yesterday, I still think of him as a boy. Are other boys and girls going to make a different choice because of the narrative that's emerged that we do something controversial. They'll still serve, but they'll become teachers or social workers or, heaven forbid, fire fighters. Will they instead avoid what we've chosen to do? This country will be deeply sorry if we allow that to happen. Maybe not even noticed for five years or ten years, but twenty years from now the people in a room like this would be very different if we allow the narrative to drive people like my son, your sons and daughters away from this work. We can't let that happen. So we must as often as possible speak about what we're like. Tell the story of the Menachim Greens of this country to inspire kids to choose this life.

So here's how I talk about it in the event it's of any use to you. I speak to a lot of young audiences about law enforcement. And I tell them this. "Look kids. Life is short. Bad things happen to good people." Then they're looking for the exits trying to get away from me. But I say, "Here's the problem with life. There's so much striving to do. To get good grades, to make the team, to get into a good college, to get a newer car. When you get married, to get an extra bedroom. To save money for college, to get recognized, to get plaques on the wall, to get promoted, all of which is important. All of us have done that. But the danger is, if that's all you do, just strive, just strive, just strive. What matters in life can be obscured by that smoke of seeking money or recognition or honor. And so I say, "Look, you gotta do something that seems weird, but please do it." I tell them, "Close your eyes and imagine yourself in your mind's eye old and gray. Your life is about to end. I hope you're old and gray at that point. Sit there at the end of your life and ask this question. Who do I want to have been? Who do I want to have been?"

And I tell high school kids and college kids, "Look, the reason I'm asking you to do that is from that vantage point, the smoke is cleared. Houses, cars, plaques on the wall. Who cares? Your life is ending. Who do you want to have been?" And I say, "Look. I hope some of you are people who want to have been somebody who did something for the people who needed you, the people who are frightened or bullied or picked on or victimized. You stood on a wall and protected them. I hope some of you want to have been that. And I promise you it will not lead to lots of extra bedrooms and lots of money and lots of human honor, but it will make you wealthy in ways all the rest of them who just strive for those things will never experience. It will leave you with a life of deep meaning. I hope some of you," I tell them in this audience, "decide that's who you will have been and decide to do this. It's incredibly hard. I dare you to live a life of meaning."

So why am I telling you this? I'm telling you this so in the event it's useful to you as to how I talk to young people about law enforcement. But there's another reason I'm telling you this. To remind you that's who you will have been at the end of this too short life and to thank you for making that choice. Thank you for pursuing a life of meaning for yourselves, for sure, but for the people you've protected and served in ways you will never get thanked enough for. So thank you for choosing to do that with your lives. It's an honor to be part of this community. I'm in this job another 6 1/2 years. I will use

every moment of that to try to tell the people of the United States what law enforcement is really like. Thank you for representing it so well. I look forward to our conversation.

Ah, what can I tell you? Most of them, you don't want to ask about Russia, but you're welcome to. Yes, sir. Go ahead.

Speaker 3: [inaudible 00:30:46] And a lady jumped upand down. [inaudible 00:31:05] Police chief association operator 24 hours [inaudible 00:31:10]

Director: I'm so sorry for your loss. Is there a question over there in the back right?

Speaker 4: Director Comey, can you tell us a little bit more about the comment you made regarding collecting use of force data? Will that be a legislative mandate, regulatory, permissive, and will there be funding as far as that?

Director: Yep. Great question. What we've done is the Bureau has worked with chiefs associations, sheriffs associations around the country and it was interesting. The thing they asked us to ... Everybody said, "It's a good idea to create a national database on all of us, federal, state and local, our use of deadly force. But we want the FBI to maintain it." And so we're building ... It's not a ... We're part of the Justice Department, but it will be an FBI built and maintained data base. And we've agreed upon 19 data fields we're going to collect. And the information, the way we think it's going to work, is the states will supply us the information. It shouldn't ... Since every department's collecting information like this anyway, it shouldn't be hard to drive it but it's not mandated. It's just the FBI saying ... All of us saying, "We as American law enforcement need to be able to show people what's really going on." And I'll be honest. I have a suspicion that what's going on is there's no kind of epidemic of violence and ...

But it won't be mandated. I don't think any bill will come of it. I think the states will just have to send us the data and we'll give everybody access to it. It doesn't include any information about the officers' identify, for example, but we're going to collect information about time of day, weapon, weapon that the perpetrator used, all that sort of thing. And we put in the federal register already a notice that we are creating it. That period has now run and so we're going to start populating it this year. Again, not just you all, but federal, state and local law enforcement use of deadly force. So I hope that's useful. Yes, sir.

Speaker 5: Would you please talk a little bit more about your position on going dark? I know you've been pretty supportive of us on that.

Director: Yep. Yeah. Going dark is the name we use for the problem that all of us have in law enforcement, with armed with lawful process, not being able to access information we need in our investigations. Mostly that hits us on devices that can't be opened and this is a shadow that's falling across all of our work. I'm sure you felt it already. I've demonstrated it for the FBI. October, November, December, over 4,000 devices were presented to the FBI for examination by our agents and our partners around the

country. 43% of them we could not open with any technique. Any technique. And so that means just about half of the devices we seize in gang cases, child exploitation cases, terrorism cases, we can't open. That is a huge problem. The answer is not clear, but here's what we can't allow to happen. We're drifting to a place of total darkness for us. And what makes this so hard is I love privacy. Love it. Don't get as much as I'd like, I suppose, but I love privacy. And my life is devoted to public safety. I care about both of those things. They're colliding with each other.

But here's the thing that I think the companies don't quite realize when they talk about selling their customers. I love Apple's devices. I'm trying to move the FBI to a place where we can use Apple devices. They're high quality devices. But Apple markets absolute privacy. It talks in those words and says, "You know what? Your stuff should always be private. And what I'm telling them is that's a change in the American way. This country has never had absolute privacy. Ever. Because the founders of this country struck a bargain which was your stuff is private unless the people of this country need to see it. And then with appropriate predication and oversight and process, they can see it. Your car trunk, your bank deposit box, your sock drawer. Even the contents of your mind. You can be compelled, as all of you know, to say what you saw, to say what you heard and witnessed.

If we're going to move to a place where large parts of American life are off limits to judges, where there's absolute privacy, that's a different way to live. That's a change in the compact of America and companies should not make that decision for us. We, the citizens of this country, have to make that decision. So it's not the Bureau's job to say what we should do. It's not the company's job. What I am determined to do is make sure the American people don't drift to a place where we've changed the bargain in this country. Because then they're all going to look at us and say, "How come you all didn't say something?" All of a sudden, our lives are on these devices. That's a cool thing. But judges can't access them any more? Wow. So, I'm trying to drive a conversation. And here's where we are. I tried to stay quiet on this last year because my judgment was in a presidential election year, a complicated conversation about balancing privacy and public safety, we couldn't have it in an election year. I think I was probably right.

So I used last year to gather stories from you about how it's affecting your work. We got a lot of stories. And then data that I just reviewed with you. And so we're going to bring it back up. And I've already talked to President Trump about this and Attorney General Sessions and they get it. What's interesting is after the problem you had at San Bernardino with Apple, Apple lost President Obama who came at ir from, I don't know whether the left or right even makes sense in the United States any more, but he came at it from a much more civil libertarian perspective. They lost him. Because his response to Apple was, "Wait a minute." Just what I said. We've never had absolute privacy in America. Judges need to be able to order access.

And so I'm hoping to take that momentum and President Trump's understanding of it and drive a conversation. I don't know where we're going to go because the companies have a lot of money. And it's a complicated topic. But I can imagine a world where Congress passes a law that says if you're going to sell devices in the United States of

America, you need to be able to comply with court orders. You figure out how to do it. You figure out how to do it in the most secure way. But just like a telephone provider has to be able to comply with a court order, if you're going to sell a device to the American people, you need to figure out how to be able to comply with a court order. We're a long way from that.

But here's where I need your help. We cannot allow people to portray this as some sort of intelligence community issue or NSA issue because it's really not. It has some small implications for intelligence work but overwhelmingly affects state and local law enforcement. Overwhelmingly. Because you can't investigate anything in this country today, whether it's a drug case or a car accident, without needing data that's on a device. And if those devices are off limits to us, that will change our world. And so I hope you will continue to talk about it and ask about it and see if we can't educate the American people in a good way and drive to a sensible solution.

What else can I tell you? There's a question here in the front.

Speaker 6: Thank you for coming, sir. As a chief of a small [inaudible 00:39:07], I want to thank you for offering up your [inaudible 00:39:09] I haven't taken advantage of that. My question is thank you for standing out there as the sole voice in the night to support us. What is the new administration's ... What are we going to see from them in supporting us also?

Director: That's a great question.

Speaker 6: Tom Class.

Director: I can't believe you like me. He's a great man. Tom Class. He was the SAT in Dallas. The new administration ... I know best what Attorney General Sessions thinks about it and I have urged him ... He's very supportive of state and local law enforcement, understands I think from his years on the judiciary committee the challenges that we face in law enforcement, so I would expect his instincts would be to understand your challenges and to try to support you. What I have said to him is, "I've played a leadership role with state and local law enforcement that I really shouldn't be playing. But I did it because I felt like nobody else was speaking and so I did it." I have a ten year term. I mean I can be fired but what the heck. And so I said, "I hope that I'll be able to step back and you, as the Attorney General of the United States, will speak." I mean having state and local law enforcement, I think you're going to see him do that. And so it's not that I'll deny you or won't talk to you all, but I would expect the public role will be more the Attorney General. So that's what I think you're going to see.

Speaker 7: I have a question.

Director: Yes, sir.

Speaker 7: Well, first of all, thank you and thank the Bureau down in San [inaudible 00:40:45]. We work very closely with each other. But my question is do you believe that the American

people think the Bureau has become politicized and if yes, what do you think that needs to be done to change that perception?

Director: That's a great question. The answer is ... The honest answer is I hope not. But I think there are a fair number of people ... Well, this is probably a complicated answer. As partisans, I can't really help. But I worry there's a fair swath of people who were confused by things that we did, that I had to do last year. And I think a lot of the confusion stems from the fact that most Americans see the world through sides, the lens of side. And I count it as when I go to Congress and I say to them I'm just trying to be transparent, they look at me and say, "What are you trying to pull?" And I say, "I'm just trying to tell you what's true," and they say, "Yeah, yeah. What are you trying to pull?" Everybody see the world through polarized glasses. You know who doesn't? The people in this room and the people at the FBI. We're not on anybody's side. We're not trying ... The reason people are confused is they try and figure out, so is he trying to help Hillary Clinton, hurt Hillary Clinton, help Hil- ... What's he trying to do? And the answer is, "I'm not trying to help or hurt anybody. I'm trying to do what I think is the right thing to do."

Very, very often ... The last year, if I may use a vernacular term, sucked for me. I know you've been there. Kept looking at the menu of options and there was only bad and worse and not good. And so at every turn, I'm actually very proud of the FBI. We did quality work and we tried to figure out so what's the right thing to do here. And it was very painful at times, but I'm proud of it. What I think I need to do ... I do think there are people who are confused by it and because they don't understand what we did and why we did it, it leads people to draw conclusions about us that were political. I hope you know this about the Bureau. We're about the farthest thing from political you can imagine. We do not give a rip.

Part of what confused people is they're just not familiar with that attitude at a federal level, with people who just don't care who is affected and in what way politically. I think I have tried to stay quiet. I haven't done a press event since last July. Try to stay quiet because my judgment was there was too much emotion right after the election. People needed to listen to me. At some point I'm going to reemerge and try and explain and see if people can't understand better what were the choices I faced and why did I make those choices. And I hope that will go some ways towards ... But those people who can be influenced, some of the partisan people, they won't be influenced at all. But for those people who are at minimum confused, it will move them in a healthier place because if you actually stand in my shoes and you listen to the challenges I faced, everybody I've talked to, their reaction is, "Oh, oh. You were screwed."

I had a chance actually to explain it to the full U.S. Senate. I was there to talk about Russia in a closed session and Senator Franken from Minnesota said something unpleasant to me and he said, "We should probably know what you did to Hillary Clinton." And I said, "Do you have time? I'd love to explain." And I said, "Let me tell you where I was. Let me tell you the challenges I faced. Let me tell you why I felt I had to do what I had to do." And when I was done, Senator Schumer from New York came over to me and grabbed my hand with both hands and said, "You were in an impossible

position. You were in an impossible position." And he's darn right I was in an impossible position. So at some point I'll try to explain that a little bit better, but in the meantime, it's stuff you all know this but when you get in these situations, you try and think carefully. You talk to smart people and then you make your best judgment on what the right thing to do is. And then there's a certain peace in that, honestly.

The joy of my life is I don't want to be anything else. At this point I probably couldn't become anything else. I don't want to be anything else. I don't want to do anything else. I'm involve in something that's deeply meaningful to me. I'll do my best to have people understand this but, at the end of the day, all you can do is the right thing. All you can do is the right thing.

Speaker 8: I've been told one more. I'm not telling the Director what to do by any means. But his people told me to say one more question and I checked. You have 2,699 more days, sir.

Director: 2,699 more days. Outstanding. What else can I tell you? Yeah. GO ahead.

Speaker 9: I want to follow up on that. Do you think the press is going to allow you to say what you need to say about it?

Director: I'm not sure the press is going to allow me. So I'm trying to figure out what's the best way to do it.

Speaker 9: [inaudible 00:45:29]

Director: You're killing me. I'm on twitter. I have to wake up every morning to figure out what the President's saying about me. I don't know. That's the hard thing, breaking through and, you know, that's a ... not to end but on a depressing note, but twitter's a depressing place. I joke with people. It's every bar in America. The drunk guy at the end of the bar screaming at the television. Now you can hear him. He's on twitter. And 140 characters is for me to explain, for example, why on October 28th, I had to tell Congress we were re-starting the investigation. And I'll take a minute. I'll tell you the story a little bit.

My team comes to me late October. The investigation that I testified repeatedly is over and there's no there there, which everybody who worked on it agreed with. All the people in the Bureau agreed with. We're done. There's nothing there. They come to me and say, "Sir, there's this weird dude named Anthony Weiner." There's no press in this room, right? "There's this weird dude named Anthony Weiner. And federal agent's doing a child porn case in New York, seized his laptop, and it looks like on that laptop, for reasons we cannot explain, are thousands of Hillary Clinton's emails, including, it looks like emails from her first three months as Secretary of State" where we had never found any because she was using her Verizon blackberry at that point. They said, "We can see hundreds of Verizon blackberry emails, Clinton emails, and we think we gotta go get them." And I said, "Damn right, you gotta go get them." And so let's get a search warrant.

And then I had a choice to make. I've always believed the FBI should try if we can to avoid any action in the run up to an election, whether that's dog catcher or whether it's President of the United States. If you can find a way, you take no action. I kept looking for a door that said no action here. I only saw two doors and they were both actions. One said speak. The other said conceal. Because I just told Congress and the American people over and over again, "There's no there there. We're done." And now I got a team of agents saying not only are there thousands of emails there, we may have found the ones that reflect best on the Secretary's intent from the first three months as Secretary of State. To not speak would be part of an affirmative act of concealment was my judgment. And so speak or conceal. Speaking 11 days before an election would be really bad. Concealing would be catastrophic.

In my view, and you can disagree, would be catastrophic. Try to imagine if I had concealed that we were re-starting that investigation in a hugely important way. And so I chose speaking. And I said to my team, "Welcome to the world of really bad. This is going to be so ugly. I'm totally screwed." Because catastrophic would be a whole lot better for me personally. But you can't do that as a leader. Speak. And then work as hard as you can to see if you can get through thousands of emails. That's something the press hasn't focused on. They keep saying they found nothing. No. We found thousands of brand new work related emails. We found classified emails. We didn't find anything that changed our view of her intent. So they were able to, though some computer wizardry, come back to me the Saturday before the election and say, "We'll meet you Sunday morning. You think we're going to be done?" The team came in to see me and said, "We found thousands of new emails." As I said we found classified emails on Anthony Weiner's computer. But our view of her culpability is still the same. After going through all of this. Night after night they went through these things. I said, "Okay. Now I gotta tell Congress." And I poked them and said, "Are you sure? Are you sure?" And they said, "Yes. We're sure."

I told Congress. So what I say to people is, "You gotta come stand in my shoes on October 28th before you could still conclude I'm an idiot. I hope you'll conclude I'm an honest idiot, but stand in my shoes and say what do you do on October 28th when you're re-starting a criminal investigation in a very significant way. Do you speak or do you conceal? My view is I don't care whether you're a Democrat or a Republican, you speak. You speak. As hard as it is for people to go back in time, come back with me on October 28th. You would do what I did and you'd be totally screwed.So, at the end of the day, I'm incredibly proud of the work that was done. I don't know whether there's enough space to recollect in 140 character world for people to hear that story. It just took me four minutes to tell you. It doesn't fit in a tweet. Maybe it will never be known fully. But at some point I want to try to get as many people as possible to understand that so that people of good will who can open their minds will open them and understand better.

So thank you for listening to me. Sorry for talking so much.

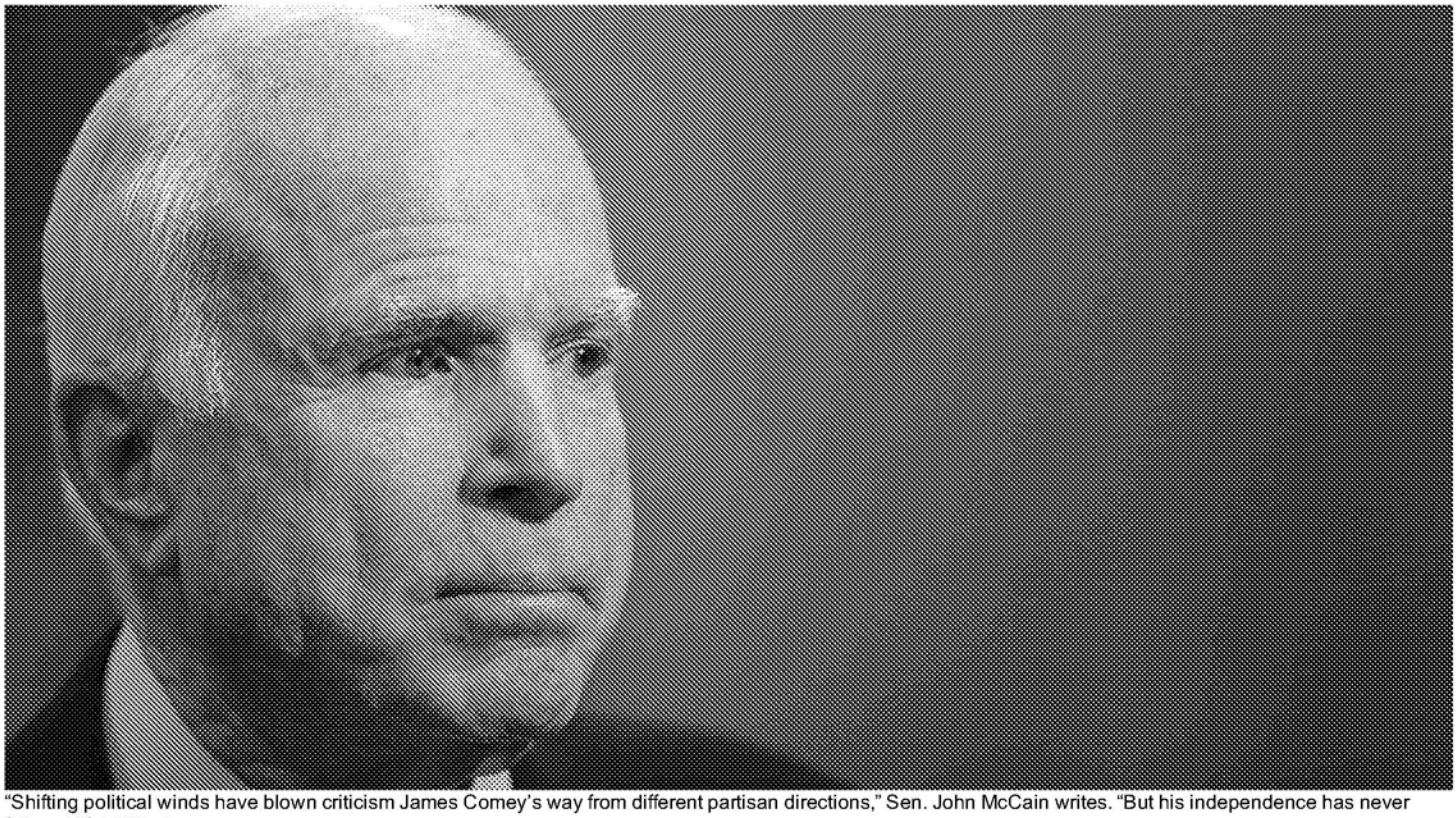
How did we do?



If you rate this transcript 3 or below, this agent will not work on your future orders

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Thursday, April 20, 2017 11:08 AM
To:	James B. Comey
Subject:	Politico



"Shifting political winds have blown criticism James Comey's way from different partisan directions," Sen. John McCain writes. "But his independence has never faltered." | AP Photo

McCain praises FBI director Comey: 'His integrity has never wavered'

By Kelsey Sutton

04/20/17 08:55 AM EDT

Arizona Sen. John McCain tipped his hat to FBI director James Comey in a glowing tribute for Time's 100 Most Influential People list, labeling the bureau director as principled, independent and honorable.

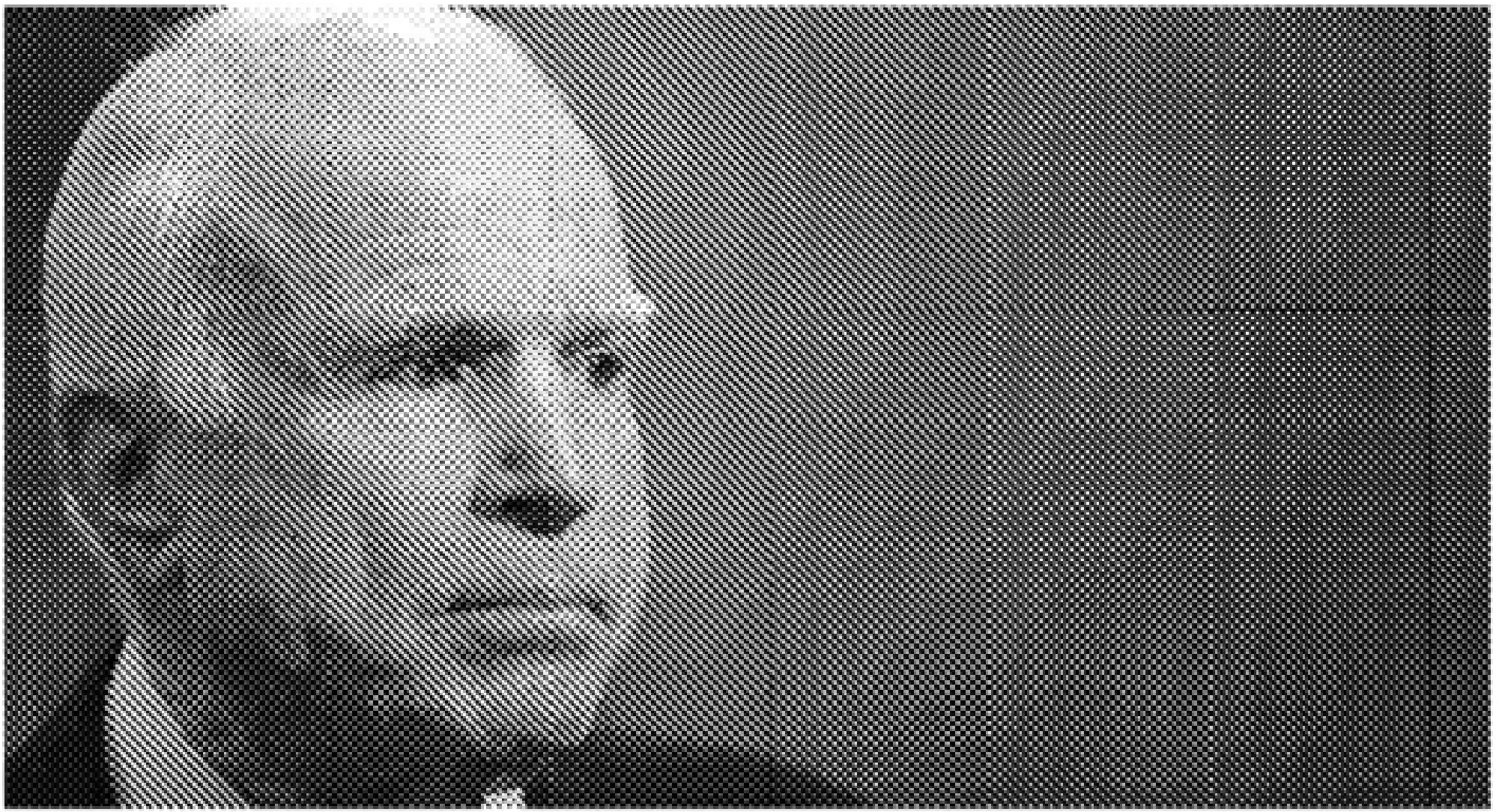
"Integrity is a word that doesn't get used a lot in Washington anymore," McCain wrote for the feature, which was published Thursday. "But that is the quality that has defined James Comey's service to our nation."

Comey, who made the controversial decision to announce that the FBI would continue looking into Hillary Clinton's use of a private email server 11 days before the election, and this year made waves with his testimony confirming that the FBI was probing the Trump campaign's ties to Russia, has been sharply criticized by those from both the left and right.

Many on the left have said that Comey's October announcement into the reopening of the Clinton email investigation turned the public against Clinton and gave now-President Donald Trump a last-minute boost to win the White House. But when the FBI director testified about the bureau's investigation into the Trump campaign, he was in turn slammed by Trump supporters for what they said was a politically motivated smear.

McCain, who has been vocal about his concern over Russia's influence in the election, has been an ardent supporter of Comey's actions, particularly surrounding the Trump-Russia probe. In the Time column, McCain wrote that the FBI director "followed the law, spoke the truth and did what he believed was right" no matter the circumstances.

"Shifting political winds have blown criticism James Comey's way from different partisan directions," McCain wrote. "But his independence has never faltered. His integrity has never wavered. And I know that in the pursuit of justice, it never will."



Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Friday, April 28, 2017 12:46 PM
To:	James B. Comey; McCabe, Andrew G. (DO) (FBI); Ghattas, Carl (CTD) (FBI)
Subject:	NSD

Just got a heads up from NSD that the President is going to make Dana Boente the Acting AAG for NSD (probably effective immediately, but TBD).

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Tuesday, May 2, 2017 8:39 AM
To:	James B. Comey
Subject:	FW: Yahoo hack background

From: Strzok, Peter P. (CD) (FBI)
Sent: Monday, May 01, 2017 5:50 PM
To: Rybicki, James E. (DO) (FBI) <[redacted]>; [redacted] (OGC) (FBI) [redacted]
Cc: Priestap, E. W. (CD) (FBI) [redacted]; Moffa, Jonathan C. (CD) (FBI) <[redacted]>; [redacted] (CYD) (FBI) [redacted] (CD) (FBI) [redacted]
Subject: Yahoo hack background

b6
b7C
b7E

Follow up to a Q at the 4:45 session. Below from DOJ website -- a redacted indictment was released on 3/15

U.S. CHARGES RUSSIAN FSB OFFICERS AND THEIR CRIMINAL CONSPIRATORS FOR HACKING YAHOO AND MILLIONS OF EMAIL ACCOUNTS

FSB Officers Protected, Directed, Facilitated and Paid Criminal Hackers

A grand jury in the Northern District of California has indicted four defendants, including two officers of the Russian Federal Security Service (FSB), for computer hacking, economic espionage and other criminal offenses in connection with a conspiracy, beginning in January 2014, to access Yahoo's network and the contents of webmail accounts. The defendants are Dmitry Aleksandrovich Dokuchaev, 33, a Russian national and resident; Igor Anatolyevich Sushchin, 43, a Russian national and resident; Alexsey Alexseyevich Belan, aka "Magg," 29, a Russian national and resident; and Karim Baratov, aka "Kay," "Karim Taloverov" and "Karim Akehmet Tokbergenov," 22, a Canadian national and a resident of Canada.

The defendants used unauthorized access to Yahoo's systems to steal information from about at least 500 million Yahoo accounts and then used some of that stolen information to obtain unauthorized access to the contents of accounts at Yahoo, Google and other webmail providers, including accounts of Russian journalists, U.S. and Russian government officials and private-sector employees of financial, transportation and other companies. One of the defendants also exploited his access to Yahoo's network for his personal financial gain, by searching Yahoo user communications for credit card and gift card account numbers, redirecting a subset of Yahoo search engine web traffic so he could make commissions and enabling the theft of the contacts of at least 30 million Yahoo accounts to facilitate a spam campaign.

The charges were announced by Attorney General Jeff Sessions of the U.S. Department of Justice, Director James Comey of the FBI, Acting Assistant Attorney General for National Security Mary McCord, U.S. Attorney Brian Stretch for the Northern District of California and Executive Assistant Director Paul Abbate of the FBI's Criminal, Cyber, Response and Services Branch.

"Cyber crime poses a significant threat to our nation's security and prosperity, and this is one of the largest data breaches in history," said Attorney General Sessions. "But thanks to the tireless efforts of U.S. prosecutors and

investigators, as well as our Canadian partners, today we have identified four individuals, including two Russian FSB officers, responsible for unauthorized access to millions of users' accounts. The United States will vigorously investigate and prosecute the people behind such attacks to the fullest extent of the law."

"Today we continue to pierce the veil of anonymity surrounding cyber crimes," said Director Comey. "We are shrinking the world to ensure that cyber criminals think twice before targeting U.S. persons and interests."

" The criminal conduct at issue, carried out and otherwise facilitated by officers from an FSB unit that serves as the FBI's point of contact in Moscow on cybercrime matters, is beyond the pale," said Acting Assistant Attorney General McCord. "Once again, the Department and the FBI have demonstrated that hackers around the world can and will be exposed and held accountable. State actors may be using common criminals to access the data they want, but the indictment shows that our companies do not have to stand alone against this threat. We commend Yahoo and Google for their sustained and invaluable cooperation in the investigation aimed at obtaining justice for, and protecting the privacy of their users."

"This is a highly complicated investigation of a very complex threat. It underscores the value of early, proactive engagement and cooperation between the private sector and the government," said Executive Assistant Director Abbate. "The FBI will continue to work relentlessly with our private sector and international partners to identify those who conduct cyber-attacks against our citizens and our nation, expose them and hold them accountable under the law, no matter where they attempt to hide."

"Silicon Valley's computer infrastructure provides the means by which people around the world communicate with each other in their business and personal lives. The privacy and security of those communications must be governed by the rule of law, not by the whim of criminal hackers and those who employ them. People rightly expect that their communications through Silicon Valley internet providers will remain private, unless lawful authority provides otherwise. We will not tolerate unauthorized and illegal intrusions into the Silicon Valley computer infrastructure upon which both private citizens and the global economy rely," said U.S. Attorney Stretch. "Working closely with Yahoo and Google, Department of Justice lawyers and the FBI were able to identify and expose the hackers responsible for the conduct described today, without unduly intruding into the privacy of the accounts that were stolen. We commend Yahoo and Google for providing exemplary cooperation while zealously protecting their users' privacy."

Summary of Allegations

According to the allegations of the Indictment:

The FSB officer defendants, Dmitry Dokuchaev and Igor Sushchin, protected, directed, facilitated and paid criminal hackers to collect information through computer intrusions in the U.S. and elsewhere. In the present case, they worked with co-defendants Alexsey Belan and Karim Baratov to obtain access to the email accounts of thousands of individuals.

Belan had been publicly indicted in September 2012 and June 2013 and was named one of FBI's Cyber Most Wanted criminals in November 2013. An Interpol Red Notice seeking his immediate detention has been lodged (including with Russia) since July 26, 2013. Belan was arrested in a European country on a request from the U.S. in June 2013, but he was able to escape to Russia before he could be extradited.

Instead of acting on the U.S. government's Red Notice and detaining Belan after his return, Dokuchaev and Sushchin subsequently used him to gain unauthorized access to Yahoo's network. In or around November and December 2014, Belan stole a copy of at least a portion of Yahoo's User Database (UDB), a Yahoo trade secret that contained, among other data, subscriber information including users' names, recovery email accounts, phone numbers and certain information required to manually create, or "mint," account authentication web browser "cookies" for more than 500 million Yahoo accounts.

Belan also obtained unauthorized access on behalf of the FSB conspirators to Yahoo's Account Management Tool (AMT), which was a proprietary means by which Yahoo made and logged changes to user accounts. Belan, Dokuchaev and Sushchin then used the stolen UDB copy and AMT access to locate Yahoo email accounts of interest and to mint cookies for those accounts, enabling the co-conspirators to access at least 6,500 such accounts without authorization.

Some victim accounts were of predictable interest to the FSB, a foreign intelligence and law enforcement service, such as personal accounts belonging to Russian journalists; Russian and U.S. government officials; employees of a prominent Russian cybersecurity company; and numerous employees of other providers whose networks the conspirators sought to exploit. However, other personal accounts belonged to employees of commercial entities, such as a Russian investment banking firm, a French transportation company, U.S. financial services and private equity firms, a Swiss bitcoin wallet and banking firm and a U.S. airline.

During the conspiracy, the FSB officers facilitated Belan's other criminal activities, by providing him with sensitive FSB law enforcement and intelligence information that would have helped him avoid detection by U.S. and other law enforcement agencies outside Russia, including information regarding FSB investigations of computer hacking and FSB techniques for identifying criminal hackers. Additionally, while working with his FSB conspirators to compromise Yahoo's network and its users, Belan used his access to steal financial information such as gift card and credit card numbers from webmail accounts; to gain access to more than 30 million accounts whose contacts were then stolen to facilitate a spam campaign; and to earn commissions from fraudulently redirecting a subset of Yahoo's search engine traffic.

When Dokuchaev and Sushchin learned that a target of interest had accounts at webmail providers other than Yahoo, including through information obtained as part of the Yahoo intrusion, they tasked their co-conspirator, Baratov, a resident of Canada, with obtaining unauthorized access to more than 80 accounts in exchange for commissions. On March 7, the Department of Justice submitted a provisional arrest warrant to Canadian law enforcement authorities, requesting Baratov's arrest. On March 14, Baratov was arrested in Canada and the matter is now pending with the Canadian authorities.

An indictment is merely an accusation, and a defendant is presumed innocent unless proven guilty in a court of law.

The FBI, led by the San Francisco Field Office, conducted the investigation that resulted in the charges announced today. The case is being prosecuted by the U.S. Department of Justice National Security Division's Counterintelligence and Export Control Section and the U.S. Attorney's Office for the Northern District of California, with support from the Justice Department's Office of International Affairs.

Defendants: At all times relevant to the charges, the Indictment alleges as follows:

- **Dmitry Aleksandrovich Dokuchaev**, 33, was an officer in the FSB Center for Information Security, aka "Center 18." Dokuchaev was a Russian national and resident.
- **Igor Anatolyevich Sushchin**, 43, was an FSB officer, a superior to Dokuchaev within the FSB, and a Russian national and resident. Sushchin was embedded as a purported employee and Head of Information Security at a Russian investment bank.
- **Alexsey Alexseyevich Belan**, aka "Magg," 29, was born in Latvia and is a Russian national and resident. U.S. Federal grand juries have indicted Belan twice before, in 2012 and 2013, for computer fraud and abuse, access device fraud and aggravated identity theft involving three U.S.-based e-commerce companies and the FBI placed Belan on its "Cyber Most Wanted" list. Belan is currently the subject of a pending "Red Notice" requesting that Interpol member nations (including Russia) arrest him pending extradition. Belan was also one of two criminal hackers named by President Barack Obama on Dec. 29, 2016, pursuant to Executive Order 13694, as a Specially Designated National subject to sanctions.
- **Karim Baratov**, aka "Kay," "Karim Taloverov" and "Karim Akehmet Tokbergenov," 22. He is a Canadian national and a resident of Canada.

Victims: Yahoo; more than 500 million Yahoo accounts for which account information about was stolen by the defendants; more than 30 million Yahoo accounts for which account contents were accessed without authorization to facilitate a spam campaign; and at least 18 additional users at other webmail providers whose accounts were accessed without authorization.

Time Period: As alleged in the Indictment, the conspiracy began at least as early as 2014 and, even though the conspirators lost their access to Yahoo's networks in September 2016, they continued to utilize information stolen from the intrusion up to and including at least December 2016.

Crimes:

Count(s)	Defendant(s)	Charge	Statute 18 U.S.C.	Conduct	Maximum Penalty
1	All	Conspiring to commit computer fraud and abuse	§ 1030(b)	Defendants conspired to hack into the computers of Yahoo and accounts maintained by Yahoo, Google and other providers to steal information from them. First, Belan gained access to Yahoo's servers and stole information that allowed him, Dokuchaev, and Sushchin to gain unauthorized access to individual Yahoo user accounts. Then, Dokuchaev and Sushchin tasked Baratov with gaining access to individual user accounts at Google and other Providers (but not Yahoo) and paid Baratov for providing them with the account	10 years

				passwords. In some instances, Dokuchaev and Sushchin tasked Baratov with targeting accounts that they learned of through access to Yahoo's UDB and AMT (e.g., Gmail accounts that served as a Yahoo user's secondary account).	
2	Dokuchaev Sushchin Belan	Conspiring to engage in economic espionage	§ 1831(a)(5)	Starting on Nov. 4, 2014, Belan stole, and the defendants thereafter transferred, received and possessed the following Yahoo trade secrets: • the Yahoo UDB, which was proprietary and confidential Yahoo technology and information, including subscriber names, secondary accounts, phone numbers, challenge questions and answers; • the AMT, Yahoo's interface to the UDB; and • Yahoo's cookie "minting" source code, which enabled the defendants to manufacture account cookies to then gain access to individual Yahoo user accounts.	15 years
3	Dokuchaev Sushchin Belan	Conspiring to engage in theft of trade secrets	§ 1832(a)(5)	See Count 2	10 years
4-6	Dokuchaev Sushchin Belan	Economic espionage	§§ 1831(a)(1), (a)(4), and 2	See Count 2	15 years (each count)
7-9	Dokuchaev Sushchin Belan	Theft of trade secrets	§§ 1832(a)(1), and 2	See Count 2	10 years (each count)
10	Dokuchaev Sushchin Belan	Conspiring to commit wire fraud	§ 1349	The defendants fraudulently schemed to gain unauthorized access to Yahoo's network through compromised Yahoo employee accounts and then used the Yahoo trade secrets to gain unauthorized access to valuable non-public information in individual Yahoo user accounts.	20 years

11-13	Dokuchaev Sushchin Belan	Accessing (or attempting to access) a computer without authorization to obtain information for the purpose of commercial advantage and private financial gain.	§§ 1030(a)(2)(C), 1030(c)(2)(B)(i)-(iii), and 2	The defendants gained unauthorized access to Yahoo's corporate network and obtained information regarding Yahoo's network architecture and the UDB.	5 years (each count)
14-17	Dokuchaev Sushchin Belan	Transmitting code with the intent to cause damage to computers.	§§ 1030(a)(5)(A), 1030(c)(4)(B), and 2	During the course of their unauthorized access to Yahoo's network, the defendants transmitted code on Yahoo's network in order to maintain a persistent presence, to redirect Yahoo search engine users and to mint cookies for individual Yahoo accounts.	10 years (each count)
18-24	Dokuchaev Sushchin Belan	Accessing (or attempting to access) a computer without authorization to obtain information for the purpose of commercial advantage and private financial gain.	§§ 1030(a)(2)(C), 1030(c)(2)(B)(i)-(iii), and 2	Defendants obtained unauthorized access to individual Yahoo user accounts.	5 years (each count)
25-36	Dokuchaev Sushchin Belan	Counterfeit access device fraud	§§ 1029(a)(1), 1029(b)(1), and 2	Defendants used minted cookies to gain unauthorized access to individual Yahoo user accounts.	10 years (each count)
37	Dokuchaev Sushchin Belan	Counterfeit access device making equipment	§§ 1029(a)(4)	Defendants used software to mint cookies for unauthorized access to individual Yahoo user accounts.	15 years
38	Dokuchaev Sushchin Baratov	Conspiring to commit access device fraud	§§ 1029(b)(2)	Defendants Dokuchaev and Sushchin tasked Baratov with gaining unauthorized access to	7 ½ years.

				individual user accounts at Google and other Providers and then paid Baratov for providing them with the account passwords. In some instances, Dokuchaev and Sushchin tasked Baratov with targeting accounts that they learned of through access to Yahoo's UDB and AMT (e.g., Gmail accounts that served as a Yahoo user's secondary account).	
39	Dokuchaev Sushchin Baratov	Conspiring to commit wire fraud	§ 1349	See Count 38	20 years
40-47	Dokuchaev Baratov	Aggravated identity theft	§ 1028A(a)(1)	See Count 38	2 years

The language of this release was updated to reflect the current citizenship of Karim Baratov.

Peter P. Strzok II
Deputy Assistant Director, Branch I
Counterintelligence Division
(O)
(C)

b7E

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, May 3, 2017 7:41 AM
To:	James B. Comey

Sen. Coons is on CNN talking about the hearing. The big theme he said he will ask you about is what "lessons" did the FBI learn from "the deviation from normal practices of not commenting on investigations."

Other questions to which he alluded:

- Securing future elections.
- Why did you choose not to comment on the investigation of candidate Trump while commenting on candidate Clinton?
- Do you think you were right in commenting as you did?

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, February 24, 2016 8:30 PM
To:	James B. Comey
Subject:	Fwd: Going Dark External Affairs SITREP 2.24.16

...

-------- Original message --------
From: "Oconnell, Sasha C. (DO) (FBI)" <
Date: 02/24/2016 7:48 PM (GMT-05:00)
To: "Mccabe, Andrew G. (DO) (FBI)"
Cc: (DO) (FBI)" <, "Steinbach, Michael B. (CTD) (FBI)"
<>, "Bowdich, David L. (LA) (FBI)" <, '
(SF) (FBI)" <>, "Baker, James A. (OGC) (FBI)"
"Rybicki, James E. (DO) (FBI)", "Burton, Dawn (DO) (FBI)"
, "Kortan, Michael P. (DO) (FBI)" >, "Quinn, Richard P. b6
(DO) (FBI)" <>, ' (DO) (FBI)" < b7C
(DO) (FBI)" <>, "Beers, Elizabeth R. (DO) (FBI)" b7E
, (DO) (FBI)" >, '
(DO) (FBI)" , (DO) (FBI)" <>,
(DO) (FBI)" < (HRD) (FBI)"
(CD) (FBI)"
Subject: Going Dark External Affairs SITREP 2.24.16

GD

External Affairs Update 2.24.16

Press

- b5 b6 b7C
-

James B. Comey

From:	James B. Comey
Sent:	Monday, April 4, 2016 7:04 AM
To:	Rybicki, James E. (DO) (FBI)
Subject:	Fwd: FBI Public Affairs - Director's AM News Briefing Monday, April 04, 2016
Attachments:	FBIDirBriefing160404.doc; ATT00001.htm

This came two minutes ago. In case anyone needs an illustration of the issue.

Begin forwarded message:

From: [redacted]
Date: April 4, 2016 at 5:00:12 AM EDT
To: [redacted]
Subject: FBI Public Affairs - Director's AM News Briefing Monday, April 04, 2016

This morning's Director's AM News Briefing is attached.

Website: You can also read today's briefing, including searchable archive of past editions, at [redacted] b7E

Full-text Links: Clicking the hypertext links in our write-ups will take you to the newspapers' original full-text articles.

Interactive Table of Contents: Clicking a page number on the table of contents page will take you directly to that story.

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FBI PUBLIC AFFAIRS – DIRECTOR'S AM NEWS BRIEFING

MONDAY, APRIL 4, 2016 5:00 AM EDT

FBI Mulls Sharing Of iPhone Hacking Tool With State, Local Authorities. The Washington Post (4/1, Nakashima, Goldman, 8.98M), citing unidentified law-enforcement officials, reported that the FBI and the Justice Department are considering whether to share with state and local authorities "the hacking tool that helped the bureau unlock the iPhone" of one of the San Bernardino terror-attack shooters. Because the FBI has "classified the tool," making it available for use in prosecutions in other jurisdictions would require that the evidence gathered be disclosed to criminal defendants, the Post says. It quotes a senior official as saying the federal agencies have "a desire to be forward-leaning to help state and local law enforcement," but "no one knows quite what the answer is." Reuters (4/2, O'Brien) added that a letter from the FBI to US law enforcement agencies on Friday pledges to support their efforts by unlocking iPhones and other mobile devices involved in investigations, although there would be some limitations.

PC Magazine (4/3, Murphy, 2.33M) reports that in its letter, the FBI acknowledged its "longstanding policy" of sharing potentially useful tools with its law enforcement partners. "We know that the absence of lawful, critical investigative tools due to the 'Going Dark' problem is a substantial state and local law enforcement challenge that you face daily," the bureau said. "You have our commitment that we will maintain an open dialogue with you. We are in this together."

The Wall Street Journal (4/1, Barrett, Subscription Publication, 6.74M) reported that the FBI memorandum appears aimed at telling local law enforcement that whereas the bureau does not have an answer to their requests for help at this time, it with have more information in the future. According to the Journal, the FBI is currently testing to see if its hacking technique can be used on multiple versions of the iPhone.

Ron Claiborne reported on ABC World News Tonight (4/2, story 10, 1:45, Vega, 14.63M) that "Prosecutors in Arkansas say the FBI has already agreed to penetrate the iPhone and iPod belonging to 17-year-old Hunter Drexler charged with murdering Roger and Patricia Cogdell." Faulkner County officials say the phone likely holds relevant evidence prosecutors can use at trial. In the second half of the report, former FBI Special Agent Brad Garret said he thought the bureau's hacking technique would likely "remain classified."

The CBS Evening News (4/3, story 6, 2:15, Axelrod, 11.17M), Gizmodo (4/3, 1.38M), Ars Technica (4/2, 705K), Business Insider (4/2, 2.64M), The Guardian (UK) (4/1, Yadron, 3.71M), and the CBS News (4/2, Flores, 3.97M) website also report on this story.

Experts: iPhone Hacking Technique Not Likely To Stay Secret. Reuters (4/2, Menn) reported that according to several Apple engineers and other experts, the FBI's method for breaking into locked iPhones is unlikely to remain secret. When the secret is exposed, Apple, Reuters said, is likely to be able to patch the encryption flaw and is expected to announce the fix to customers.

SlashGear (4/3, Westlake, 39K) quotes independent forensics expert Jonathan Zdziarski saying, "The FBI would need to resign itself to the fact that such an exploit would only be viable for a few months, if released to other departments. ...It would be a temporary Vegas jackpot that would quickly get squandered on the case backlog." According to SlashGear, the FBI's technique is likely to be exposed to criminal defense attorneys in future cases in which the technique is used.

The Huffington Post (4/3, 518K) reports that the contractor who worked with the FBI on the San Bernardino iPhone could chose to sell the hacking technique to another agency or country. "The more widely it circulates, the more likely it will be leaked," the Post says. "Flaws of this nature have a pretty short life cycle," an unnamed Apple engineer said. "Most of these things do come to light." According to those with knowledge of "zero day" hacking techniques, governments often space payments for the tools out over several months in case the flaw is patched shortly after the sale.

FBI's iPhone Hack Reportedly Linked To Japanese Firm. The Denver Post (4/3, Yui, Gjorgievska, 881K) reports that the Israeli company rumored to have helped the FBI hack into the San Bernardino iPhone – Cellebrite Mobile Synchronization – is owned by Japanese pinball machine maker Sun Corp. "Sun — based in Konan, Aichi, a city of 100,000 and more than 200 miles southwest of Tokyo — has been building pinball-like game machines found in Japan's pachinko parlors since the 1970s but has often displayed bigger tech ambitions," the Post says. Sun Corp. acquired Cellebrite in 2007. "Neither Cellebrite nor the FBI have confirmed the link, and a Sun Corp. spokesman on Thursday said the company isn't able to comment on specific criminal cases," the Post reports.

Judge Orders DOJ To Respond To Request For Documents In New iPhone Case. The Boston Globe (4/1, Bray, 1.05M) reported that US District Judge Allison Burroughs has ordered the Justice Department to respond to an ACLU request for sealed documents that could reveal whether the government is attempting to force Apple to hack into the iPhone of an alleged

Boston gang member. "The ACLU filed the motion as part of a nationwide campaign to reveal how often federal agents compel smartphone makers to bypass the security features on their phones, under the provisions of a law over two centuries old," the Globe says. The ACLU has previously said it had unearthed 63 instances since 2008 in which federal authorities have demanded assistance from Apple or Google based on the 1789 All Writs Act.

Comey To Speak At Kenyon College Conference. Mount Vernon (OH) News (4/2, 27K) reported that FBI Director Comey will speak at Ohio's Kenyon College on Wednesday. Comey will give the keynote address at the college's "The Expectation of Privacy: Encryption, Surveillance and Big Data" conference. The event is hosted by the Kenyon Center for the Study of American Democracy (CSAD). "For Kenyon it's a timely coincidence that the case of the FBI versus Apple developed around the same time as the conference. But, in another sense, this is just the latest in a long string of debates over privacy and surveillance," said CSAD Director Thomas Karako. The conference, which features several speakers and panel discussions, will run through Friday.

Obama Warns Against Threat Of "Madmen" Acquiring Nuclear Bomb, Materials. President Obama on Friday warned against the threat posed by terrorists and rogue nations seeking to acquire nuclear weapons or materials. While hosting the Nuclear Security Summit, Obama touted previous successes at securing nuclear materials, but said significant work remains. Media coverage placed great emphasis on the balance Obama struck between highlighting successes that have come over the past six years and "paint[ing] and apocalyptic picture" of a possible nuclear terrorist attack.

The AP (4/1, Lederman, Superville) reports world leaders attending the summit "declared progress Friday in safeguarding nuclear materials sought by terrorists and wayward nations, even as President Barack Obama acknowledged the task was far from finished." Obama, according to the AP, "warned of a persistent and harrowing threat: terrorists getting their hands on a nuclear bomb." The Washington Post (4/1, Nakamura, 8.98M) reports Obama "rallied world leaders...to confront the growing threat" of ISIL, saying the group is a "threat to us all." The President said, "Our people share common aspirations to live in security and peace and free from fear." Obama added, "We are confident we will prevail and destroy this violent organization. Compared to ISIL's vision of death and destruction, our nations together offer a hopeful vision based on what we build for our people."

AFP (4/1) reports Obama, in an effort "to galvanize action to prevent jihadists" from acquiring nuclear weapons or material for a dirty bomb, "painted an apocalyptic picture of the impact of a nuclear terror attack." Bloomberg Politics (4/1, Hutton, 289K) reports a source from the closed session said Obama told attendees to think about a scenario in which terrorists purchased isotopes on the dark Web. The terrorists, in Obama's example, were believed to be planning to use a drone to distribute the material. Obama asked if authorities would react in enough time to prevent the attack. Bloomberg says Obama's "aim was to push the men and women around the table to think about how their governments would respond."

The Los Angeles Times (4/1, Memoli, Wilkinson, 4.1M) reports, that in his public comments, Obama said over the last six years, "when it comes to nuclear security, we've embraced a new type of thinking – and a new type of action." Obama added, "This is a perfect example of a 21st century security challenge that no one nation can solve alone." Voice of America (4/1, Dockins, 60K) reports on its website that Obama said despite the "significant and meaningful" progress made in efforts to prevent terrorists and others from using nuclear weapons, the efforts were "by no means finished." Reuters (4/1, Zengerle) reports that Obama said despite progress, the world faces a persistent and changing threat of nuclear terrorism and "we cannot be complacent." Obama warned, "There is no doubt that if these madmen ever got their hands on a nuclear bomb or nuclear material, they would certainly use it to kill as many innocent people as possible." According to The Guardian (UK) (4/1, Smith, 3.71M), Obama said, "It would be a humanitarian, political, economic and environmental catastrophe with global ramifications for decades. It would change our world."

On NBC Nightly News (4/1, story 3, 1:50, Holt, 16.61M), Andrea Mitchell reported Obama issued a "stark warning of the frightening nuclear threat facing the world. ISIS or other terrorists going nuclear." On the CBS Evening News (4/1, story 7, 2:00, Pelley, 11.17M), Margaret Brennan similarly reported Obama "warned world leaders that groups like ISIS, which has already used chemical weapons, could have larger ambitions." The Globe and Mail (CAN) (4/1, Fife, Koring, 1.13M) reports Obama "said the greatest threat of the 21st century is the Islamic State or al-Qaeda obtaining highly radioactive material to make a dirty bomb." The article quotes Obama as explaining, "ISIL has already used chemical weapons, including mustard gas, in Syria and Iraq. There is no doubt if these madmen ever got their hands on a nuclear bomb or nuclear material, they would certainly use it to kill as many innocent people as possible." Obama added that al Qaeda "has long sought nuclear materials. Individuals involved in the attacks in Paris and Brussels videotaped a senior manager who works at a Belgium nuclear facility."

BBC News (UK) (4/1, 2.09M) reports Obama said, "The single most effective defense against nuclear terrorism is fully securing this material so it doesn't fall into the wrong hands in the first place." Obama highlighted previous progress during

his comments following the summit, according to USA Today (4/1, Jackson, 5.45M), saying removing large quantities of highly enriched uranium has made it more difficult for terrorists to obtain the material. Obama said highly enriched uranium has been completely removed from "50 facilities in 30 countries," which is enough "to create 150 nuclear weapons." On its website, CNN (4/1, Browne, Labott, Koran, 3.96M) says Obama touted that non-proliferation efforts have resulted in large areas of the globe being nuclear free. Obama indicated the South American continent is one such area. If Poland and Indonesia meet current commitments this year, Obama added, Central Europe and Southeast Asia will also have that status. Obama said, "As terrorists and criminal gangs and arms merchants look around for deadly ingredients for a nuclear device, vast regions of the world are now off-limits, and that's a remarkable achievement."

The New York Times (4/1, Subscription Publication, 12.03M) editorializes Obama can "claim some success in leading the international community to curb the amount of nuclear materials that could fall into terrorists hands," but he "has not fulfilled his goal of securing all nuclear materials in four years." The Times says "some 1,800 metric tons of nuclear material remain stored in 24 countries, much of it vulnerable to theft." The Times says the nuclear security summits "have been a useful means of focusing attention on nuclear dangers and persuading countries to be more security conscious," but "it will be up to the next American president to continue this effort and work to prevent another nuclear arms race."

Obama Highlights "Substantial Success" Of Iran Nuclear Deal. The New York Times (4/1, Landler, Subscription Publication, 12.03M) reports Obama also used the summit to make the case the nuclear deal with Iran has "achieved a substantial success." Obama said the restrictions on Iran's program imposed by the deal makes it so Tehran would require a year to build a bomb, in the event of a breach, as opposed to as short as two months. The Washington Times (4/1, Boyer, 285K) reports Obama added, "This is a success of diplomacy that hopefully we'll be able to copy in the future."

The Wall Street Journal (4/1, Lee, Subscription Publication, 6.74M) reports that despite highlighting the deal's positives, Obama sought to reassure critics that relaxing sanctions on Tehran does not equate to the US overlooking current tensions between the countries. The President said, "I think it's important to note that this deal does not resolve all of our differences with Iran, including destabilizing activities in the region." Obama added, "Except for limited exceptions, the US trade embargo remains in place. We also continue to vigorously enforce sanctions pertaining to Iran's support for terrorism, human-rights abuses and ballistic-missile programs."

Reuters (4/1, Rampton) reports Obama, however, said the US will attempt to help foreign companies overcome fears about doing business in Iran, but Tehran bears the responsibility for reassuring the companies the country is a safe place to invest. Obama said foreign companies will have to become accustomed to conducting business in Iran following years of facing significant penalties if they chose to violate sanctions. Bloomberg Politics (4/1, Sink, 289K) reports Obama said the US is working on "providing clarity" to businesses seeking engagement with Iran. Obama said Iran has complied with "the letter" of the nuclear deal, adding, "So long as Iran is carrying out its end of the bargain we think it's important the world community to carry out our end of the bargain." However, responding to reports that the Treasury Department considering a plan that would allow Iranian financial institutions to conduct transactions in dollars, Obama "appeared to back away from that idea." Obama said, "That's not actually the approach that we're taking," adding, "It is not necessary that we take the approach of them going through dollar-denominated transactions. It is possible for them to work through European financial institutions as well. There's going to need to be continued clarification provided to business in order to, for deal flows to begin."

In an editorial, the Wall Street Journal (4/1, A12, Subscription Publication, 6.74M) criticizes the Administration's decision to ease banking sanctions on Iran. The Journal argues Iran's actions toward the US and continued funding of terrorist organizations in the Middle East should disqualify it from having the financial sanctions lifted.

Obama: Trump's Comments On South Korea, Japan Show Lack Of Understanding. The AP (4/2, Superville, Lederman) reports Obama "said Friday that suggestions from people like Donald Trump that nuclear weapons would help South Korea and Japan show a lack of understanding of the world." Obama said, according to Politico (4/1, Wheaton, 1.07M),"The person who made the statements doesn't know much about foreign policy or nuclear policy or the Korean peninsula or the world generally."

Bloomberg Politics (4/1, Sink, 289K) reports Obama said Trump's comments was a topic of conversation on the sidelines of the summit. Without specifically mentioning Trump, Obama said, "People pay attention to American elections. What we do is really important to the rest of the world." Obama added that foreign countries "want sobriety and clarity when it comes to US elections." Obama added, "Our alliance with Japan and the Republic of Korea is one of the foundations, one of the cornerstones of our presence in the Asia-Pacific region. We don't want someone in the Oval Office who doesn't recognize how important that is."

US, Japan Announce Agreement To Keep Nuclear Material Out Of "Wrong Hands." The Wall Street Journal (4/1, Hayashi, Subscription Publication, 6.74M) reports the US and Japan on Friday announced a plan to ship weapons-grade nuclear materials from Japanese research facilities to the US in an effort to prevent rogue countries and terrorists from gaining access to

it. The Journal says the countries have already completed the removal of highly enriched uranium and separated plutonium fuel from one of two sites, and a shipment is on its way to the US. Reuters (4/1, Heavey, Brunnstromm) reports Energy Secretary Moniz said, "This is the largest single nuclear material removal in the history of this summit process." Moniz added, "This process will permanently remove any risk of this material falling into the wrong hands."

Top NYPD Cops Slam Obama Call To Cut Counter-Terror Funding, Cruz Plans. The New York Daily News (4/3, Sit, 3.7M) reports that NYPD chief Bill Bratton, in a radio interview yesterday, "renewed criticism over President Obama's 'mind boggling' proposal to slash federal counter-terror funding by 50%." Bratton made his comments on John Catsimatidis' "The Cats Roundtable" on AM 970.

NYPD's Deputy Commissioner for Intelligence and Counterterrorism, John Miller, meanwhile, appeared on CNN Fareed Zakaria GPS (4/3, Zakaria, 410K), where he criticized Sen. Ted Cruz's proposal for local police departments to patrol and secure Muslim neighborhoods against radicalization. Miller said, "First of all, the depth of that is less than an inch. It wouldn't work. Second of all, it shows fundamental misunderstanding of American neighborhoods, but also American policing. The federal government does not direct local police departments to invade local neighborhoods. … But the subtext or the code word there is not patrol and secure. The code word was to intimidate and that's just not the way it works in America."

King Calls For More "Intelligence On The Ground" At Home And Abroad To Combat ISIL. On Fox Sunday Morning Futures (4/3, Bartiromo), Rep. Peter King said, "We need more intelligence on the ground and that also means here in our own country and European countries to have more of an undercover police presence, to have informers, to have people on the ground, to be in the Muslim communities. That's where the threat is coming from. Ninety-eight percent, 99 percent of Muslims are good Americans, but the threat is coming from there. … Whether it was the Italian mob or the Irish gangsters, you went into those neighborhoods to find out where it's coming from. We have to put political correctness aside – do it in Europe, do it here in the United States – to get the intelligence before the attacks can be started."

Pentagon Targets Senior Al-Shabab Militant With Drone Strike. The Washington Post (4/1, Lamothe, 8.98M) reports the US military conducted a Thursday drone strike in Somalia that targeted a senior al-Shabab militant who has overseen attacks that killed at least three Americans. Pentagon spokesman Peter Cook said in a Friday statement that Hassan Ali Dhoore was part of al-Shabab's security and intelligence section and was involved in planning attacks against Americans in Mogadishu. Cook said the Pentagon is "still assessing the results of the operation," but "removing Dhoore from the battlefield would be a significant blow to al-Shabab's operational planning and ability to conduct attacks against the government of the Federal Republic of Somalia, its citizens, US partners in the region, and against Americans abroad."

General: Commandos Trained To Stop Terrorists With "Dirty Bombs." Bloomberg News (4/1, Capaccio, 2.92M) cites Gen. Raymond Thomas as telling members of Congress that units of the US Special Operations Command, which he oversees, have been trained in the seizure and disabling of nuclear or radioactive "dirty" bombs, providing what the article calls "a crucial last line of defense if terrorists get their hands on such weapons." The commando units have "sufficient 'render-safe' capacity to respond to the most likely" situations involving such weapons based on current threat analyses, Bloomberg reports, quoting Thomas. The story adds that although US officials have said there's no indication so far that ISIL has the capability of deploying a weapon of mass destruction, "the prospect was on Friday's agenda for the Nuclear Security Summit of world leaders" that President Obama hosted in Washington.

European Terror Probe Has Identified At Least 22 Suspects Still At Large. The Wall Street Journal (4/3, Dalton, Subscription Publication, 6.74M) reports on its front page on the investigation into a terror network linked to the attacks in Paris and Brussels. That investigation has identified 22 or more suspects at large with links to the network. Of those, many have been in earlier ISIL plots, and nearly all have spent time in Syria. Generally, they are described as having embraced Islam at underground mosques in Molenbeek, a neighborhood in Brussels. The group is thought to be helping to move veterans of battles in Syria to Europe. The article also offers some detailed descriptions of some important figures in Molenbeek and the investigation.

Mudd: Terrorism Threat Presents Problems Europe Can't Overcome. On CNN Fareed Zakaria GPS (4/3, Zakaria, 410K), former CIA and FBI counterterrorism official Philip Mudd said that "the Europeans themselves have a problem I don't think they can't overcome. If you want to combat this kind of threat that involves tactical sharing of information about your citizens, real time email, phone, travel and the first question can't be can I share information on my citizen with the neighboring state. It has to be soon as my target moves, I've got to hand it over. … They don't do that. ... The other problem we have is a bureaucratic

reality. Until you sit together, virtual sharing in my experience as a former bureaucrat – I hate to say it – doesn't work. You have got to sit in the same place to feel the same reality of the threat. That combination of information sharing and sitting in the same place, those are two things I don't think will happen in Europe."

Brussels Airport Reopens. The CBS Evening News (4/3, story 6, 0:15, Glor, 11.17M) reported the Brussels airport reopened "under extremely tight security" on Sunday, 12 days after sustaining deadly terror attacks. Intercontinental flights "are expected to resume" on Monday. ABC World News Tonight (4/3, story 5, 0:20, Llamas, 14.63M) added that the first flight out of the airport was "bound for Portugal with heightened security." NBC Nightly News (4/3, story 3, 0:25, Snow, 16.61M) reported that an airport official described the first flights "as a symbolic relaunch after what she called 12 days of difficult moments and horror."

Brother: Abdeslam Refused To Blow Himself Up On Day Of Paris Attack. Reuters (4/2, Rosemain) reports the brother of Paris terrorist attack suspect Salah Abdeslam, who was arrested in Brussels last month, said the militant refused to blow himself up on the day of the attacks. Speaking to French news channel BFM TV, the brother quoted Abdeslam as saying, "There would have been more victims had I done it," adding, "Luckily, I couldn't go through with it."

Belgian Prosecutors Charge Third Brussels Bombing Suspect. The Washington Post (4/2, Mcauley, 8.98M) reports Belgian federal prosecutors announced that a third Brussels bombing suspect identified as "Y.A." has been charged with planning a French terrorist attack. The arrest resulted from the same investigation that led to the arrest of Reda Kriket, who was found in possession of the explosive TATP, assault rifles, and handguns. The New York Times (4/2, Breeden, Chan, Subscription Publication, 12.03M) reports Y.A., a 33-year-old Belgian citizen, "was preliminary charged with participation in the activities of a terrorist group."

Brussels Bomber Freely Traveled Despite Suspected Terrorist Link. The AP (4/2, Cook, Soguel) reports Brussels Airport suicide bomber Ibrahim El Bakraoui was allowed to fly last summer from Istanbul to the Netherlands despite being a known parole violater in Belgium and Turkey's suspicions that he was a "foreign terrorist fighter." Belgian Interior Ministry Jan Jambon questioned why Bakraoui's history did not interfere with his ability to leave Turkey in June, but the Turkish government asserted that information was submitted to Brussels and Belgian authorities never requested his extradition.

Brussels Protesters Demonstrate Against Islamophobia, Police Presence. ABC World News Tonight (4/2, story 8, 0:15, Vega, 14.63M) correspondent Cecilia Vega reported Brussels authorities arrested more than 100 protesters who were "staging a demonstration against Islamophobia," despite a ban on "rallies over concerns of violent clashes."

On the CBS Evening News (4/2, story 4, 2:10, Axelrod, 11.17M), correspondent Jonathan Vigliotti reported protesters also demonstrated against the increased police presence. The demonstrators, on Saturday afternoon, "clashed with authorities who they say were handed too much power," including the increased police presence planned for the Brussels Airport partial reopening on Sunday. Vigliotti reported the airport will incorporate new permanent security measures, temporary check-in tents, heightened baggage scanning, and police donning bulletproof vests. Only three flights are scheduled for the airport's reopening and officials estimate several more months before the Brussels Airport is fully operational.

ABC World News Tonight (4/2, story 9, 0:20, Vega, 14.63M) correspondent Cecilia Vega reported the Brussels Airport is expected to return to fully-operational status by June, although Delta Airlines confirmed they will not offer service to Atlanta until March next year. NBC Nightly News (4/2, story 5, 2:05, Diaz-Balart, 16.61M) correspondent Gabe Gutierrez reported Brussels Airport Company CEO Arnaud Feist called the Brussels Airport's partial reopening "a sign of hope."

Freed From Boko Haram Rape Camps, Victims Face Suspicion, Isolation. The Washington Post (4/3, Sieff, 8.98M) reports on the "thousands" of victims of Boko Haram, "as young as 8," kept prisoners by the group's "savage campaign of rape and sexual slavery." With many of them now rescued, there "have been few joyous family reunions for the victims," since "most of the surviving women no longer have homes." Instead, "the military has quietly deposited them in displacement camps or abandoned buildings, where they are monitored by armed men suspicious of their loyalties," and "they are still labeled 'Boko Haram wives.'" Moreover, they are encountering mistrust and suspicion, as "last year, 39 of 89 Boko Haram suicide bombings were carried out by women," and 22 "of those female attackers were under the age of 18, many of them girls apparently abducted from villages and cities and converted into assassins."

White House Undergoing Tech Upgrades. The New York Times (4/3, Shear, Subscription Publication, 12.03M) reports on tech upgrades at the White House, noting one of the President's legacies "will be the office information technology upgrade that his staff has finally begun." The Times highlights the efforts of Anita Decker Breckenridge, the deputy chief of staff

for operations at the White House, David Recordon, "the information technology guy for the White House complex." Breckenridge, who "said the White House has not had to request any additional money for the new upgrades," expressed hope "that Mr. Obama will leave to his successor's staff a building that is more useful in the Facebook and Twitter era, or whatever comes next."

Afghan Taliban Launch Mobile App. Bloomberg News (4/2, Najafizada, 2.92M) reports US-based SITE Intel Group indicated on Friday the Afghan Taliban have launched an Android smartphone app, suggesting the group is increasing its digital campaign. Kabul-based security analyst Jawid Kohistani warned, "The app will help Taliban to further psychologically weaken Afghanistan by their propaganda reports."

Hack On Washington, DC's MedStar Shows Risks Inherent To EHR Systems. The Baltimore Sun (4/2, Duncan, McDaniels, 712K) says last week's hacking of MedStar Health hospitals in Maryland and Washington, DC reveal vulnerabilities in the electronic-records systems many healthcare providers have rolled out in recent years. "Ransomware" hacks, in which perpetrators – including those who attacked MedStar's systems – "deny access to data rather than stealing it," has emerged as a dual concern in the industry, alongside long-feared theft of private patient data. The Sun reports that MedStar, in a "page-long statement in response to detailed questions," said its patient care "continued throughout this situation" with "only a few exceptions, handled on a case-by-case basis." A local computer-security expert told the newspaper that many providers have an incomplete understanding of the hacking risks to which they're exposed.

Romanian Hacker Behind Bush, Clinton Breaches Appears In US Court. The Washington Post (4/1, Zapotosky, 8.98M) reports Marcel Lehel Lazar, the Romanian hacker also known by his alias "Guccifer," appeared in US court on Friday for the first time on charges of "cyber-stalking, aggravated identity theft and unauthorized access of a protected computer in a nine-count indictment." The Post explains Federal prosecutors allege Lazar "was responsible for a range of high-profile hacks," including "the email, Facebook account and other online accounts of a member of the Bush family, a former Cabinet member and a former member of the U.S. Joint Chiefs of Staff," as well as discovering the private email account of Hillary Clinton. Lazar "then blasted messages with personal information from those accounts to media organizations or congressional staffers, according to the indictment." Reuters (4/1) also reports on this story.

NIST Releases Final Version Of Encryption Guidelines. FierceGovernmentIT (4/3, Donovan, 277) reports the National Institute of Standards and Technology (NIST) "released the final version of a document outlining its process for developing encryption standards and guidelines." FierceGovernmentIT says "the document included nine principles to guide NIST's efforts in creating encryption standards, including transparency, openness, balance, technical merit and global acceptability."

Hackers See Opportunities As Healthcare Digitization Increases. In a nearly 1,700-word article, the Washington Post (4/1, Johnson, Zapotosky, 8.98M) reported security and healthcare experts say the recent cyberattack targeting MedStar Health is "a foreboding sign that an industry racing to digitize patient records and services faces a new kind of security threat that it is ill-prepared to handle." According to the Post, while "hospitals and the health care industry broadly have been focused on protecting patient data from falling into the hands of bad guys," the latest attacks "highlight an even more frightening downside of data breaches: as hospitals have become dependent on electronic systems to coordinate care, communicate critical health data and avoid medication errors, patients' well-being may also be at stake when hackers strike." Reuters (4/1, Finkle) reported that the nonprofit healthcare group HITRUST conducted a survey late last year and found that 52% of around 30 US hospitals surveyed said they had experienced some type of malware infection, with the most common type being ransomware.

Healthcare Professionals Weight Benefits, Risks Of Electronic Medical Records. The Baltimore Sun (4/2, Duncan, McDaniels, 712K) reports that electronic medical records have many benefits such as "help[ing] patients avoid unnecessary tests," and they can "help doctors tailor treatment even for patients they are meeting for the first time," but "the new systems can leave hospitals vulnerable." The Sun adds that hospitals were previously worried "that hackers could steal patients' information to enable identity theft," but the latest concern is ransomware where "hackers deny access to data rather than stealing it." NPR (4/1, N\, LaChance, 1.81M) reported that hacks leaving hospitals without electronic medical records has led to several mistakes in patient care, which required resorting to paper records, or diverting patients to other hospitals.

Malware Sending Philadelphia Residents Fake Speeding Tickets. Wired (4/2, 3.82M) reports citizens in Chester County, Pennsylvania "have been receiving emails that contain fake speeding citations—along with a malicious phishing link." Wired adds that Chester County Police say the "people receiving those emails really were speeding at the

locations the citation claims," which means the "hacker may have compromised a GPS-enabled app to give their scam an added dose of veracity."

Chicago Sun-Times Board Critical Of IRS Response To Cyberattack Vulnerability Report. The Chicago Sun-Times (4/3, 764K) editorializes that "it is deeply unsettling to hundreds of millions of Americans that their most private tax return information may be at risk." The Board is critical of the IRS' response to a new GAO report that found the "IRS has not completely fixed some previously identified weaknesses." The Board says that the best solution "would be strongly bipartisan congressional hearings," which are held under public scrutiny to blame those responsible, and find a path forward in fixing any IRS security issues.

NASA's 'Gryphon X' Cybersecurity Facility Still In Early Planning Stages. The San Jose (CA) Mercury News (4/4, Baron, 648K) reports a NASA cybersecurity facility, called "Gryphon X," that would "protect space missions from potentially catastrophic hacking and...increase collaboration with Silicon Valley" is still in "proposal and formulation stage," according to NASA Ames Research Center CIO Jerry Davis. The Mercury News quotes Davis as saying "Gryphon X focuses on the reduction of cyber-based risks to NASA's missions and their highly connected systems and high-value hardware and software in the field," and NASA is currently "looking at the cost/benefit analysis and value proposition" of the program.

US, China Cybersecurity Relations Still Have Room For Improvement. Politico (4/1, Starks, 1.07M) reported that the meeting last week between President Obama and Chinese President Xi Jinping shows that "there's not complete harmony" when it comes to cyber relations. Politico added that the sides hope to come to an agreement on a binding deal, rather than an agreed set of principles.

NBC News Analysis: IoT Can Lead To Infrastructure Vulnerabilities. NBC News (4/3, Francescani, 3.58M) reports the newly released details of the Iranian hack on a New York dam shows that the Internet of Things (IoT) "has ushered in a new era of security vulnerabilities." NBC news says that hackers have the ability to "remotely seize control of a spectrum of critical public and private infrastructure," which was created and "designed before cybersecurity became crucial." According to NBC News, researchers are concerned because some of the infrastructure systems are protected by "just a default username and password", or "no password security at all."

Hackers Accessed New York Dam Through 'Google Dorking'. The Wall Street Journal (4/1, Zimmer, Subscription Publication, 6.74M) reported the Iranian hackers accessed a New York dam's network last year by a process called Google dorking, which allows hackers to use the search engine to find vulnerable security holes in networks.

UC Berkeley Updating Network Security After White Supremacist Printer Hack. The Daily Californian (4/1, Iscoe, 3K) reported UC Berkeley is "working to upgrade network security after campus printers were attacked by a hacker last week and distributed anti-Semitic, anti-LGBT and white supremacist flyers," according to an announcement by Chancellor Nicholas Dirks. The Daily Californian adds that the University's "department of electrical engineering and computer science prevented the anti-LGBT attacks Monday by setting up a firewall to block incoming web traffic."

Authorities Arrest Man In Connection With Massachusetts Incendiary Devices. The Boston Globe (4/2, Cummings-Grady, 1.05M) reported that authorities on Saturday arrested a man in connection with incendiary devices found hanging from power lines in Tyngsboro, Massachusetts on Wednesday. Danny M. Kelly was arrested by the FBI with assistance from the Massachusetts State Police, the Army National Guard Civil Support Team, and other authorities. "FBI special agent Harold H. Shaw said authorities found nothing to suggest the devices were installed as part of a terror plot. Shaw's statement did not suggest a motive," the Globe says.

Rival Salvadoran Gangs Agree To Cease-Fire. The Washington Post (4/3, Partlow, 8.98M) reports el Salvador's "dominant" gangs have called for a cease-fire, with an 18th Street gang spokesman saying that while two of its factions and the rival MS-13 gang are "not friends," they "are united in this effort to come together to stop the violence that's assaulting our country." In the first six days of the cease-fire, an average of 10 people have been slain, "less than half" the average in the first two months of the year. Still, many experts expect the halt to be temporary. President Salvador Sánchez Cerén has "remained defiant," vowing to move hundreds of jailed gang leaders to solitary confinement while "relentlessly" pursuing those not in prison. The gangs have said they lack faith to negotiate with the government and have asked "for the international community – the United Nations, the European Union, Pope Francis – to step in as a mediator."

A separate Washington (DC) Post (4/3, Partlow, Maslin, 8.98M) article includes interviews with spokesmen from both gangs. According to the 18th Street spokesman, the "peace agreement" is a reflection of "all of the injustice" in the country, where there have already been more than 2,000 murders this year. The MS-13 spokesman said the agreement is intended to show the government, the police, and the army are also killing people. He added that human-rights advocates have "been threatened so they're staying quiet. They don't investigate what's happening."

Fugitive Medicare Fraud Felon Deported To US After 20 Years In Latin America. The Miami Herald (4/2, Weaver, 803K) reports Robert Allen Lopez, who was designated a fugitive after fleeing to Latin America following a guilty plea for taking $4.2 million in a Medicare fraud scheme in 1996, was finally extradited to Miami on Saturday after a delay in his deportation from Nicaragua, where he was arrested in January. US Marshal Amos Rojas Jr. said, "Lopez's apprehension sends a strong message to criminals around the globe that it's not a matter if we find you, it's when."

Government-Sponsored Committee To Recommend Commercial Drone Standards. The AP (4/3, Lowy, Press) reports, "A government-sponsored committee is recommending standards that could clear the way for commercial drone flights over populated areas and help speed the introduction of package delivery drones and other uses not yet possible." The standards "call for creating four categories of small drones that commercial operators can fly over people, including crowds in some cases." In a "last-minute disagreement" that "nearly kept the committee from meeting the Friday deadline for the recommendations," the Air Line Pilots Association and certain trade associations "wanted to require that all commercial drone operators pass an aviation knowledge test administered in person by the FAA and receive a background check from the Transportation Security Administration." The disagreement "was resolved by the inclusion of a dissent by those in favor of the FAA test and TSA clearance."

Iraqi, Syrian Forces Take Back Additional Territory From ISIL. In another day with little media coverage of Administration initiatives, reports indicate ISIL is being dealt significant defeats in both Iraq and Syria. In Iraq, notes the AP (4/3), government forces "took the northern edge of the Islamic State-held town of Hit, west of Baghdad, on Sunday in an operation led by the country's elite counterterrorism forces." While "the operation...was relaunched last week...the troops' progress has been slowed by hundreds of roadside bombs and efforts to safeguard thousands of civilians trapped inside the town." USA Today (4/3, Bacon, 5.45M) reports, meanwhile, that the Syrian army "claimed victory over the Islamic State in the town of Qaryatain on Sunday, one week after driving the militant group out of historic Palmyra."

It was, says AFP (4/3), "a new blow" to ISIL. The AP (4/3) similarly speaks of "another setback to the ISIS extremists in Syria," one that is "strategically significant for the government side." According to a report by Voice of America (4/3, 60K), the Syrian forces achieved their victory backed up by Russian air power. Seizing Qaryatain, added Voice of America, "gives the government a strategic victory, securing oil and gas routes between the Damascus area and oilfields in eastern Syria." Reuters (4/3, Barrington) notes that the Syrian Observatory for Human Rights contradicted the government's claims, claiming the army controlled only half of the town.

The AP (4/3) reports that "activists said last summer that Qaryatain had a mixed population of around 40,000 Sunni Muslims and Christians, as well as thousands of internally displaced people who had fled from the nearby city of Homs." However, "many of the Christians fled the town after it came under ISIS attack," and "dozens...have been abducted by the extremists." The AP adds that "while the town was under ISIS control, some were released, others were made to sign pledges to pay a tax imposed on non-Muslims."

AFP (4/4), meanwhile, reports on "a mass grave containing the bodies of 42 people executed" by ISIL in Palmyra. According to an unnamed military source, "twenty-four of the bodies found were civilians, including three children." Russia's TASS (4/3) agency, also reporting on Palmyra, cites Anne-Marie Desctes, "a senior official at the French Foreign Ministry," as saying "a full-fledged start of restoration of monuments destroyed in Syria's Palmyra will only be possible after a comprehensive truce is established in the country."

In an editorial, the Christian Science Monitor (4/3, 442K) sees signs for optimism in Syria, based on the fact that the "two-month truce is largely holding," Russia "has pulled back its fighter jets" and ISIL "appears weaker." Moreover, "a third round of talks will be held soon in Geneva to find a compromise on forming a democratic, secular state."

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Please direct comments and concerns to [redacted]

b7E

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Monday, April 4, 2016 7:56 AM
To: Turgal, James L. (DO) (FBI)
Cc: [redacted]. (ITID) (FBI) b6 b7C
Subject: FW: FBI Public Affairs - Director's AM News Briefing Monday, April 04, 2016
Attachments: FBIDirBriefing160404.doc; ATT00001.htm

He also got a message at 7:31 that said, "CANNOT GET MAIL. The connection to the server failed."

From: James B. Comey
Sent: Monday, April 04, 2016 7:04 AM
To: Rybicki, James E. (DO) (FBI) <[redacted]> b7E
Subject: Fwd: FBI Public Affairs - Director's AM News Briefing Monday, April 04, 2016

This came two minutes ago. In case anyone needs an illustration of the issue.

Begin forwarded message:

From: [redacted]>
Date: April 4, 2016 at 5:00:12 AM EDT
To: [redacted]
Subject: FBI Public Affairs - Director's AM News Briefing Monday, April 04, 2016

This morning's Director's AM News Briefing is attached.

Website: You can also read today's briefing, including searchable archive of past editions, at [redacted]

Full-text Links: Clicking the hypertext links in our write-ups will take you to the newspapers' original full-text articles. b7E

Interactive Table of Contents: Clicking a page number on the table of contents page will take you directly to that story.

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Contact Information: Please contact us any time at 703-483-6100 or [redacted] Use of this email address will automatically result in your message being delivered to everyone involved with your service, including senior management. Thank you.

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FOI/PA# 1374160-000

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Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Saturday, June 18, 2016 5:21 PM
To: James B. Comey
Subject: Fwd:

...

In terror attacks, the Fumbling Bureau of Investigation?

By Peter Bergen, CNN National Security Analyst
Updated 7:23 PM ET, Fri June 17, 2016

FBI: Shooter had been investigated



[redacted]

FBI: Shooter had been investigated 02:42

Story highlights

Peter Bergen: Critics say FBI dropped ball after investigating Orlando shooter Omar Mateen in 2013 and 2014

He says FBI fumbled similarly in several other terror cases

Bergen: Key solution is preventing those we suspect of terrorism from getting easy access to lethal weapons

Peter Bergen is CNN's national security analyst, a vice president at New America and a professor of practice at Arizona State University. He is the author of the new book "United States of Jihad: Investigating America's Homegrown Terrorists."

(CNN) The news that the FBI had investigated the Orlando terrorist, Omar Mateen, in 2013 and 2014 after he made inflammatory comments to coworkers and because he had possible connection to fellow Floridian Moner Abu-Salha -- an al Qaeda recruit who later became the first known American suicide bomber in Syria -- has generated considerable criticism of the bureau. Critics charge that it should have done more to stop Mateen.

The Mateen case is, unfortunately, far from an exception. In a number of the lethal terrorist attacks in the United States since 9/11, the FBI has investigated the perpetrator before the

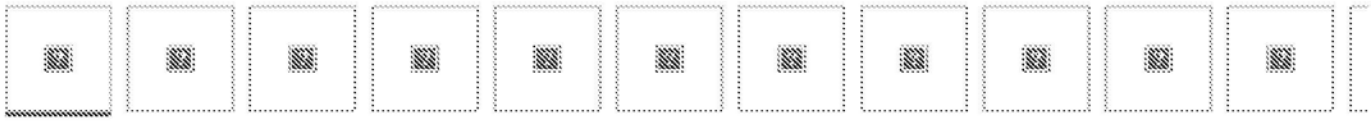
attack, but closed the case because there wasn't sufficient evidence (what the law enforcement community calls "derogatory information") found to continue the investigation.

So is the FBI failing at its most important job? Not necessarily, as the FBI quite properly has to work within guidelines set by the U.S. attorney general about how long an inquiry can remain open in the absence of the kind of derogatory information that would lead to a full-blown investigation.

Photos: Orlando nightclub shooting

Ron Hopper of the FBI answers questions from members of the media on June 12. Listening are Orlando Police Chief John Mina, left, and Orange County Mayor Teresa Jacobs.

11 of 20 Hide Caption

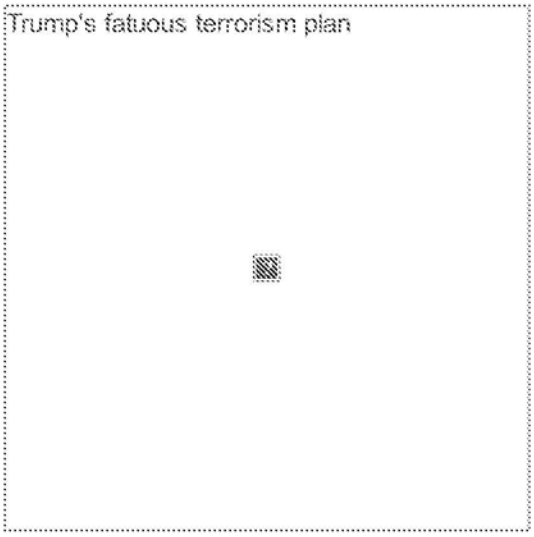


Indeed, the FBI is often critiqued, quite properly on occasion, not for its laxity but its over-

zealousness -- routinely using sting operations to ensnare would-be terrorists, for instance.

The solution is not to give the FBI greater leeway in terrorism investigations, but it is to look for other common threads linking together domestic terrorists who were previously known to the FBI -- namely, the fact that three of the most notorious among them were able to purchase legally and without restraint the kinds of lethal weapons that could maximize the violent impact of their murderous intentions.

Take Carlos Bledsoe, a convert to Islam from Memphis, Tennessee, who killed a U.S soldier at a military recruiting center in Little Rock, Arkansas, in 2009. Bledsoe first attracted the FBI's attention after Yemeni authorities arrested him in November 2008. When he was detained, Bledsoe had in his possession a fake Somali identification card and manuals about how to make bombs and gun silencers. His cell phone contained contacts for militants who were wanted in Saudi Arabia.



Donald Trump's fatuous terrorism plan (Opinion)

Some weeks into Bledsoe's imprisonment, an FBI special agent traveled to Yemen to interrogate him. The FBI had opened an "assessment" of Bledsoe, which, while not a full-scale investigation, showed that he was on its radar. Though Bledsoe insisted that he had gone to Yemen only to teach English and learn Arabic, the FBI agent informed him that he would be deported to the United States.

Following the FBI's instructions to report to them when he was back in Tennessee, Bledsoe met again with an FBI official, who tried to recruit him as an informant. When Bledsoe refused, the FBI stopped tracking him.



This decision is hard to reconcile with the information the FBI had at the time. Bledsoe had been arrested in Yemen with incriminating materials. Perhaps this information was not properly communicated to the FBI at the time by the Yemeni intelligence service, but even so, Bledsoe's arrest should have been enough to raise concern about what he might do next to keep him in their sights.

Michael Leiter, the then-director of the U.S. National Counterterrorism Center, believes that the FBI erred by not sharing their information about Bledsoe with the rest of the intelligence community. "There should have been broad dissemination on this," he later said.

Even Bledsoe expected that the Bureau would follow him after his interviews. To test whether he was under FBI surveillance, Bledsoe bought a semiautomatic rifle over-the-counter at a Wal-Mart. He figured if anyone was watching, they would have stopped him.

A few months after Bledsoe opened fire at the recruiting center in Little Rock -- killing Pvt. William Long and wounding Pvt. Quinton Ezeagwula -- U.S. Army Maj. Nidal Hasan killed 12 soldiers and a civilian at Fort Hood, Texas. Nidal, too, had been a subject of interest at the FBI.

Hasan sent Anwar Awlaki, an American cleric in Yemen who would take on an important leadership position in al Qaeda, a series of emails beginning in December 2008, asking his advice about "Muslims in the US military." In particular, he was interested in the question of whether an American Muslim soldier who turned his gun on fellow U.S. soldiers "in the name of Islam" would be fighting a "true jihad." And if he died in such an assault, would he be considered a shaheed, or a martyr for Islam?

Search for motive in Fort Hood shooting





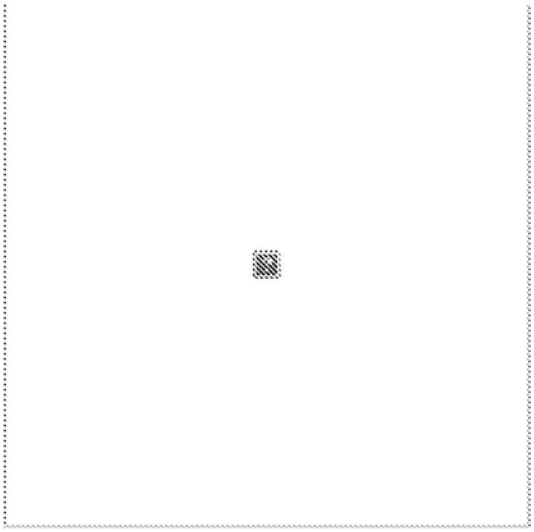


Search for motive in Fort Hood shooting 02:44

In one lengthy e-mail on May 31, 2009, Hasan suggested that suicide attacks might be "permissible" particularly in cases where the aim was "to kill enemy soldiers," even in instances where there was collateral damage to innocent bystanders.

Taken together, the 18 emails Hasan exchanged with Awlaki reveal a chillingly persistent line of inquiry: Hasan was seeking an Islamic justification for the killing of fellow American soldiers in a suicide mission that might also kill civilians.

Astonishingly, the FBI knew about the entire correspondence. After Hasan sent his first message to Awlaki in 2008, a member of the Joint Terrorism Task Force in the San Diego office of the FBI reviewed it and wrote to colleagues: "Here's another e-mail sent to Aulaqi by a guy who appears to be interested in the military. The header information suggests that his name is 'Nidal Hasan,' but that might not be true. The IP address resolves to Reston, VA. Can we check to see if this guy is a military member?"



The real terror threat in America is homegrown

After some digging around, the agent in San Diego found a Nidal Hasan assigned to the Walter Reed military hospital in Washington, D.C. Concerned by this discovery, in FBI parlance he "set a lead" to the FBI's Washington Field Office (WFO), which has handled many prominent terrorism cases. The WFO did its own investigation and responded, "Given the context of his military/medical research and the content of his, to date, unanswered messages, WFO does not currently assess Hasan to be involved in terrorist activities."

Did al-Awlaki inspire terror attacks?





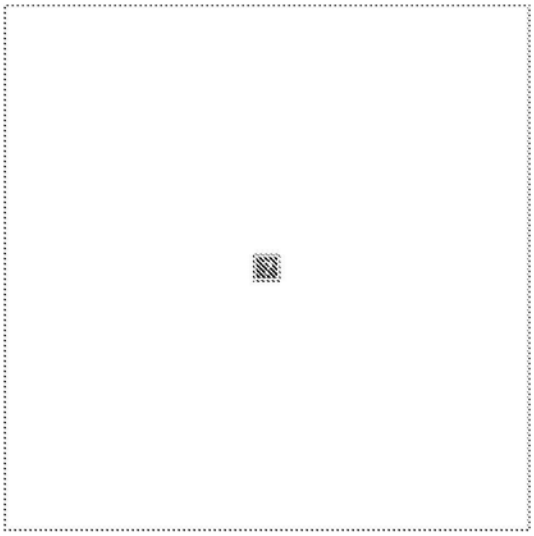


Did al-Awlaki inspire terror attacks? 03:16

Agents in the FBI San Diego field office found the response puzzling. The Washington office had examined only Hasan's personnel files, which were completely innocuous. A far more useful approach would have been to talk to some of Hasan's superiors, or even to Hasan himself, which they did not do.

The San Diego agents, confused, emailed back, asking if perhaps Hasan was a "friend," or informant, for the WFO. They wrote: "The response looks a little slim, i.e. limited probing into this individual's background, no contact w/ command and no interview of Hasan. We were wondering if we were missing something, i.e. we need to read between the lines (Hasan is a friend of WFO)?"

The WFO wrote back that Hasan was not "'a friend of WFO.' If you have additional information regarding HASAN's links to terrorism or request any specific action, please share and we will re-assess."



Hillary Clinton, hawk or dove?

One of the San Diego agents called the FBI office in Washington to explore the issue further and was told, "This is not San Diego, it's DC and we don't go out and interview every Muslim guy who visits extremist websites. Besides, this guy has legitimate work-related reasons to be going to these sites and engaging these extremists in dialogue."

After this, the FBI dropped all investigation of Hasan. It was then and remains now an astonishing choice by the FBI Washington Field Office to dismiss Hasan as a serious threat. After all, a militant Islamist with constant access to U.S. military bases was in a position to do considerable damage. And there was no shortage of red flags in the e-mails themselves.

Hasan subsequently legally purchased the two guns that he used in his November 5, 2009, assault at Fort Hood that left 13 people dead and 32 others injured.

And of course, we all know by now about the bloody effects of Omar Mateen's legally-purchased AR-15.

Omar Mateen, Carlos Bledsoe and Nidal Hasan -- three of the most prominent domestic terrorists since 9/11 -- were FBI subjects of interest. Yet all legally purchased semi-automatic weapons as a prelude to their murderous rampages. In the future, such purchases of weapons must, at a minimum, be flagged to law enforcement or, even better, simply barred altogether.

So as we rightly ask questions about what the FBI knew or should have done to prevent the attack in Orlando, the FBI and other law enforcement entities must also put procedures in place going forward to prevent the subjects of terrorism inquiries from having easy access to the tools to create mass violence.

James B. Comey

From:	James B. Comey
Sent:	Saturday, June 18, 2016 8:37 PM
To:	Rybicki, James E. (DO) (FBI)
Subject:	RE:

Odd headline.

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 06/18/2016 5:20 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Fwd:

In terror attacks, the Fumbling Bureau of Investigation?



By Peter Bergen, CNN National Security Analyst
Updated 7:23 PM ET, Fri June 17, 2016

James B. Comey

From:	James B. Comey
Sent:	Monday, July 25, 2016 3:51 PM
To:	Rybicki, James E. (DO) (FBI)
Subject:	RE: SL press questions

[redacted] b5

[redacted] Let me know if you disagree and we can chat by phone.

--

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 07/25/2016 3:32 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: FW: SL press questions

From: Quinn, Richard P. (DO) (FBI)
Sent: Monday, July 25, 2016 3:29 PM
To: Rybicki, James E. (DO) (FBI) [redacted]; Campbell, Joshua S. (DO) (FBI) [redacted]; Mcdermott, Renae M. (DO) (FBI) [redacted]; [redacted] (DO) (FBI) [redacted]; Burton, Dawn (DO) (FBI) [redacted] (DO) (FBI) [redacted] b6 b7C b7E
Subject: RE: SL press questions

All,

OPA is in contact with SL about proposed answers, in particular to those questions with a national nexus.

We will have refined talkers later tonight that can be shared with D in advance of his prep session at the office tomorrow.

Rich

Jim Salter (Associated Press)

1. Emails were hacked from the Democratic National Committee and Hillary Clinton's campaign has suggested that Russian hackers were to blame. Some have taken that a step further to say that Vladimir Putin is trying to help Donald Trump get elected. Is the FBI willing to publicly blame Russia?

2. At the GOP convention last week, Donald Trump made safety and security a top priority. Is there anything the FBI and the federal government can do to make Americans more secure, and to address the rash of violence?

3. Police have been under attack in recent weeks. What can be done to better protect police? Is there a need to revise best practices for officers to avoid being ambushed? What are some thoughts about changes police can make immediately (working in pairs, mandatory body armor, limiting protest sites, etc.)?

Andy Banker (Local FOX) wants to ask about progress on things since Director Comey spoke with St. Louis reporters 2 years ago:

1. People from US, including St. Louis area, traveling to become trained and radicalized -- to bring terror back home.

2. Also, any concerns about Syrian refugees and level of confidence in our ability to flag potential terrorists who may be using refugee status as "cover".

3. I think we've looked at terrorist as ISIS only -- Dallas & Baton Rouge have reminded us there's more to worry about; is there any way to stop these attacks -- the Baton Rouge killer left quite a social media trail prior to his shooting spree.

4. Also, worldwide targets seem to be on a smaller scale: Nice, Munich. What does that say to people in St. Louis?

5. Any regrets on Clinton case? How does he respond to critics in Missouri and elsewhere that if it John or Suzy Q public involved in something like this -- they would have been indicted? In other words, Clinton wasn't indicted because she was a major party's nominee for president. Is he at all comfortable with how this all looked: her husband meeting Attorney General on an airport tarmac a few days before her interview with investigators -- the timing of the interview (on the 4th of July weekend) -- and then his announcement just a couple of days later?

Mike Bush (Local NBC)

1. It seems there is a mass shooting or a mass casualty event either here or abroad every week. Those are the ones that happen, but how many are stopped before they happen?

2. How have things changed over the last few years. Is it more difficult to stop these events. Are terrorists getting smarter?

3. We see these police shootings on home video and that leads to protests, here in St. Louis and around the country. In your opinion, do we have a use of force problem in this country?

4. It's highly unusual for the FBI to make public their findings when investigators have decided no charges should be brought but that's what you did in the Hillary Clinton email scandal. You were criticized for doing it in some circles. Why did you think it was appropriate?

5. GOP Lawmakers said the "Average Joe" would have been led off in handcuffs had they done what Hillary Clinton had done. To that you say?

6. Donald Trump has said that he will be the law and order President and he alone can fix our problems. I'm just curious as someone whose job is law and order, how you react to that?

Rachel Lippmann (Local NPR radio)

1. The federal government has partnered with a number of cities, including St. Louis, to help charge individuals in federal rather than state court. Given that violent crime is up in many cities, including those partnering with

the FBI, can this be considered a success? Why?

From:
To: James B. Comey
Subject: RE: SL press questions

[redacted] b5

From: James B. Comey
Sent: Monday, July 25, 2016 3:51 PM
To: Rybicki, James E. (DO) (FBI) [redacted] b7E
Subject: RE: SL press questions

[redacted] b5

[redacted] Let me know if you disagree and we can chat by phone.

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Jim Salter (Associated Press)

1. Emails were hacked from the Democratic National Committee and Hillary Clinton's campaign has suggested that Russian hackers were to blame. Some have taken that a step further to say that Vladimir Putin is trying to help Donald Trump get elected. Is the FBI willing to publicly blame Russia?

2. At the GOP convention last week, Donald Trump made safety and security a top priority. Is there anything the FBI and the federal government can do to make Americans more secure, and to address the rash of violence?

3. Police have been under attack in recent weeks. What can be done to better protect police? Is there a need to revise best practices for officers to avoid being ambushed? What are some thoughts about changes police can make immediately (working in pairs, mandatory body armor, limiting protest sites, etc.)?

Andy Banker (Local FOX) wants to ask about progress on things since Director Comey spoke with St. Louis reporters 2 years ago:

1. People from US, including St. Louis area, traveling to become trained and radicalized -- to bring terror back home.

2. Also, any concerns about Syrian refugees and level of confidence in our ability to flag potential terrorists who may be using refugee status as "cover".

3. I think we've looked at terrorist as ISIS only -- Dallas & Baton Rouge have reminded us there's more to worry about; is there any way to stop these attacks -- the Baton Rouge killer left quite a social media trail prior to his shooting spree.

4. Also, worldwide targets seem to be on a smaller scale: Nice, Munich. What does that say to people in St. Louis?

5. Any regrets on Clinton case? How does he respond to critics in Missouri and elsewhere that if it John or Suzy Q public involved in something like this -- they would have been indicted? In other words, Clinton wasn't indicted because she was a major party's nominee for president. Is he at all comfortable with how this all looked: her husband meeting Attorney General on an airport tarmac a few days before her interview with investigators -- the timing of the interview (on the 4th of July weekend) -- and then his announcement just a couple of days later?

Mike Bush (Local NBC)

1. It seems there is a mass shooting or a mass casualty event either here or abroad every week. Those are the ones that happen, but how many are stopped before they happen?

2. How have things changed over the last few years. Is it more difficult to stop these events. Are terrorists getting smarter?

3. We see these police shootings on home video and that leads to protests, here in St. Louis and around the country. In your opinion, do we have a use of force problem in this country?

4. It's highly unusual for the FBI to make public their findings when investigators have decided no charges should be brought but that's what you did in the Hillary Clinton email scandal. You were criticized for doing it in some circles. Why did you think it was appropriate?

5. GOP Lawmakers said the "Average Joe" would have been led off in handcuffs had they done what Hillary Clinton had done. To that you say?

6. Donald Trump has said that he will be the law and order President and he alone can fix our problems. I'm just

curious as someone whose job is law and order, how you react to that?

Rachel Lippmann (Local NPR radio)

1. The federal government has partnered with a number of cities, including St. Louis, to help charge individuals in federal rather than state court. Given that violent crime is up in many cities, including those partnering with the FBI, can this be considered a success? Why?

James B. Comey

From: James B. Comey
Sent: Tuesday, August 2, 2016 11:57 AM
To: Rybicki, James E. (DO) (FBI)
Subject: RE: President's Intelligence Advisory Board Meeting Request

I agree.

From: Rybicki, James E. (DO) (FBI)
Sent: Tuesday, August 02, 2016 11:26 AM
To: James B. Comey [redacted] b7E
Subject: FW: President's Intelligence Advisory Board Meeting Request

[redacted] b5

Let me know.

From: [redacted] (DO) (OGA) b6 b7C b7E
Sent: Tuesday, August 02, 2016 11:20 AM
To: Rybicki, James E. (DO) (FBI) [redacted]
Cc: Burton, Dawn (DO) (FBI) [redacted]
Subject: President's Intelligence Advisory Board Meeting Request

Jim,

As discussed, the President's Intelligence Advisory Board (PIAB) has invited the Director to speak, for about an hour, on September 20th about "transition issues". They weren't able to provide additional details on the subject, but could send us a list of questions in advance. They requested the September 20th date specifically as it is their regularly scheduled board meeting and their full membership (or something close to it) would likely be present. Presently, any one-hour time period on the 20th, except for 11:30-12:30 (Dir. Clapper is scheduled for that slot) would be available to the Director.

Additional information on the PIAB, including its purpose and membership, is appended to the bottom of this message.

The Director is scheduled to be in Albany on the 20th, although I understand that he may return to Washington by late afternoon that day. Accordingly, we could:

(1) Send the Deputy Director, or another substitute, on the 20th, or

(2) Ask PIAB to reschedule a meeting with the Director, although I understand that this would likely be just with the co-Chairs, or some other subset of the organization, as the full board is not set to meet again until November 9th (after the election), or

(3) Attempt to coordinate the Director's Albany travel so that he is able to meet with the PIAB on the 20th.

[redacted]
Special Counsel to the Director
Federal Bureau of Investigation
[redacted]

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b7C
b7E

Introduction

The President's Intelligence Advisory Board (PIAB), with its component Intelligence Oversight Board (IOB), is an independent element within the Executive Office of the President.

The President's Intelligence Advisory Board exists exclusively to assist the President by providing the President with an independent source of advice on the effectiveness with which the Intelligence Community is meeting the nation's intelligence needs, and the vigor and insight with which the community plans for the future. The Board has access to all information needed to perform its functions and has direct access to the President.

The Intelligence Oversight Board oversees the Intelligence Community's compliance with the Constitution and all applicable laws, Executive Orders, and Presidential Directives. It complements and supplements, rather than duplicates the oversight roles of the Director of National Intelligence, Department and Agency Inspectors General and General Counsels, and the Congressional Oversight Committees.

For more than five decades the PIAB has acted as a nonpartisan body, offering the President objective, expert advice on the conduct of U.S. intelligence.

About the PIAB

The Board consists of not more than 16 members appointed by the President from among individuals who are not employed by the Federal Government. Members are distinguished citizens selected from the national security, political, academic, and private sectors. The Board is a nonpartisan body, independent of the Intelligence Community, free from day-to-day management or operational responsibilities, and with full access to the complete range of intelligence-related information.

The President designates a Chair from among the members of the Board who convenes and presides at meetings of the Board, determines its agenda, and directs its work. The President also appoints an Executive Director, who reports to the Chairman and manages the professional staff which is selected and detailed from Intelligence Community agencies.

The Board reports its findings and recommendations on improving the performance of intelligence entities to the President as necessary, but not less than twice each year. On behalf of the President, the Board assesses issues pertaining to the:

- Quality, quantity, and adequacy of intelligence activities;
- Effectiveness of organizational structure, management, and personnel; and
- Performance of all agencies of the Federal Government engaged in the collection, evaluation, or production of intelligence or the execution of intelligence policy.

As a component element of the PIAB, the Intelligence Oversight Board's (IOB) mission is to oversee the Intelligence Community's compliance with the Constitution and all applicable laws, Executive Orders, and Presidential Directives. In reviewing the legality and propriety of intelligence activities, the Board advises the President on intelligence activities that the Board believes:

- May be unlawful or contrary to Executive Order or presidential directive;
- Are not being adequately addressed by the Attorney General, the Director of National Intelligence, or the head of the department or agency concerned; or

- Should be immediately brought to his attention.

Members

President's Intelligence Advisory Board (PIAB) Members:

Shirley Jackson, Co-Chair
Jami Miscik, Co-Chair
Brooke Anderson
General John Abizaid
Jim Crown
Richard Danzig
Mary DeRosa
Jamie Dos Santos
Michele Flournoy
Julius Genachowski
Kevin Nealer
Stephen Preston
Wendy Sherman
Bobby Stein
Mona Sutphen
Neal Wolin

Intelligence Oversight Board (IOB) Members:

Neal Wolin, Chair
Julius Genachowski
Shirley Jackson
Jami Miscik
Mona Sutphen

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Saturday, August 13, 2016 10:26 PM
To:	James B. Comey
Subject:	Fwd: DIRECTOR'S WEEKEND REPORT 08/13/2016
Attachments:	New NICS Daily Scorecard 8-13-16.pptx
Importance:	High

-------- Original message --------
From: SIOC
Date: 08/13/2016 5:18 PM (GMT-05:00)
To: "Bowdich, David L. (DO) (FBI)", "Burton, Dawn (DO) (FBI)", "Castor, Andrew J. (DO) (FBI)", C. (CD) (FBI)", (DO) (FBI)", (DO) (FBI)", . (DO) (FBI)", (DO) (FBI)", (DO) (FBI)", (DO) (FBI)", (DO) (FBI)", (CYD) (FBI)", (DO) (FBI)", (BH) (FBI)", "Mccabe, Andrew G. (DO) (FBI)", "Mcdermott, Renae M. (DO) (FBI)", (DO) (FBI)", "Rybicki, James E. (DO) (FBI)", (CD) (FBI)", . (DO) (FBI)", (IR) (FBI)", "Steinbach, Michael B. (DO) (FBI)", (DO) (FBI)", (DO) (FBI)", (IR) (FBI)"
Subject: DIRECTOR'S WEEKEND REPORT 08/13/2016

b6
b7C
b7E

ALCON,

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Director's Weekend Report:

Criminal, Cyber, Response and Services Branch

CYBER DIVISION

[redacted] b7E

-

Emergency Action Specialist [redacted] b6 b7C b7E
Unit Chief [redacted]
Strategic Information & Operations Center (SIOC)
FBIHQ, Room 5712
[redacted]

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James B. Comey

From:	James B. Comey
Sent:	Tuesday, August 16, 2016 12:00 PM
To:	Bowdich, David L. (DO) (FBI); Rybicki, James E. (DO) (FBI)
Subject:	Post article I mentioned

Nearly the entire national security establishment has rejected Trump - except this man

Dana Priest
Article Last Updated: Monday, August 15, 2016 2:10pm

Keywords: Associated Press,

Print

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(c) 2016, The Washington Post.

In campaign appearances for Donald Trump, retired Lt. Gen. Michael Flynn has cast the presidential race as a continuation of the career he spent battling dangerous enemies in distant wars.

"The enemy camp in this case is Hillary Rodham Clinton," he said at a rally in Florida this month, pointing his thumbs down in disgust. "This is a person who does not know the difference between a lie and the truth. ... She is somebody who will leave Americans behind on the battlefield."

As chants of "Lock her up!" rose from the crowd, Flynn nodded with enthusiasm and said he was "so proud standing up here to be an American."

It was a jarring moment in a race full of them -- a retired three-star general comparing a

presidential candidate to the al-Qaida militants he faced in Afghanistan and Iraq, calling for a former senator and secretary of state to be imprisoned.

The appearance was only the latest eyebrow-raising episode from Flynn, 56, who was one of the most respected military intelligence officers of his generation but who has spurned the decorum traditionally expected of retired U.S. flag officers and become the only national security figure of his rank and experience to publicly align himself with Trump.

The unruly 2016 campaign has drawn dozens of former senior national security officials into the fray, including 50 Republicans who this month signed a letter saying Trump "lacks the character, values and experience" to be president. Denunciations of Trump from retired Marine Gen. John Allen -- who spoke at the Democratic convention -- and former acting CIA director Michael Morell struck some as compromising their former institutions' apolitical role in American democracy.

But Flynn, who vaulted to public attention with his speech at the Republican National Convention last month, has rattled even some of his most long-standing colleagues, engaging in harsh, partisan rhetoric that, to his critics, seems to clash with the principles and values he spent a career defending.

He has called President Barack Obama a "liar," declared the U.S. justice system "corrupt" and insisted that he was pushed out of his assignment as director of the Defense Intelligence Agency because of his views on radical Islam. The claim has left former superiors seething, including Director of National Intelligence James Clapper, according to current and former officials who said Flynn was removed because of management problems.

Like Trump, Flynn has advocated forging closer ties with Russia. In interviews with The Washington Post, Flynn acknowledged being paid to give a speech and attend a lavish anniversary party for the Kremlin-controlled RT television network in Moscow last year, where he was seated next to the Russian leader.

"People went crazy," said retired Brig. Gen. Peter Zwack, the former U.S. military attache in Moscow. "They thought it was so out-of-bounds, so unusual." Zwack emphasized that he regards Flynn as a "patriot" who "would never sell out his country."

Flynn, who was no longer in government but got a DIA briefing on Russia before the trip, said the invitation and payment came through his speaker's bureau. He said he used the visit to press for collaboration in Syria, Iran and the Middle East and dismissed the ensuing controversy as "boring." Asked why he would want to be so closely associated with a Kremlin propaganda platform, Flynn said he sees no distinction between RT and other news outlets.

"What's CNN? What's MSNBC? Come on!" said Flynn, who has also occasionally appeared as an unpaid on-air analyst for RT and other foreign broadcasters.

Dismayed by Flynn's behavior since he left the military, former colleagues have contacted him to urge him to show more restraint. Among them are retired Gen. Stanley A. McChrystal, who relied heavily on Flynn in both Iraq and Afghanistan, and retired Adm. Michael Mullen, the former chairman of the Joint Chiefs of Staff. McChrystal declined to comment.

Mullen provided a written statement saying that "for retired senior officers to take leading and vocal roles as clearly partisan figures is a violation of the ethos and professionalism of apolitical military service." Officers are sworn to execute orders without regard for political positions, an oath to the Constitution that "is inviolable and presidents must never question it or doubt it," he said.

Flynn and Allen "have violated this principle and confused that clarity," Mullen said. "This is not about the right to speak out, it is about the disappointing lack of judgment in doing so for crass partisan purposes. This is made worse by using hyperbolic language all the while leveraging the respected title of 'general.' "

Allen noted that retired U.S. military officers have frequently taken public positions in presidential campaigns, including a number of recent chairmen, and that he did so out of concern with Trump's calls for resuming the use of torture, killing families of terrorism suspects and mass-bombing cities in Syria.

"Retired senior officers should not take lightly the impact of public commentary in a political environment," Allen said. "I chose to do so because I believe that Trump was proposing policies and orders to the U.S. military as a potential Commander in Chief, which I believed would create a civil-military crisis. This is a matter of conscience for me, because in moments of crisis such as these, credible voices must speak out."

In interviews, Flynn said he respects his former superiors but rejected their entreaties as attempts to silence him and impinge his free speech rights. "When someone says, 'You're a general, so you have to shut up,' " he said, "I say, 'Do I have to stop being an American?' "

Flynn dismisses his critics as closet Clinton supporters or misguided colleagues who have put their pursuit of corporate board seats and lucrative consulting contracts ahead of their concern for the country. Most retired generals "are afraid to speak out," he said, because they use their stars "for themselves, for their businesses."

Flynn said his foray into politics began last year when he volunteered to advise five Republican candidates. He said that he first met Trump 11 months ago and that he spoke with him by phone several times before being asked to deliver a speech at the Republican convention.

Trump is a "very serious guy. Good listener. Asked really good questions," Flynn said. His role in the campaign has yet to be defined. Flynn said he has never met with Trump's foreign policy adviser, Carter Page, and has not been promised any position if the real estate baron wins.

Flynn's credentials and vocal backing of Trump have fueled speculation that he could be in line for a high-level national security job if Trump is elected. He was briefly considered a potential Trump running mate before the candidate picked Mike Pence, the Republican governor of Indiana.

Rather than scaling back, Flynn, a registered Democrat, has become an avid campaigner for Trump whose views and impulses increasingly echo those of the Republican candidate.

He sees the nation as beset by darkness and corruption, with voters split between "centrist nationalists" and "socialists."

The divide has weakened the nation's ability to grasp what he regards as an existential threat from "a diseased component" of Islam. "There's something going on in the Muslim world," he said. "Why do we have heightened security at our airports? It's not because the Catholic Church is falling apart."

Flynn's sudden political prominence represents a departure from a 33-year military career spent largely in the shadowy realm of military intelligence and Special Operations missions. Former colleagues said they could not recall Flynn ever discussing politics while in uniform or voicing the views he has embraced since his career came to an abrupt end.

The son of a World War II and Korean War veteran, Flynn was one of nine children in a close-knit Irish family in Rhode Island. His brother Charlie is a two-star general in the U.S. Army.

Flynn's early years in uniform coincided with the end of the Cold War, but he made his mark after the Sept. 11, 2001, attacks as an intense officer with a string of important intelligence assignments.

He has held senior positions in the 18th Airborne Corps, at the Joint Chiefs of Staff at the Pentagon and at U.S. Central Command, which runs U.S. military operations in the Middle East. Throughout his career, he was seen as a charismatic and unconventional officer with a talent for mapping

terrorist networks -- qualities prized by superiors. But his hard-charging approach was at times seen as disruptive or undisciplined.

He is best known for his integral role in the lethal machine that McChrystal assembled in Iraq to eviscerate the al-Qaida affiliate there. Together, they perfected an approach known as "find, fix, finish" that relied on the elite Joint Special Operations Command to carry out raids and then used intelligence from captured militants and materials to identify new targets at a blistering tempo.

When McChrystal was put in charge of the war in Afghanistan, he tapped Flynn again to serve as his top intelligence officer. Flynn used that job to position himself as a gifted strategist, helping co-author a 26-page article, "Fixing Intel," that depicted the intelligence-gathering mission in Afghanistan as a failing endeavor -- too focused on finding targets rather than understanding cultural complexities. The article was praised by some in the military as insightful, but critics considered it grandstanding at the expense of his predecessors.

Some of Flynn's other moves angered superiors. Former U.S. officials said Flynn was scolded after traveling to Pakistan in 2009 or early 2010 and revealing to Pakistani officials sensitive U.S. intelligence on the militant Haqqani network accused of staging attacks on American forces. U.S. officials said the move was aimed at prodding Pakistan to crack down on the militant group, but that Flynn exposed U.S. intelligence capabilities that only helped Pakistan protect an organization it used as a proxy ally.

Flynn also came under investigation by the Pentagon over an allegation that he had inappropriately shared highly classified intelligence with Australian and British forces. "I'm proud of that one," Flynn said in an interview. "Accuse me of sharing intelligence in combat with our closest allies! Please!"

The probe delayed but did not derail Flynn's ascent through the ranks. Always pushing for a deeper understanding of terrorist networks, Flynn convinced Clapper in 2011 to let him form a team to reexamine the materials recovered from bin Laden's compound in Pakistan, searching for clues overlooked by the CIA. In 2012, he was tapped by Obama for one of the highest positions a military intelligence officer can attain, running the Defense Intelligence Agency.

Flynn arrived with a mandate for change. He began trying to reorganize the agency into regionally focused centers, station more analysts overseas and build a spying capability that could rival the CIA. In public remarks, he warned any employees who resisted his agenda that he would "move them or fire them."

Almost from the outset there were concerns at the Pentagon that Flynn was struggling to execute his reform plans and that the agency was beset by turmoil. A career staff officer, Flynn had little

experience running a large organization, let alone a plodding institution like the DIA, with nearly 20,000 employees.

Former subordinates at the DIA said Flynn was so prone to dubious pronouncements that senior aides coined a term --"Flynn facts" -- for assertions that seemed questionable or inaccurate.

The DIA job is ordinarily a three-year assignment. But early in Flynn's second year, his bosses -- Clapper and then-Undersecretary of Defense for Intelligence Michael Vickers -- summoned Flynn to a meeting at the Pentagon to tell him that he was being removed.

As the search for a replacement stalled, Flynn attempted an end-run around his superiors, appealing directly to the vice chief of staff of the Army to extend his tenure. The move infuriated Clapper, according to former officials who said the DNI warned Flynn that if he made any other attempt to circumvent the outcome he would be fired on the spot. Clapper declined to comment for this story, but several current and former officials confirmed the account.

Flynn disputed the account as well as the claim that he had shared sensitive intelligence with Pakistan, saying in an email that the claims are "all false."

Flynn characterizes his ouster as a political purge orchestrated by an administration unwilling to heed the warnings he was sounding about militant Islam. Asked for evidence, he said, "I just know!" adding that Clapper had once told him that the issue behind Flynn's ouster was "not your leadership, or I would have removed you right away."

The decision to remove Flynn was "about turbulence and a destructive climate," said a former senior U.S. intelligence official. "I don't think anybody in the administration was even aware of his views" on radical Islam.

Flynn's views have become more strident since leaving DIA and are increasingly aimed at Obama. He said he is "sick and tired" of Obama taking credit for approving the 2011 mission that led to the death of Osama bin Laden. "This decision to kill bin Laden ... so what?!" he said. "What did it really do?"

Once firmly against waterboarding and other banned interrogation measures, Flynn now appears at least willing to consider supporting Trump's threat to reinstate those methods, saying he would be reluctant to take options off the table. Asked on Al Jazeera in May whether he would allow the military to carry out Trump's threat to kill any families of suspected terrorists, Flynn replied, "I would have to see the circumstances of that situation."

In February, Flynn posted a video about a Pakistani terrorist group on his Twitter account with the comment: "Fear of Muslims is RATIONAL."

His views are difficult to reconcile with some of the prescriptions for fighting terrorism that he outlines in a recent book, "The Field of Fight: How We Can Win the Global War Against Radical Islam and Its Allies," that he co-authored with neoconservative analyst Michael Ledeen.

In the book, Flynn argues that the United States needs new partnerships with Middle Eastern countries and a deeper understanding of radical ideology. He said Egypt, Jordan, Qatar and Saudi Arabia should shoulder more of the responsibility for ridding their nations of terrorists, accept more Syrian refugees and deploy soldiers in Syria.

Asked whether his comments about Islam or Trump's behavior -- threatening to ban Muslims from entering the United States, vilifying the parents of a fallen Muslim American soldier -- might alienate those potential Middle East partners, Flynn said, "I don't see it that way. I see a lot of Muslims who actually want this conversation. They want this point to be made."

--

The Washington Post's Greg Jaffe and Julie Tate contributed to this report.

Burton, Dawn (DO) (FBI)

From: Burton, Dawn (DO) (FBI)
Sent: Monday, September 12, 2016 2:51 PM
To: Rybicki, James E. (DO) (FBI)
Subject: FW: THE 2016 'POLITICO 50' UNVEILED TODAY

Now I have an image of a "hero goat" in my head. He's a goat, but wears a red and blue super hero outfit. He has broad shoulders. Yes, there's a cape.

From: James B. Comey
Sent: Monday, September 12, 2016 2:37 PM
To: Kortan, Michael P. (DO) (FBI) < > Rybicki, James E. (DO) (FBI) b7E
< >; Burton, Dawn (DO) (FBI) < >
Subject: RE: THE 2016 'POLITICO 50' UNVEILED TODAY

Thanks. Important not to put too much stock in either being called a hero or a goat; assessments will change with personal preferences of the assessors.

From: Kortan, Michael P. (DO) (FBI)
Sent: Monday, September 12, 2016 10:51 AM
To: James B. Comey < > Rybicki, James E. (DO) (FBI) < >; Burton, Dawn (DO) (FBI) < >
Subject: FW: THE 2016 'POLITICO 50' UNVEILED TODAY b7E

One day later you're a hero with Politico.....

From: [ ] [mailto:booking@politico.com] b6 b7C b7E
Sent: Monday, September 12, 2016 8:42 AM
To: Kortan, Michael P. (DO) (FBI) < >
Subject: THE 2016 'POLITICO 50' UNVEILED TODAY

FOR IMMEDIATE RELEASE
September 2016



THE 2016 POLITICO 50 UNVEILED TODAY

Ted Cruz and Bernie Sanders Top POLITICO's 3rd Annual List

"Do ideas still matter in the year of Donald Trump?" That's the question POLITICO

Magazine grapples with in our third annual POLITICO 50 list of thinkers and doers changing American politics in 2016- and the answer we offer is a resounding yes.

In the midst of an often bizarre and sometimes downright depressing election, this list represents something altogether surprising: a collection of people who, no matter their widely divergent views, offer powerful examples of how and why ideas continue to make a difference in politics and policy. For our number one spot on this campaign-year edition of the list, we've chosen an unlikely pairing of ideological opposites: U.S. Senators **Ted Cruz** and **Bernie Sanders**, who most powerfully used the platform of a presidential race to remind America that actual ideas, shouted clearly, over and over, can build movements.

SEE THE FULL LIST:

http://politi.co/1KcgGfH

From U.S. Senators **Ted Cruz** and **Bernie Sanders** leading ideological movements- to Speaker **Paul Ryan** working to prove the GOP is still a party of ideas- to former Fox News host **Gretchen Carlson** holding TV news and her employer accountable- to **DeRay Mckesson** and **Brittany Packnett** leading the Black Lives Matter movement- to FBI Director **James Comey** being a straight shooter in a town that needs them - to Medium Founder and CEO **Evan Williams** cutting out the media middleman- to Hamilton composer, lyricist, and actor **Lin-Manuel Miranda** showing us how rap can rewrite history- the people on this year's POLITICO 50 list are transforming American politics.

Special Features from the POLITICO 50 Issue:

"Do Ideas Still Matter In the Year of Trump?"- Let's face the facts: 2016 has not been about ideas. Where will it leave the two parties when it comes to big ideas in politics? Michael Grunwald explores if ideas will ever shape our politics again. http://politi.co/2c979tO

What's Wrong With America's White People?- POLITICO's Susan B. Glasser and Glenn Thrush moderate an expert discussion on the question: Do poor white Americans suddenly feel more disgruntled than ever, or are the rest of us just now paying attention? Featuring POLITICO 50 members Carol Anderson, Anne Case, Angus Deaton, Nancy Isenberg and J.D. Vance. http://politi.co/2cawimQ

Trump Before Trump - If you're looking for an intellectual antecedent for Donald Trump, Pat Buchanan (No. 7 on our list) and his populist "America First" campaigns are a good place to start, says Jeff Greenfield. http://politi.co/2c8IFB3

Yes, Immigration Hurts American Workers- George Borjas (No. 17) says the problem with the current immigration debate is that neither side is revealing the

whole picture. Trump overlooks that an influx of immigrants can potentially be a net good for the nation. Clinton ignores the hard truth that not everyone benefits when immigrants arrive. http://politi.co/2c9501e

How the Democrats Lost Touch on Trade - One of the most startling developments of this most peculiar campaign season has been the emergence of trade as an electrifying political issue. Author Thomas Frank (No. 15) explains how the American public grew furious over trade deals beloved by the political class. http://politi.co/2c94AYU

Conservatives Don't Own the GOP- To put it mildly, this election cycle has revealed serious fault lines and weaknesses on the right, and the Republican Party will be working to make sense of it all for years. Yuval Levin (No. 27) explores how conservatives lost Republican voters and how to win them back. http://politi.co/2cJ0Y3E

What's With Hillary Clinton's Woman Problem? - Does Hillary Clinton have a woman problem? With only a couple of months until a November election that could put the first woman in the White House, the answer, amazingly enough, is yes. Jill Filipovic explores why young female voters are wary of Clinton, and why feminists like Gloria Steinem, Madeleine Albright and Lena Dunham (No. 22) are still fighting for gender solidarity in the campaign. http://politi.co/2ca9ELh

Black Lives Matter Isn't Just a Hashtag Anymore - Activist Brittany Packnett (No. 3) writes about what happened when the Black Lives Matter movement met the cold realities of politics, and the challenge of bringing a spirit of protest to the realm of policy. http://politi.co/2c968SC

What Everyone Still Doesn't Get About the Islamic State - Journalist Rukmini Callimachi (No. 30) has become an indispensable guide to understanding the Islamic State, and cutting through the fog of misinformation from politicians. Reporter Graeme Wood talks with Callimachi about what it's like to try to penetrate one of the world's most dangerous and shadowy organizations-and what we're still getting wrong. http://politi.co/2caaMi8

American Growth Has Slowed Down. Get Used to It. - Growth has been our American mantra, but it might just prove to be an elusive slogan. Economist Robert J. Gordon (No. 16) says to beware of politicians bearing promises of a return to a vanished past. http://politi.co/2cmbNYR

The POLITICO 50 Reading List - What are the smartest minds in politics reading? We asked the members of The POLITICO 50 list to name the best books they've read this year. Here are their answers. http://politi.co/2cJia9h

POLITICO 50 Survey- What does our POLITICO 50 list think of Hillary Clinton vs. Donald Trump, President Obama's unfinished business and the biggest policy fights on deck for 2017? We asked. http://politi.co/2cmeFoT

###

Media Contact: [redacted] b6 b7C

POLITICO, 1100 Wilson Blvd, Arlington, VA 22209

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James B. Comey

From:	James B. Comey
Sent:	Friday, September 23, 2016 5:50 PM
To:	Mccabe, Andrew G. (DO) (FBI); Rybicki, James E. (DO) (FBI)
Subject:	RE: U.S. intel officials probe ties between Trump adviser and Kremlin

Copy

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-------- Original message --------
From: "Mccabe, Andrew G. (DO) (FBI)" <[redacted]>
Date: 9/23/16 5:45 PM (GMT-05:00)
To: "James B. Comey" <[redacted]>, "Rybicki, James E. (DO) (FBI)" <[redacted]> b7E
Subject: FW: U.S. intel officials probe ties between Trump adviser and Kremlin

FYI

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
W
M [redacted]

https://www.yahoo.com/news/u-s-intel-officials-probe-ties-between-trump-adviser-and-kremlin-175046002.html?soc_src=social-sh&soc_trk=tw

U.S. intelligence officials are seeking to determine whether an American businessman identified by Donald Trump as one of his foreign policy advisers has opened up private communications with senior Russian officials — including talks about the possible lifting of economic sanctions if the Republican nominee becomes president, according to multiple sources who have been briefed on the issue.

The activities of Trump adviser Carter Page, who has extensive business interests in Russia, have been discussed with senior members of Congress during recent briefings about suspected efforts by Moscow to influence the presidential election, the sources said. After one of those briefings, Senate minority leader Harry Reid wrote FBI Director James Comey, citing reports of meetings between a Trump adviser (a reference to Page) and "high ranking sanctioned individuals" in Moscow over the summer as evidence of "significant and disturbing ties" between the Trump campaign and the Kremlin that needed to be investigated by the bureau.

Some of those briefed were "taken aback" when they learned about Page's contacts in Moscow, viewing them as a possible back channel to the Russians that could undercut U.S. foreign policy, said a congressional source familiar with the briefings but who asked for anonymity due to the sensitivity of the subject. The source added that U.S. officials in the briefings indicated that intelligence reports about the adviser's talks with senior Russian officials close to President Vladimir Putin were being "actively monitored and investigated."

A senior U.S. law enforcement official did not dispute that characterization when asked for comment by Yahoo News. "It's on our radar screen," said the official about Page's contacts with Russian officials. "It's being looked at."

Page is a former Merrill Lynch investment banker in Moscow who now runs a New York consulting firm, Global Energy Capital, located around the corner from Trump Tower, that specializes in oil and gas deals in Russia and other Central Asian countries. He declined repeated requests to comment for this story.

Trump first mentioned Page's name when asked to identify his "foreign policy team" during an interview with the Washington Post editorial team last March. Describing him then only as a "PhD," Trump named Page as among five advisers "that we are dealing with." But his precise role in the campaign remains unclear; Trump spokeswoman Hope Hicks last month called him an "informal foreign adviser" who "does not speak for Mr. Trump or the campaign." Asked this week by Yahoo News, Trump campaign spokesman Jason Miller said Page "has no role" and added: "We are not aware of any of his activities, past or present." Miller did not respond when asked why Trump had previously described Page as one of his advisers.

The questions about Page come amid mounting concerns within the U.S. intelligence community about Russian cyberattacks on the Democratic National Committee and state election databases in Arizona and Illinois. In a rare public talk this week, former undersecretary of defense for intelligence Mike Vickers said that the Russian cyberattacks constituted meddling in the U.S. election and were "beyond the pale." Also, this week, two senior Democrats — Sen. Dianne Feinstein, ranking minority member on the Senate Intelligence Committee, and Rep. Adam Schiff, ranking minority member on the House Intelligence Committee — released a joint statement that went further then what U.S. officials had publicly said about the matter.

"Based on briefings we have received, we have concluded that the Russian intelligence agencies are making a serious and concerted effort to influence the U.S. election," they said. "At the least, this effort is intended to sow doubt about the security of our election and may well be intended to influence the outcomes of the election." They added that "orders for the Russian intelligence agencies to conduct such actions could come only from very senior levels of the Russian government."

Page came to the attention of officials at the U.S. Embassy in Moscow several years ago when he showed up in the Russian capital during several business trips and made provocative public comments critical of U.S. policy and sympathetic to Putin. "He was pretty much a brazen apologist for anything Moscow did," said one U.S. official who served in Russia at the time.

He hasn't been shy about expressing those views in the U.S. as well. Last March, shorty after he was named by Trump as one of his advisers, Page told Bloomberg News he had been an adviser to, and investor in, Gazprom, the Russian state-owned gas company. He then blamed Obama administration sanctions — imposed as a response to the Russian annexation of Crimea — for driving down the company's stock. "So many people who I know and have worked with have been so adversely affected by the sanctions policy," Page said in the interview. "There's a lot of excitement in terms of the possibilities for creating a better situation."

Page showed up again in Moscow in early July, just two weeks before the Republican National Convention formally nominated Trump for president, and once again criticized U.S. policy. Speaking at a commencement address for the New Economic School, an institution funded in part by major Russian oligarchs close to Putin, Page asserted that "Washington and other West capitals" had impeded progress in Russia "through their often hypocritical focus on ideas such as democratization, inequality, corruption and regime change."

At the time, Page declined to say whether he was meeting with Russian officials during his trip, according to a Reuters report.

But U.S. officials have since received intelligence reports that during that same three-day trip, Page met with Igor Sechin, a longtime Putin associate and former Russian deputy prime minister who is now the executive chairman of Rosneft, Russian's leading oil company, a well-placed Western intelligence source tells Yahoo News. That meeting, if confirmed, is viewed as especially problematic by U.S. officials because the Treasury Department in August 2014 named Sechin to a list of Russian officials and businessmen sanctioned over Russia's "illegitimate and unlawful actions in the Ukraine." (The Treasury announcement described Sechin as "utterly loyal to Vladimir Putin — a key component to his current standing." At their alleged meeting, Sechin raised the issue of the lifting of sanctions with Page, the Western intelligence source said.

U.S. intelligence agencies have also received reports that Page met with another top Putin aide while in Moscow — Igor Diveykin. A former Russian security official, Diveykin now serves as deputy chief for internal policy and is believed by U.S. officials to have responsibility for intelligence collected by Russian agencies about the U.S. election, the Western intelligence source said

James B. Comey

From:	James B. Comey
Sent:	Monday, October 3, 2016 8:30 PM
To:	Bowdich, David L. (DO) (FBI); Mccabe, Andrew G.
Cc:	Rybicki, James E. (DO) (FBI)
Subject:	RE: Daily Report

Thanks. My MO is to be notified whenever HRT is deployed on an operation. Not a big deal but let's see what broke there. I caught it in weekend book but I need Andy (or whoever is covering DD) slot to tell me in advance you are aware of the deployment and think it makes sense.

.

-------- Original message --------
From: "Bowdich, David L. (DO) (FBI)" <[redacted]> b7E
Date: 10/3/16 7:42 PM (GMT-05:00)
To: "James B. Comey" [redacted], "Mccabe, Andrew G." <[redacted]>
Cc: "Rybicki, James E. (DO) (FBI)" <[redacted]>
Subject: Daily Report

Boss,

Not too many things to be briefed tonight other than below items:

1. Candidate Trump's team has requested a briefing on Cyber threats. We are awaiting further details/response from the DNI who actually controls the briefings. I will keep you updated as I know more.
2. Former Top Ten fugitive [redacted] will be extradited from Mexico City to Dallas on October 6th. [redacted] is the 19th FBI Top Tenner apprehended in Mexico. As you may recall, [redacted] is believed to be responsible for orchestrating a murder-for-hire plot of a prominent Dallas area dentist who was shot and killed next to her car in a basement parking garage. b6 b7C
3. The Baltimore takedown went well and you were correct, HRT did assist.....can't find "emogi" or you would get a smiley face. As of tonight, there were 46 subjects in custody. All total, the breakdown of individuals indicted were as follows: 18 correctional officers, 34 inmates, and 28 outside facilitators.

I asked [redacted] to stay behind tomorrow to quickly brief you on the Weiner matter which is growing more complicated, but it can wait until then.

That's it for tonight.

Dave

James B. Comey

From:	James B. Comey
Sent:	Friday, October 7, 2016 4:45 PM
To:	Rybicki, James E. (DO) (FBI)
Subject:	RE: Statement is out

Thanks.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 10/7/16 3:48 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Statement is out

Release Date:
October 7, 2016

For Immediate Release
DHS Press Office
Contact: 202-282-8010

The U.S. Intelligence Community (USIC) is confident that the Russian Government directed the recent compromises of e-mails from US persons and institutions, including from US political organizations. The recent disclosures of alleged hacked e-mails on sites like DCLeaks.com and WikiLeaks and by the Guccifer 2.0 online persona are consistent with the methods and motivations of Russian-directed efforts. These thefts and disclosures are intended to interfere with the US election process. Such activity is not new to Moscow—the Russians have used similar tactics and techniques across Europe and Eurasia, for example, to influence public opinion there. We believe, based on the scope and sensitivity of these efforts, that only Russia's senior-most officials could have authorized these activities.

Some states have also recently seen scanning and probing of their election-related systems, which in most cases originated from servers operated by a Russian company. However, we are not now in a position to attribute this activity to the Russian Government. The USIC and the Department of Homeland Security (DHS) assess that it would be extremely difficult for someone, including a

nation-state actor, to alter actual ballot counts or election results by cyber attack or intrusion. This assessment is based on the decentralized nature of our election system in this country and the number of protections state and local election officials have in place. States ensure that voting machines are not connected to the Internet, and there are numerous checks and balances as well as extensive oversight at multiple levels built into our election process.

Nevertheless, DHS continues to urge state and local election officials to be vigilant and seek cybersecurity assistance from DHS. A number of states have already done so. DHS is providing several services to state and local election officials to assist in their cybersecurity. These services include cyber "hygiene" scans of Internet-facing systems, risk and vulnerability assessments, information sharing about cyber incidents, and best practices for securing voter registration databases and addressing potential cyber threats. DHS has convened an Election Infrastructure Cybersecurity Working Group with experts across all levels of government to raise awareness of cybersecurity risks potentially affecting election infrastructure and the elections process. Secretary Johnson and DHS officials are working directly with the National Association of Secretaries of State to offer assistance, share information, and provide additional resources to state and local officials.

_____

James Rybicki
Chief of Staff
Federal Bureau of Investigation
[redacted] b7E

James B. Comey

From:	James B. Comey
Sent:	Monday, October 17, 2016 8:01 PM
To:	Mccabe, Andrew G.
Cc:	Bowdich, David L. (DO) (FBI); Rybicki, James E. (DO) (FBI)
Subject:	RE: Wrap

Thanks. Sorry to have missed PC.

Last day here went well. Cross Country press conference was uneventful. No email questions and only one in the general political area -- what's my reaction to candidate Trump wanting to investigate the FBI. I had no comment beyond a slight smile.

Talk to you tomorrow.

-

-------- Original message --------
From: "Mccabe, Andrew G." [redacted] b7E
Date: 10/17/16 4:57 PM (GMT-08:00)
To: "James B. Comey" [redacted]
Cc: "Bowdich, David L. (DO) (FBI)" [redacted], "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: Wrap

Boss:

The PC was exactly as you would expect. Lots of discussion, no decision. I can give you a detailed readout when I see you or over a secure line.

A few items to report:

1. I will cover the meeting with the US Ambo to Russia.
2. We have the president of the NAACP here speaking at a conference tomorrow. I will meet and introduce him.
3 [redacted] signed his plea today. b6
4. Lots of OPA action on th [redacted] front with eh release of the 302s. Nothing unexpected, will likely drive some additional committee requests. b7C b7E
5. We are tracking information on possibly 1 male USPER taken into custody by the Kurds, and a family of 5 (parents both dual cits, + 3 small kids) taken into custody by FSA.
6. DT is working the NC GOP HQ fire from Sunday morning. Evidence collection and logical investigation underway, no claims of responsibility or subjects identified yet.

Feel free to call for additional detail on any. And enjoy your last moments in sunny San Diego.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
W [redacted] b7E
M

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Tuesday, November 1, 2016 9:40 PM
To: [redacted] (DO) (FBI); James B. Comey
Subject: RE: Tuesday night coverage

b6
b7C

Thanks, [redacted]. These continue to be very helpful!

This one made me feel better:

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Date: 11/1/16 9:26 PM (GMT-05:00)
To: "James B. Comey" <[redacted]>, "Kortan, Michael P. (DO) (FBI)" <[redacted]>, "Rybicki, James E. (DO) (FBI)" <[redacted]>, "Quinn, Richard P. (DO) (FBI)" <[redacted]>, "Burton, Dawn (DO) (FBI)" <[redacted]>, [redacted] (DO) (FBI)" <[redacted]>, "Campbell, Joshua S. (DO) (FBI)" <[redacted]v>
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Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Tuesday, November 1, 2016 11:07 PM
To: [redacted](DO) (FBI); James B. Comey
Subject: RE: Tuesday night coverage

b6
b7C

No apologies - I thought it was great!

-

-------- Original message --------
From: [redacted](DO) (FBI)" [redacted]
Date: 11/1/16 9:57 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted], "James B. Comey" [redacted]
Subject: RE: Tuesday night coverage

b6
b7C
b7E

My bad. Sorry!

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted]
Date: 01/11/2016 21:40 (GMT-05:00)
To: [redacted](DO) (FBI)" [redacted], "James B. Comey" [redacted]
Subject: RE: Tuesday night coverage

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James B. Comey

From: James B. Comey
Sent: Wednesday, November 2, 2016 7:14 AM
To: Rybicki, James E. (DO) (FBI); [redacted] (DO) (FBI)
Subject: RE: Tuesday night coverage

b6
b7C

And there is no doubt I am comfortable with Lunch. Every day.

-

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Note, There was also a similar headline posted on CBS News' Website. That story can be found here

4) **WSJ Journal**: FBI Releases Documents from 2001 Probe into Bill Clinton Pardon

The Federal Bureau of Investigation on Tuesday released files related to a years-old probe involving former President Bill Clinton, further stirring Democrats' anger over the agency's disclosure of newly discovered emails possibly related to Hillary Clinton. The heavily redacted case files released were part of a 2001 probe into Mr. Clinton's pardon of billionaire fugitive Marc Rich. FBI officials said the release wasn't intentionally done during the last days of the election campaign. The FBI posted the documents to "The Vault," its website for publishing responses to requests under the Freedom of Information Act, or FOIA. The bureau receives thousands of such requests a year but posts online only those that have at least three different requesters.

5) **BLOOMBERG:** FBI's Comey Still Has Confidence in FBI Director Comey

U.S. Attorney General Loretta Lynch continues to have confidence in FBI Director James Comey despite his controversial decision to renew a probe related to Hillary Clinton's use of a private e-mail system, an official said.

Comey and Lynch spoke briefly after a meeting in Washington on Monday, according to the official, who requested anonymity to discuss a private conversation. The FBI chief and the attorney general still have a good working relationship, the official said, even though they disagreed on his decision to disclose the probe so close to the Nov. 8 presidential election. In their conversation, Lynch stressed the seriousness of resolving the matter, the official said. However, it's not clear if there will be an update on the probe that could be provided to lawmakers and the public this week, according to the official, who added that no more announcements are currently planned.

6) Politico: FBI Never Asked Clinton Aides for All Their Devices

The FBI never asked Hillary Clinton's top aides to turn over all the computers and smartphones they used while Clinton was secretary of state, an omission that is now triggering questions from Republican lawmakers.

While the FBI made a concerted effort to obtain all the computers that were used as Clinton's private server and ultimately asked two of Clinton's lawyers for laptops used to review her email messages, investigators never requested or demanded all equipment her top staffers used for work purposes during her four years at State, a source familiar with the investigation told POLITICO. "No one was asked for devices by the FBI," said the source, who requested anonymity. The decision left the FBI at least partially dependent on the aides' attorneys' decisions about which messages were work-related and therefore might have contained classified information the agents were looking for. Those messages were turned over to State in response to its request last year.

7) CNN: FBI Quietly Investigations into Trump-Russia Ties Yield Little

The FBI has been conducting multiple investigations of alleged connections between Russia and Donald Trump, his presidential campaign or its backers. But none so far have yielded proof of criminal connections between the parties.
US law enforcement and intelligence officials investigating hacks of Democratic Party organizations view Russian spy agencies as trying to sow chaos and confusion in the US elections, but not necessarily trying to help a particular candidate. The US government has publicly accused senior levels of Russian government of being behind hacks on Democratic groups and the release of sensitive documents online. The accusations including meddling in the 2016 election.

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Wednesday, November 9, 2016 9:28 PM
To: James B. Comey
Subject: Fwd: WP

-

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" <[redacted]> b7E
Date: 11/9/16 9:22 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: WP

--

-------- Original message --------
From: [redacted] b6 b7C b7E
Date: 11/9/16 8:47 PM (GMT-05:00)
To: "Kortan, Michael P. (DO) (FBI)" [redacted]
Subject: here you go

https://www.washingtonpost.com/world/national-security/trump-will-soon-be-working-with-an-fbi-director-he-attacked/2016/11/09/e79c8784-a69f-11e6-8fc0-7be8f848c492_story.html

Running on page A-41

James B. Comey

From: James B. Comey
Sent: Thursday, November 10, 2016 9:14 AM
To: Rybicki, James E. (DO) (FBI)
Subject: RE: WP

I'm in my fourth year as director. That's all.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted]>
Date: 11/9/16 9:28 PM (GMT-05:00)
To: "James B. Comey" [redacted]>
Subject: Fwd: WP

b7E

-

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" [redacted]>
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Subject: here you go

b6
b7C
b7E

https://www.washingtonpost.com/world/national-security/trump-will-soon-be-working-with-an-fbi-director-

he-attacked/2016/11/09/e79c8784-a69f-11e6-8fc0-7be8f848c492_story.html

Running on page A-41

James B. Comey

From: James B. Comey
Sent: Sunday, November 13, 2016 5:14 PM
To: [redacted] (DO) (FBI); Kortan, Michael P. (DO) (FBI); Rybicki, James E. (DO) (FBI); Campbell, Joshua S. (DO) (FBI) b6 b7C
Subject: RE: Weekend coverage

Thanks, although -- and I don't mean to be critical -- your summary is drafted in such a way as to make it appear that I'm being blamed.

--

-------- Original message --------
From: [redacted] (DO) (FBI)" [redacted] b6 b7C b7E
Date: 11/13/16 3:25 PM (GMT-05:00)
To: "James B. Comey" [redacted], "Kortan, Michael P. (DO) (FBI)" [redacted], "Rybicki, James E. (DO) (FBI)" [redacted], [redacted] (DO) (FBI)" [redacted], "Quinn, Richard P. (DO) (FBI)" [redacted], "Campbell, Joshua S. (DO) (FBI)" [redacted]
Subject: Weekend coverage

All, Much of the news this weekend focused on Mrs. Clinton's comments yesterday on a call with donors. I have combed through the stories today to see how they differ from the major news outlets. I've included the first relevant paragraphs at the top of the story, then broken up the story (Story Break) with what I saw as relevant context in the story.

My summary is below:

1) NY Times: Hillary Clinton Blames FBI Director for Election Loss
http://www.nytimes.com/2016/11/13/us/politics/hillary-clinton-james-comey.html?_r=0
Hillary Clinton on Saturday cast blame for her surprise election loss on the announcement by the F.B.I. director, James B. Comey, days before the election that he had revived the inquiry into her use of a private email server. In her most extensive remarks since she conceded the race to Donald J. Trump early Wednesday, Mrs. Clinton told donors on a 30-minute conference call that Mr. Comey's decision to send a letter to Congress about the inquiry 11 days before Election Day had thrust the controversy back into the news and had prevented her from ending the campaign with an optimistic closing argument. "There are lots of reasons why an election like this is not successful," Mrs. Clinton said, according to a donor who relayed the remarks. But, she added, "our analysis is that Comey's letter raising doubts that were groundless, baseless, proven to be, stopped our momentum."....
(Story Break)
Presidential candidates have a long history of blaming forces outside their control for their losses. In 2004, John Kerry linked his defeat to a videotape of Osama bin Laden that appeared days before the election, stoking fears about terrorism. In 2012, Mitt Romney told donors he had lost because President Obama had vowed to bestow "gifts" on Democratic special interests groups, namely African-Americans, Hispanics and young people. Mrs. Clinton's contention appears to be more rooted in reality — and hard data. An internal campaign memo with polling data said that "there is no question that a week from Election Day, Secretary Clinton was poised for a historic win," but that, in the end, "late-breaking developments in the race proved one hurdle too many for us to overcome."
(Story Break)
Still, Mrs. Clinton's instinct to shun any personal responsibility angered some Democrats. Several donors on the call, while deeply bitter about Mr. Comey's actions, said they believed that Mrs. Clinton and her campaign had suffered avoidable missteps that handed the election to an unacceptable opponent. They pointed to the campaign's lack of a compelling message for white working-class voters and to decisions years ago by Mrs. Clinton to use a private email address at the State Department and to accept millions of dollars for speeches to Wall Street. "There is a special place in hell for Clinton staff, allegedly including Cheryl Mills, that okayed the email server setup," Jim Manley, a Democratic strategist and former senior aide to Senator Harry Reid of Nevada, wrote on Sidewire, a social media

site, referring to a longtime aide and lawyer to Mrs. Clinton.

2) Washington Post: Hillary Clinton Blames One Comey Letter for Stopping Momentum and the Other For Turning Out Trump Voters
https://www.washingtonpost.com/news/post-politics/wp/2016/11/12/hillary-clinton-blames-one-comey-letter-for-stopping-momentum-and-the-other-for-turning-out-trump-voters/
Hillary Clinton blamed the renewed FBI inquiry into her State Department email system for blunting her momentum in the presidential election and the closure of that inquiry two days before Election Day for energizing voters for Donald Trump. "There are lots of reasons why an election like this is not successful," Clinton told top donors on a farewell conference call Saturday. "But our analysis is that [FBI Director James B.] Comey's letter raising doubts that were groundless, baseless, proven to be, stopped our momentum," she said.
(Story Break)
Clinton did not accuse Comey of partisanship Saturday. But she did say that what should have been good news essentially backfired. Comey issued another letter to Congress on the Sunday before Election Day, concluding that the nine-day examination of newly discovered emails had turned up nothing to change his earlier conclusion that there had been no criminal conduct. "Just as we were back up on the upward trajectory, the second letter from Comey essentially doing what we knew it would — saying there was no there there — was a real motivator for Trump's voters," Clinton said.
(Story Break)
The Democrat focused on the outside events she said affected her campaign in the last three weeks of the election. She said nothing about other, larger forces at work — Trump's message of change in a restive time, his pledge to represent the aggrieved working class, the difficulty of any political party winning a third consecutive presidential term, her own limited attention to economic anxiety, or the sexism and discomfort that surrounded her attempt to become the first female president.

3) WSJ: Hillary Clinton Attributes FBI Letters as Factors in Election Loss
http://www.wsj.com/articles/hillary-clinton-attributes-fbi-letters-as-factor-in-election-loss-1478994890
Hillary Clinton told supporters Saturday that letters about her email practices sent by the director of the Federal Bureau of Investigation to Congress in the final days of the presidential race weighed heavily on her campaign and contributed to her defeat, according to a person who heard her remarks.
Mrs. Clinton, on a conference call with some of her top fundraisers four days after her stunning loss to Donald Trump, said FBI Director James Comey's decision to alert Congress about what he described as fresh developments in the email case motivated the Republican nominee's supporters and gave her rival a new argument to use against her on the trail, this person said.
(Story Break)
Other Clinton supporters say that Mr. Comey isn't solely to blame for Mrs. Clinton's defeat. They point to various strategic missteps made by her campaign, including spending time and money in North Carolina, Arizona and other states that weren't crucial to collecting the 270 electoral votes needed to win. The FBI declined to comment Saturday. Former Clinton campaign aides didn't immediately respond to a request for comment.

4) Politico: Clinton Blames Comey Letters for Defeat
http://www.politico.com/story/2016/11/hillary-clinton-comey-letters-defeat-231280
Hillary Clinton pinned the blame for her defeat on FBI Director James Comey's letters about her email arrangement in a conference call with her top campaign contributors on Saturday afternoon. Speaking with Democrats who raised over $100,000 for her failed bid for the presidency, the former secretary of state said Comey's second letter — just three days before the election — did more damage than the first, which landed just 11 days out, according to one individual on the call, who described her tone as clearly sad but hopeful. Clinton told participants that the campaign's data saw her numbers plunge after the first letter, then rebounded. But the second letter, she said, awakened Donald Trump's voters.
(The story was short with no other context)

5) NY Magazine: Hillary Clinton Blames FBI Director James Comey for Her Defeat
http://nymag.com/daily/intelligencer/2016/11/hillary-clinton-blames-fbi-director-james-comey-for-defeat.html
Hillary Clinton told her top campaign contributors on Saturday that F.B.I. Director James Comey was to blame for her loss to Donald Trump on Election Day, according to Politico. During a 30-minute conference call with donors who gave $100,000 or more to her campaign, Clinton cited the two letters Director Comey sent to members of Congress, regarding an ultimately inconsequential trove of newly discovered emails, as the main reason Donald Trump was able to pull off his shocking upset win on Tuesday. In particular, she claimed that the second letter Comey sent two days before the election, in which he cleared of her and her aides of wrongdoing yet again, did even more damage than the letter announcing the trove in the first place. According to Clinton, campaign data indicated that the first letter had indeed initially made her numbers collapse, but they later recovered. The second letter, however, drove a late push of Trump voters to the polls, as it damaged her standing with those who bought into Trump's rhetoric about Clinton benefitting from a "rigged system."
(Story break)
Clinton apparently conceded that there are "lots of reasons why an election like this is not successful," but that Comey's ultimately pointless announcements were what "stopped our momentum," and prevented the campaign from making the optimistic closing argument it wanted.

6) FOX news: Clinton Tells Fundraisers FBI Comey Letter Sank Presidential Bid

http://www.foxnews.com/politics/2016/11/12/clinton-purportedly-tells-fundraisers-fbi-comey-letters-damaging.html
Hillary Clinton has offered a couple of private but candid explanations about why she lost her White House bid, telling high-dollar fundraisers Saturday that FBI announcements about a second probe into her emails from her time as secretary of state were too damaging. Clinton said, "Our analysis is that Comey's letter raised doubts that were groundless and baseless..." and "stopped our momentum," a DNC fundraising source who was on the call told Fox News. Clinton made the remark on a roughly 30-minute conference call with Democrats who raised more than $100,000, according to Politico.
(Story Break)
Clinton on Thursday told her campaign staff that she had "stepped in it" by saying half of Trump's supporters were "deplorables," according to The New York Times. She and her campaign essentially defended the remark by saying she regretted saying "half" of the supporters were "racist, sexist, homophobic, xenophobic, Islamophobic" people.

7) Reuters: Clinton Blames FBI Comey For Her Defeat in Call With Donors
http://www.reuters.com/article/us-usa-election-idUSKBN1370LC
Hillary Clinton blamed FBI director James Comey for her stunning defeat in Tuesday's presidential election in a conference call with her top campaign funders on Saturday, according to two participants who were on the call. Clinton was projected by nearly every national public opinion poll as the heavy favorite going into Tuesday's race. Instead, Republican Donald Trump won the election, shocking many throughout the nation and prompting widespread protests. Clinton told her supporters on Saturday that her team had drafted a memo that looked at the changing opinion polls leading up to the election and that the letter from Comey proved to be a turning point. She said Comey's decision to go public with the renewed examination of her email server had caused an erosion of support in the upper Midwest, according to three people familiar with the call.

8) Fortune: Hillary Clinton Blames FBI Director James Comey For Election Loss
http://fortune.com/2016/11/12/hillary-clinton-james-comey-blame/
Hillary Clinton on Saturday blamed her stunning election loss on FBI Director James Comey, saying his late-October letter to Congress about her use of a private email server hurt her campaign's momentum. "There are lots of reasons why an election like this is not successful," Clinton said on a call with top donors Saturday, according to the Washington Post. "But our analysis is that Comey's letter raising doubts that were groundless, baseless, proven to be, stopped our momentum."
(No Further Context, as this was a short story)

9)CBS News: Clinton -- FBI Director Comey's Letter Was Factor in Loss
http://www.cbsnews.com/news/hillary-clinton-james-comey-fbi-director-loss-donor-call/
Hillary Clinton weighed in Saturday with her first comments on the stinging election defeat, giving donors on a conference call some insight into her thoughts on the failed presidential campaign.
(Story Break)
One Clinton supporter who was on the call, however, disputed the call's characterization in the Times and other media outlets, which said Clinton had laid much of the blame for her loss on Comey. The supporter told CBS News that the nominee said there were lots of reasons that still needed to be looked at and analyzed. Clinton herself, he felt, was not trying to analyze the election results during the call. She acknowledged that after her slight lead in battleground state polls, her levels of support "dropped, and we had to keep really pushing to regain our advantage, which going into last weekend we had," according to the Times.

10) NBCNews.Com: Hillary Clinton Partially Blames Loss on FBI Director James Comey's Email Inquiry:
http://www.nbcnews.com/politics/2016-election/hillary-clinton-partially-blames-loss-fbi-director-james-comeys-email-n683046
The FBI's surprise decision to re-examine Hillary Clinton's use of a private email server before voters went to the polls cost her the election, the "heartbroken" Democratic nominee said Saturday, a source told NBC News. The letter about the email inquiry — sent from FBI Director James Comey to Congress 11 days before the vote — raised doubts that helped to stop the campaign's momentum at a critical time, Clinton said in a farewell conference call with donors. A source who was on the call, which was reported by The Washington Post and others, confirmed Clinton's remarks to NBC News. The source added that Clinton acknowledged that other factors contributed to her failed bid.

10a) NBC News/Meet the Press: With FBI Letter, Conway Says Clinton is Passing Blame (Video)
http://www.nbcnews.com/meet-the-press/video/with-fbi-letter-conway-says-clinton-is-passing-the-blame-807802947784

James B. Comey

From:	James B. Comey
Sent:	Wednesday, November 16, 2016 12:22 PM
To:	Rybicki, James E. (DO) (FBI)
Subject:	RE: McConnell, Schumer elected to top spots in Senate ahead of battles with Trump: CNN

Copy.

--------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted]
Date: 11/16/16 10:05 AM (GMT-06:00)
To: "James B. Comey" [redacted]v> b7E
Subject: FW: McConnell, Schumer elected to top spots in Senate ahead of battles with Trump: CNN

From: [redacted] (CD) (FBI) b6 b7C b7E
Sent: Wednesday, November 16, 2016 11:02 AM
To: Rybicki, James E. (DO) (FBI) [redacted]>; Mccabe, Andrew G. (DO) (FBI) [redacted]>; Bowdich, David L. (DO) (FBI) [redacted]
Subject: FW: McConnell, Schumer elected to top spots in Senate ahead of battles with Trump: CNN

See highlights below...

Also, it is anticipated that Mark Warner (VA) will step up as the Vice Chair of SSCI.

[redacted]

McConnell, Schumer elected to top spots in Senate ahead of battles with Trump

By Ted Barrett and Tom LoBianco, CNN

Updated 10:49 AM ET, Wed November 16, 2016

http://www.cnn.com/2016/11/16/politics/senate-republican-democratic-leaders/index.html

Washington (CNN)Republicans re-elected Mitch McConnell as Senate Majority Leader Wednesday while Democrats tapped Chuck Schumer as their leader as both sides prepare for critical battles with the incoming Trump administration.
McConnell was formally nominated by Sen. Marco Rubio and freshman Sen. Todd Young of Indiana -- a nod to his extensive efforts in both states which helped him keep their majority.

McConnell, the Kentucky Republican, led the successful effort to hold the Senate Republicans and was rewarded with an easy victory in a private meeting with his caucus.

Schumer's ascension was coordinated well before the election, but some veteran Democrats moved into new roles that will prove critical as Trump plies lawmakers next year. He will serve as Trump's chief antagonist in the new Congress.

Democrats also formally added Vermont independent Bernie Sanders to their ranks — a clear nod to his success in the campaign and the strains within the party moving forward.
"We are ready to go toe to toe with Republicans," Schumer told reporters, noting that Democrats "can't flinch and can't ignore" results of election.

Senate Democrats picked up two seats last week, but it was just shy of enough to win the majority.

Sen. Dianne Feinstein, a long-serving California Democrat, will take over her party's top seat on the Judiciary Committee -- putting her in place to lead the fight against any Trump nominee for the Supreme Court. Veteran Judiciary member Patrick Leahy, of Vermont, will head to the Senate Appropriations Committee.

[redacted]

FBI Office of Congressional Affairs

[redacted]

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b7E

James B. Comey

From: James B. Comey
Sent: Friday, November 18, 2016 2:49 PM
To: Rybicki, James E. (DO) (FBI)
Subject: Fwd: DOJ - 4 PETT Members Named

-

-------- Original message --------
From: "Mccabe, Andrew G. (DO) (FBI)" [redacted]
Date: 11/18/16 2:45 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: FW: DOJ - 4 PETT Members Named

b7E

FYI

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
W [redacted]
M [redacted]

From: Grigg, Gurvais C. (DO) (FBI)
Sent: Friday, November 18, 2016 2:29 PM
To: Mccabe, Andrew G. (DO) (FBI) [redacted]; Bowdich, David L. (DO) (FBI) [redacted]; Castor, Andrew J. (DO) (FBI) [redacted]
Cc [redacted] (DO) (FBI) [redacted] (DO) (FBI) [redacted] (OGC) (FBI) [redacted] (DO) (FBI) [redacted] (DO) (FBI) [redacted] (DO) (FBI) [redacted] (WF) (FBI) [redacted] (ITADD) (FBI) [redacted]; Grigg, Gurvais C. (DO) (FBI) [redacted] (FD) (FBI) [redacted] (FD) (FBI) [redacted] DO) (FBI) [redacted] (DO) (FBI) [redacted]
Subject: DOJ - 4 PETT Members Named

b6
b7C
b7E

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Sirs,

We have the first four (4) initial President Elect Transition Team (PETT) names assigned to the DOJ.

1. [redacted] - Former DOJ

2. [redacted] - Former DOJ

3. [redacted]

4. [redacted]

b6
b7C

These four were introduced by AAG Lee Lofthus during the 1pm Executive Officer/Transition meeting today at DOJ who indicated additional names (up to possibly 10 total) are anticipated.

The four met with the AG and DAG today and have space at DOJ. They are anticipated to begin by receiving high level DOJ overviews and budget briefings next week followed by requests to meet with indivudual components over the next few weeks.

The PETT will publish their schedule to DOJ of which agencies they want to meet with and on what issues. Agencies should be prepared but contact may not be for days or weeks.

However, I spoke with AAG Lofthus who indicated the FBI should be ready which may telegraph an interest to meet with FBI as one of the first

As we learn more about these individuals, get additional names and briefing/schedule requests we will advise.

G. (Gurvais) Clayton Grigg
Deputy Assistant Director

Presidential Transition Lead
FBI Director's Office
Federal Bureau of Investigation
Office: [redacted]
Cell: [redacted]

b7E

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Friday, November 18, 2016 2:58 PM
To:	James B. Comey
Subject:	Re: DOJ - 4 PETT Members Named

Thanks. It will be interesting to see how quickly they get over to FBI.

From: James B. Comey
Sent: Friday, November 18, 2016 2:48 PM
To: Rybicki, James E. (DO) (FBI)
Subject: Fwd: DOJ - 4 PETT Members Named

.

-------- Original message --------
From: "Mccabe, Andrew G. (DO) (FBI)" <[redacted]
Date: 11/18/16 2:45 PM (GMT-05:00)
To: "James B. Comey" <[redacted]>
Subject: FW: DOJ - 4 PETT Members Named

FYI b7E

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
W
M [redacted]

From: Grigg, Gurvais C. (DO) (FBI)
Sent: Friday, November 18, 2016 2:29 PM
To: Mccabe, Andrew G. (DO) (FBI) <[redacted]>; Bowdich, David L. (DO) (FBI) <[redacted]>; Castor, Andrew J. (DO) (FBI) <[redacted]> b6 b7C b7E
Cc [redacted] (DO) (FBI) <[redacted]>; [redacted] (DO) (FBI) <[redacted]>; [redacted] (OGC) (FBI) <[redacted]>; [redacted] (DO) (FBI) <[redacted]>; [redacted] (DO) (FBI) <[redacted]>; [redacted] (DO) (FBI) <[redacted]>; [redacted] (WF) (FBI) <[redacted]>; [redacted] (ITADD) (FBI) <[redacted]>; Grigg, Gurvais C. (DO) (FBI) <[redacted]>; [redacted] (FD) (FBI) <[redacted]>; [redacted] (FD) (FBI) <[redacted]>; [redacted] (DO) (FBI) <[redacted]>; [redacted] (DO) (FBI) <[redacted]>
Subject: DOJ - 4 PETT Members Named

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G. (Gurvais) Clayton Grigg
Deputy Assistant Director

Presidential Transition Lead
FBI Director's Office
Federal Bureau of Investigation
Office: [redacted] b7E
Cell [redacted]

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Friday, December 2, 2016 7:55 PM
To:	James B. Comey
Subject:	Fwd: Background for PETT Meeting on 12/6 @2:30-4:30PM
Attachments:	U_20161202_FBI_Presidential_Transition_Points_for_Consideration.docx; (U) FBI_AT A GLANCE.pdf; Presidential_Transition_nd_v3.pdf
Importance:	High

-------- Original message --------
From: "Grigg, Gurvais C. (DO) (FBI)" <[redacted]> b6 b7C b7E
Date: 12/2/16 4:43 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted], "Bowdich, David L. (DO) (FBI)" <[redacted]>, "Castor, Andrew J. (DO) (FBI)" <[redacted]>
Cc [redacted] (WF) (FBI)" <[redacted], [redacted] (ITADD) (FBI)" [redacted], [redacted] (DO) (FBI)" <[redacted], [redacted] (DO) (FBI)" [redacted]>, '[redacted], (DO) (FBI)" [redacted]>, [redacted] (OGC) (FBI)" [redacted]>, [redacted] (DO) (FBI)" <[redacted]>, "Rybicki, James E. (DO) (FBI)" [redacted], [redacted] (FD) (FBI)" [redacted], [redacted] (FD) (FBI)" [redacted]>, "Burton, Dawn (DO) (FBI)" [redacted], [redacted] (DO) (FBI)" [redacted], [redacted] DO) (FBI)" <[redacted], [redacted] (DO) (FBI)" [redacted], [redacted] (FD) (FBI)" [redacted], "Grigg, Gurvais C. (DO) (FBI)" <[redacted]>
Subject: Background for PETT Meeting on 12/6 @2:30-4:30PM

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FOR YOUR SITUATIONAL AWARENESS, USE, and PREPARATION

Sirs,

The DOJ has confirmed the initial meeting with President-Elect's Transition Team (PETT) members will occur on Tuesday, December 6 from 2:30pm – 4:30pm at FBIHQ.

Attending will be [redacted] and [redacted] (NOTE: At the bottom of this email is a quick reminder of their respective backgrounds). We will work with FBI Security Division to ensure they are greeted at the Visitor entrance b6 b7C

and escorted to the Director's Office area for the meeting.

DOJ has advised the meeting is anticipated to be more of a give-and-take discussion and not a formal one-way presentation. The expectation is they will meet with the Director and the senior "front office" management team (i.e., DD, ADD, CFO or other budget person). Additional meetings are anticipated in the future with senior staff about specific programs and activities.

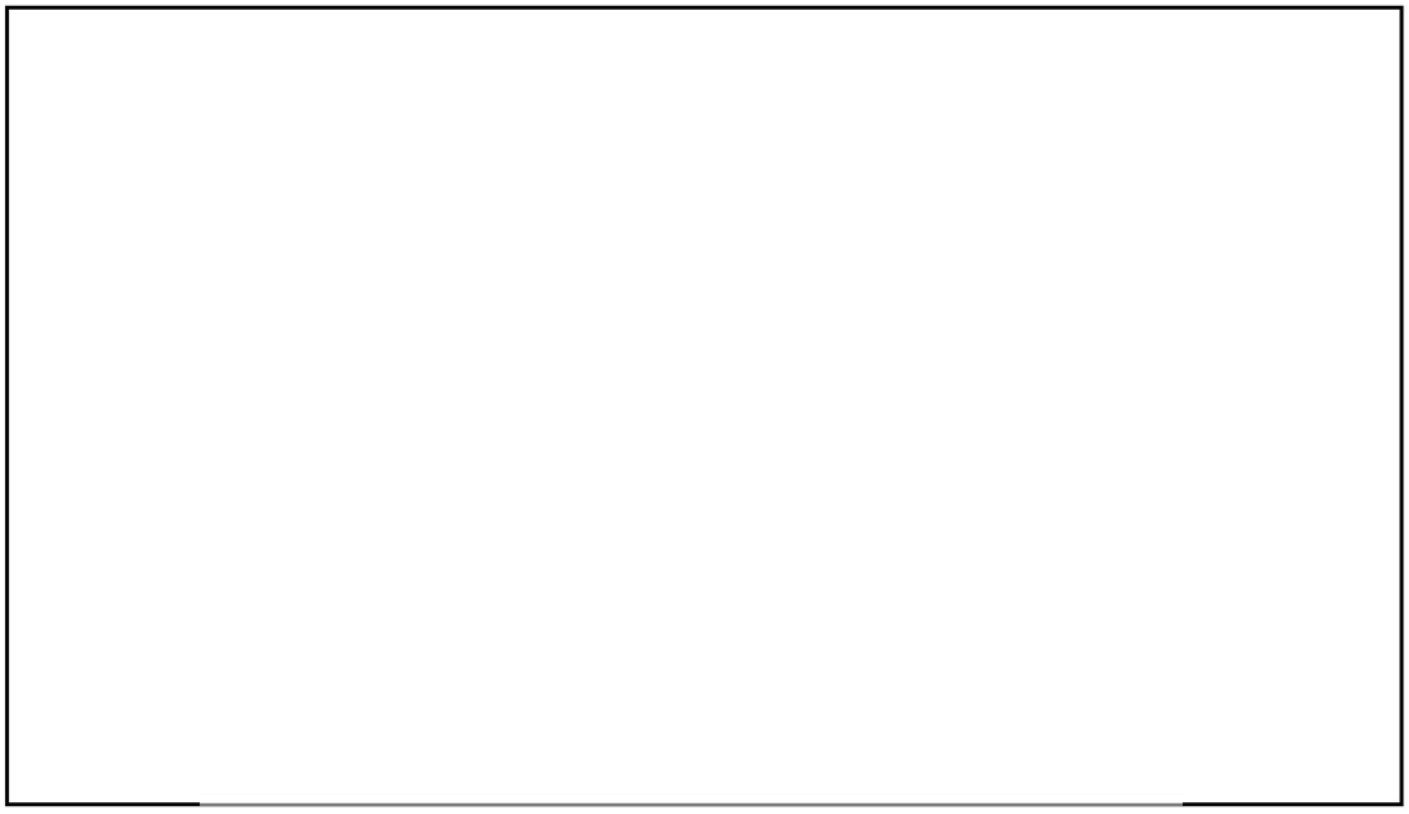
DOJ encouraged us to be prepared to discuss at minimum the following during the meeting:

1. A high level overview of the organizational structure, budget, and hiring outlook/key vacancies
2. A copy of the organizational chart
3. Cover the primary mission roles and responsibilities, and where most of management time is focused
4. Reminder that the organization is all career except for the Director
5. Provide a high level picture of the budget and any key budget stresses
6. Mention any major upcoming work the FBI is anticipating
7. Any significant issues or challenges the incoming Administration will encounter or need to be aware of when they assume office
8. Use this time to let the PETT know what major issues FBI leadership sees for the organization

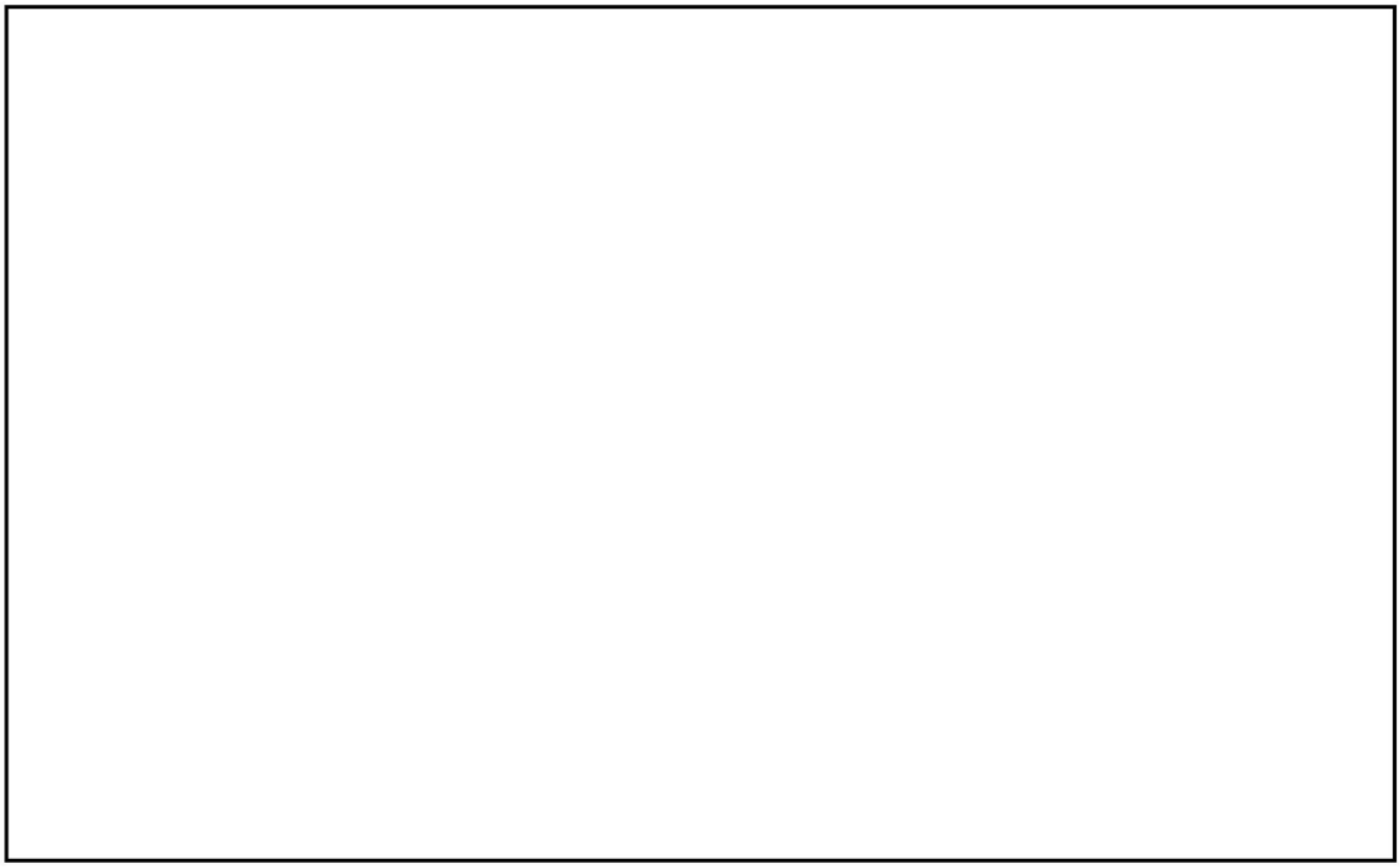
To support and prepare, we have worked with DADD Castor, RPO and the Finance. The 11x17 "*FBI: At a Glance*" handout has been proposed for use during this meeting along with a new 11x17 front and back handout prepared by Finance/RPO which contains high level budget and staffing information and the top 8 challenges on the one side and a copy of the FBI organizational chart on the other. Hard copies have been delivered to DADD Castor. Soft copies of each are included below.

Enclosed are some points of consideration for your awareness and familiarization. These were taken from the various subject areas found within the transition materials. They are organized by programs and themes.

Below are the BIOS for the two PETT member attendees:



b6
b7C



b6
b7C

G. (Gurvais) Clayton Grigg
Deputy Assistant Director

Presidential Transition Lead
FBI Director's Office
Federal Bureau of Investigation
Office:
Cell:

b7E

This communication is UNCLASSIFIED but may contain information that is ~~Law Enforcement Sensitive and/or For Official Use Only~~. The contents of this communication are considered to be draft, deliberative, and pre-decisional in nature and are intended solely for the personal review of the captioned recipients.

James B. Comey

From:	James B. Comey
Sent:	Wednesday, December 7, 2016 2:56 PM
To:	Rybicki, James E. (DO) (FBI)
Subject:	RE:

Outstanding.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 12/7/16 9:57 AM (GMT-05:00)
To: "James B. Comey" [redacted], "McCabe, Andrew G. (DO) (FBI)" [redacted]
Subject:

Trump: I don't believe Russia interfered with the election

By POLITICO Staff
| 12/07/16 09:01 AM EST

President-elect Donald Trump is freshly casting doubt on the idea that Russia was behind the election-related hacks into Democratic entities, and said the conclusion by U.S. agencies that the Kremlin paid a role was politically driven.

“I don’t believe it. I don’t believe they interfered,” Trump said in an interview with Time magazine, which named him person of the year.

Trump has steadfastly refused to say that Russian President Vladimir Putin or his agencies played any role in the hack of the Democratic National Committee and the private email account of John Podesta, Hillary Clinton’s campaign chairman.

When asked by Time if the conclusion reached by U.S. officials was motivated by politics, Trump responded, “I think so.”

While it’s unclear how much of an impact the intrusions had on the election outcome, the revelations proved embarrassing for the Democratic Party and cost DNC Chairwoman Debbie Wasserman Schultz her job at the top of the committee.

U.S. agencies in October formally accused Russia of hacking into American computers and meddling with the election process, but Putin pushed back against the notion and said discovering the actual culprit was “unimportant.”

Democrats are continuing to press for more information about the hacks. Party leaders are urging the Obama administration to provide a briefing on the matter, while Reps. Elijah Cummings (D-Md.) and Eric Swalwell (D-Calif.) plan to introduce legislation on Wednesday "to take action on evidence of foreign interference in the 2016 U.S. elections."

James B. Comey

From: James B. Comey
Sent: Wednesday, December 7, 2016 6:31 PM
To: Rybicki, James E. (DO) (FBI)
Subject: RE:

This confuses me

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 12/7/16 6:26 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject:

House panel approves FBI headquarters with focus on costs, Metro access



A proposed design for a new FBI headquarters in Greenbelt, one of three locations under consideration for the project. (Courtesy Konterra Development/Selected)

The FBI's effort to build a new 2.1 million-square-foot headquarters advanced Wednesday when members of the House approved the project, paving the way for Congress to fully fund it next year.

For more than a decade, the bureau has been pushing for a new campus in the Washington suburbs to replace the dilapidated J. Edgar Hoover Building in downtown D.C. Three sites are being considered, in Greenbelt, Springfield and Landover — with a decision expected in March.

A measure approved Wednesday by the House Transportation and Infrastructure Commmittee, chaired by Rep. Bill Shuster (R-Pa.), authorized $834 million for the project, part of $1.7 billion in appropriations requested by the Obama administration.

If approved by the full Congress, those dollars would add to $390 million that was previously appropriated.

The committee also reshaped the project with an eye on reducing costs and ensuring the project be accessible to public transit.

The committee capped appropriations for the project at $2.11 billion, not counting the costs of outfitting the new building or decommissioning the current one. The $2.11 billion also doesn't include the value of the Hoover Building, which the agency overseeing the project, the General Services Administration, has proposed trading to the company selected to build the project in an effort to offset the cost.

The GSA has not disclosed a list of approved bidders for the project, but officials and executives say four teams are finalists, including two associates of President-elect Donald Trump.

[The next FBI headquarters, a $2 billion project, could be built by a Trump associate]

The committee added two other stipulations to the funding measure. One requires that the administration consider the traffic impact of bringing the FBI's 11,000 headquarters employees from around the region to one location.

Transportation to the new headquarters became a top concern for locals after the GSA dramatically increased parking requirements and failed to prioritize Metro access, over the

objections of federal planning officials at the National Capital Planning Commission. The measure specifically requires the GSA to consider NCPC's "recommendations on parking and proximity to Metro rail."

Another stipulation could dent the chances of the project moving to Springfield, where the site being considered is currently occupied by a secure CIA facility. Moving that would cost an estimated $210 million, and other site preparation to bring the FBI there would total $18 million, according to GSA estimates.

Under the resolution, the GSA would have to "consider the total costs to the government for relocations, site preparation and site acquisition" in making its selection.

Both changes were celebrated by Maryland officials, who chafed in particular at the possibility of Virginia gaining what they considered an unfair cost advantage for the Springfield site.

House Minority Whip Steny H. Hoyer (D-Md.) said in a statement that the cost provision "requires GSA to consider the significant cost of relocation and site preparation of the Springfield site, which ought to be a serious concern for taxpayers."

"I advocated strongly for these provisions, and their inclusion ensures that the resolution is favorable for Maryland," he said.

No representative at the hearing raised Trump's potential conflict-of-interest in the project, given his closness with two of the bidders. But there remain concerns about whether the GSA ought to trade away the Hoover Building rather than sell it separately.

"I think pairing the two is stupid," said Rep. Peter A. DeFazio (D-Ore.) "It's certainly going to limit the number of people who are interested in constructing and bidding on the FBI headquarters. We will not get the full value for the downtown property."

Follow Jonathan O'Connell on Twitter: @oconnellpostbiz



James B. Comey

From: James B. Comey
Sent: Thursday, December 8, 2016 6:39 PM
To: Rybicki, James E. (DO) (FBI)
Subject: RE: WP

Thanks.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 12/8/16 6:32 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: WP

Why law enforcement can't get ahead of 'Pizzagate' and other online conspiracy theories

By Matt Zapotosky

December 8 at 5:43 PM

The North Carolina man who took an assault rifle to a popular D.C. pizza joint to investigate a fictitious online rumor demonstrates a problem that has long vexed the FBI.

The Internet — a breeding ground for radical ideologies and bizarre conspiracy theories — can quickly move troubled souls to violence. And in an age when fake news is magnified by those with political and financial interests, the problem is getting harder to stop.

The bureau has in recent years made a priority of preventing Islamic State-inspired attacks, developing informants who can tip agents to plots before they happen and connecting the often Internet-radicalized plotters with people actually working for the FBI.

But the bizarre conspiracy theory that a child sex ring was operating underneath D.C.'s Comet Ping Pong restaurant — which spurred 28-year-old Edgar Maddison Welch to drive from North Carolina to launch his own violent investigation — would probably have registered as "barely a blip" on the bureau's radar, said Ron Hosko, a former FBI assistant director.

"There is so much to do that is tangible and real and fitting squarely within the bureau's jurisdiction and priorities," Hosko said. "There's not a lot of bandwidth for sort of these one-offs."

That is not to say online radicalization, in all its forms, is not a concern for federal law enforcement. Research has shown people who believe in conspiracy theories are more prone to violence. On Wednesday, for example, federal authorities in Florida announced they had indicted a Florida woman who they alleged threatened the parent of a child killed in the massacre at Sandy Hook Elementary School in Newtown, Conn.

The woman, 57-year-old Lucy Richards, was motivated to make her threats because she believed, incorrectly, "that the school shooting was a hoax and never happened," according to the U.S. Attorney's Office for the Southern District of Florida.

At an event earlier this year to mark the 10th anniversary of the Justice Department's National Security Division, FBI Director James B. Comey said agents were focused on a "much more disparate threat" that was "hard to see, unpredictable, motivated, and driven by people who are just disturbed and unpredictable even to those who would motivate them."

"Our daily job is finding needles in a haystack," he said. "As I like to say, it's harder than that even. It's finding pieces of hay that may become a needle."

The FBI declined to make an official available for an interview for this article.

The false theory that spurred Welch to action — that a child sex ring tied to Democratic presidential nominee Hillary Clinton and campaign chairman John Podesta was operating beneath Comet Ping Pong — spread through Twitter, 4chan and Reddit, and was magnified on Infowars by talk-show host Alex Jones. People came to refer to it by the hashtag "Pizzagate."

The FBI and D.C. police assessed the claims and determined them to be false, according to a D.C. police spokesman and a federal law enforcement official. But the rumor nonetheless prompted threats and harassment of tthe shop and neighboring businesses on Connecticut Avenue, and some business owners said they were frustrated by law enforcement's response. A D.C. police spokesman said he was unaware of any threats Welch made himself.

There are several well-known examples of conspiracy theorists carrying out acts of violence. Robert Dear, who allegedly killed three people and wounded nine others in an attack on a Planned Parenthood facility in Colorado, told a neighbor that he believed the government was "trying to kill everybody." A Twitter account linked to one of the Boston Marathon bombers seemed to espouse the view that the terrorist attack of Sept. 11, 2001, was an "inside job." In a more recent case, the FBI arrested a Milwaukee man, Samy Mohamed Hamzeh, who the agency alleged was plotting a mass shooting at a Masonic temple and believed Masons were "playing with the world like a game."

Joseph Uscinski, an associate professor at the University of Miami and a co-author of "American Conspiracy Theories," said research has shown "people who have a very conspiratorial mind-set tend to be more accepting of violence than people who don't have a conspiratorial mind-set, but it's not by much."

Fake news and conspiracy theories have other pernicious effects. The Russian government, for example, reportedly tried to spread false materials online to affect the election. At the National Security Division event earlier this year, Comey said he was concerned that Twitter in particular allowed people to reinforce their own views, irrespective of facts, and that this eroded trust in government institutions.

"It used to be that the person who's now on Twitter would be down at the end of the bar late at night shouting at the television, and the only people he could shout with would be the other people who were down at the end of the bar," Comey said. "Now he can shout with 600 other people who are at their own metaphorical bars, and it's a constant reinforcement of their view of the world."

The First Amendment prevents law enforcement agencies from policing free speech. Cass Sunstein, a Harvard professor and former White House official, proposed controversially in 2008 that the government engage in "cognitive infiltration of extremist groups," by enlisting government agents to enter chat rooms and raise doubts about conspiracy theorists' ideas. In one variant, he wrote, "government officials would participate anonymously or even with false identities."

The proposal was criticized by those on the right and the left, and even Sunstein and his co-author acknowledged that it came with the risk that the government might inadvertently legitimize bad information. Sunstein declined to be interviewed for this article.

Justice Department guidelines say that agents can surf the Internet in search of possible terror plots, though a former federal national security official said agents have little time to randomly browse the Web to generate leads. Generally, the former official said, the FBI foils plots because would-be plotters reveal their intentions to the bureau's informant network, or from concrete tips they run down.

"You can't monitor 330 million Twitter [users] and their traffic, nor would you want to do that," the former official said, speaking on the condition of anonymity to discuss FBI methods. "That's the beauty of living in a free society. You're allowed to be crazy."

Law enforcement has occasionally drawn criticism for taking an overly aggressive approach — particularly with surveillance of the Muslim community. The New York Police Department, for example, was sued over its surveillance of Muslims in a case in which settlement discussions are ongoing. The FBI was accused of going too far in using an informant to infiltrate a mosque in California.

Some Islamic State-inspired terrorists have slipped through the cracks — such as Omar Mateen, the 29-year-old who killed 49 people in an Orlando nightclub. The FBI had scrutinized Mateen for 10 months beginning in 2013, even using surveillance and recording his calls after he talked of dying as a martyr, though they ultimately closed the matter without charges.

The threshold to take action on even a threat, Hosko said, is fairly high. The matter is generally left to local authorities unless the threat comes from across state lines, and incendiary rhetoric usually cannot be investigated. Given the volume of such cases, Hosko said, agents generally assess even in real threat cases whether the person was willing and able to follow through.

"The question for the FBI is, 'Is there a case we can prosecute?' " Hosko said. "Is this serious enough? Do we devote the resources?"

Uscinski, the University of Miami professor, said conspiracy theories are generally directed at those in power, and he expected more in the coming years would come from the left, rather than the right. But Trump, he said, has in some ways flipped the normal logic, raising conspiracy theories about the powerless — such as Mexico sending its rapists over the border — that could lead to attacks on those with little ability to stop them.

"To see those sorts of conspiracy theories sort of worries me," Uscinski said, "because if Trump doesn't act, you could see someone sort of act on his behalf, against people who are unprotected."

Adam Entous and Mark Berman contributed to this report.

James B. Comey

From:	James B. Comey
Sent:	Wednesday, December 21, 2016 4:31 PM
To:	Rybicki, James E. (DO) (FBI)
Subject:	RE:

What publication is that from?

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" <[redacted]>
Date: 12/21/16 3:22 PM (GMT-05:00)
To: "James B. Comey" <[redacted]> b7E
Subject:

FBI director under pressure to explain Clinton bombshell

By Katie Bo Williams - 12/21/16 06:00 AM EST 6,518comments

6,271shares

Six weeks since Hillary Clinton's surprise loss in the presidential election, FBI Director James Comey is under pressure to justify the bombshell announcement that rocked the final days of the campaign.

Democrats, still smarting from the Nov. 8 loss, have lashed out at Comey as the architect of the Democratic nominee's defeat.

"James Comey cost her the election," former president Bill Clinton

Now, speculation has begun to swirl that Comey will publicly address the charges of partisanship.

Several former FBI officials told The Hill that they have heard Comey is now weighing a possible press appearance after Trump is inaugurated on Jan. 20 to tell his side of the story.

The FBI declined to comment for this report.

Eleven days before the election, Comey shocked the political world with a letter informing Congress that investigators had discovered new emails that could be relevant to its probe, then considered completed, of Hillary Clinton's use of a private email server while she was secretary of State.

Comey for months defended the integrity of the probe — first against Republicans when he declined to recommend charges against Clinton in the first place, and more recently against Democrats and internal critics who said his eleventh-hour disclosure unfairly damaged Clinton.

The former prosecutor has made few media appearances over the course of his career — he did sit for a "60 Minutes" interview in 2014 — but he has been forced into the harsh glare of camera lights throughout the past year.

He was thrust into the spotlight after Attorney General Loretta Lynch sparked outrage by meeting with Bill Clinton before the conclusion of the investigation this summer — a meeting they described as social — forcing her to announce that she would abide by whatever recommendation Comey made in the case.

Comey was then open publicly with the FBI's reasoning in declining to recommend charges against Hillary Clinton, holding a detailed press conference announcing its conclusion and later appearing before Congress in an open setting multiple times.

But he has been notably silent since his Oct. 28 letter to Congress.

Democrats, appalled by the fallout from his letter to Congress, have argued that Comey's disclosure in the final days leading up to the election was a massive break from bureau policy that blunted Clinton's path to the White House. They say that although the FBI announced two days before the election that the new emails would not change its conclusion in Clinton's case, the damage was done.

Critics hammered Comey's vague letter for igniting a firestorm of speculation that the new emails contained a "smoking gun" — without providing any substantive information for voters to judge.

"Today's disclosure might be worst abuse yet. DOJ goes out of its way to avoid publicly discussing investigations close to election," former Department of Justice spokesman Matthew Miller said in a tweetstorm at the time. "This might be totally benign & not even involve Clinton. But no way for press or voters to know that. Easy for opponent to make hay over."

Trump did in fact run with Comey's announcement on the campaign trail, repeatedly telling supporters that the emails must contain something truly damning.

"I have a feeling those emails are going to be — whoa, there are going to be some beauties in there. Can you imagine? She's been deleting all the time, deleting," he said at a Florida rally shortly after the announcement.

Clinton herself has since told donors that she believes Comey's disclosure raised "doubts that were groundless, baseless, proven to be, stopped our momentum."

It's unclear how much of an effect the last-minute news had at the ballot box, but Trump's narrow win in a number of battleground states and Clinton's lead in the popular vote tally are giving fuel to those who say her loss could have been avoided.

One of Trump's pollsters, veteran political strategist Tony Fabrizio, said just five counties made the difference: four in Florida and one in Michigan.

And post-election analysis from data guru Nate Silver and others has suggested that some voters shifted to Trump in the final weeks of the election, though he notes that the analysis is not cause-and-effect.

Comey himself was aware of the risks associated with the late October missive. In an internal memo to FBI employees, he acknowledged that "there is significant risk of being misunderstood."

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But throughout, Comey has been strident in his defense of the probe.

"You can call us wrong, but don't call us weasels. We are not weasels," Comey said during a House Judiciary Committee hearing during which Republicans suggested he had caved to political pressure from above.

"We are honest people and ... whether or not you agree with the result, this was done the way you want it to be done."

Pressure to speak out is mounting as more details emerge about the circumstances surrounding the discovery of the new emails.

The search warrant used to go through the emails, unsealed Tuesday, confirmed that Comey delivered his letter to Congress two days before the warrant was granted — meaning that investigators didn't yet know what was in them.

Investigators found emails they thought might be pertinent to Clinton's investigation when they sorted and scanned the header information of messages stored on a laptop seized as part of an investigation into former Rep. Anthony Weiner (D-N.Y.).

The former New York congressman was under investigation for allegedly sending sexually explicit messages to a minor. Weiner is married to longtime Clinton aide Huma Abedin, though the two are separated.

Some of the accounts used on the seized computer correlated with those used by Clinton and her aides during her tenure at Foggy Bottom — accounts that investigators previously concluded had been used inappropriately, the newly released documents show.

The FBI told a federal judge it believed that was sufficient to show there was probable cause that the computer contained classified information pertinent to the Clinton probe.

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, December 21, 2016 4:31 PM
To:	James B. Comey
Subject:	RE: RE:

The Hill.

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Date: 12/21/16 3:22 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject:

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By Katie Bo Williams - 12/21/16 06:00 AM EST 6,518comments

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James B. Comey

From:	James B. Comey
Sent:	Wednesday, December 21, 2016 6:26 PM
To:	Rybicki, James E. (DO) (FBI)
Subject:	RE: WP

So interesting to watch columnists at their craft, which includes assuming things to be true that they really don't know. But I guess you gotta write a column and its only "opinion" so you go for it.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 12/21/16 5:41 PM (GMT-05:00)
To: "James B. Comey" [redacted]>
Subject: WP

James Comey's year of unintended — and ruinous — consequences

By Dana Milbank Opinion writer
December 21 at 5:06 PM

What a year it has been for James Comey!

At the start of 2016, the FBI director enjoyed a reputation as a public servant of high integrity, earning bipartisan acclaim for his stewardship of the nation's preeminent law enforcement agency.

A year later, the FBI, after a series of blows to its credibility, seems increasingly partisan. Comey has shown himself to be an inconsistent leader. And an ugly conclusion is becoming difficult to escape: He singlehandedly caused Donald Trump to win the presidency.

Doubt on that last point should have been dispelled this week, after court documents were released Tuesday that showed the justification for Comey's decision — announced to the nation just 11 days before the election — that he was reopening his investigation into Hillary Clinton's emails. We now know Comey's bombshell was based on nothing: The FBI had no evidence of wrongdoing in the newly discovered emails, found on Huma Abedin's laptop, and no reason to suspect there was anything on the laptop that the FBI hadn't already dismissed as insufficient to mount a prosecution.

Yet that was the flimsy basis for Comey's letter to Congress reopening the Clinton probe. The new emails were irrelevant or redundant. But by the time Comey said, just two days before the election, that the FBI found nothing new, the damage to Clinton was done.

When an election is this close — Clinton, in the final tally, won the popular vote by 2.8 million votes — any number of factors could have shifted the outcome: Russia's hacking, Jill Stein's Green Party candidacy, Clinton's weaknesses as a candidate, her ill-advised message of continuity in times that demanded populist change.

But Comey's intervention is one thing that almost certainly changed the result. Nationwide, voters who decided in the last week — the time when Comey's announcement dominated the news — overwhelmingly went for Trump. Late-deciders went for Trump by 17 points in Florida and Pennsylvania, by 11 points in Michigan and 29 points in Wisconsin.

I doubt Comey meant to give the presidency to Trump. All along, I maintained that he was a man of integrity. But he demonstrated poor judgment. So protective was he of his above-the-fray reputation that his attempts to guard it caused a series of bad decisions.

Ironically, his attempts at preserving his reputation were what hurt him.

In June, before Comey's July statement on the Clinton email issue, 48 percent of Americans expressed confidence in the FBI and 16 percent lacked confidence, according to an NBC-Wall Street Journal poll. Now, six months later, 37 percent have confidence in the FBI, while 27 percent don't — and Republicans and Democrats are almost identical in their views.

Comey's trouble began with his announcement, on the eve of the national political conventions, that no reasonable prosecutor would bring charges against Clinton over the emails. His no-prosecution recommendation infuriated congressional Republicans. This criticism must have stung, since Comey, a former George W. Bush administration official, then took a series of actions that seemed designed to repair his reputation with Republicans.

First, he refused to join an administration statement on Oct. 7 naming Russia as the perpetrator of hacks of American political organizations. He reasoned that the FBI shouldn't be seen as injecting itself into politics so close to an election.

Comey made a mockery of such considerations when he delivered his October Surprise later that month, defying warnings from the Justice Department and ignoring long-standing guidelines by announcing that he was reopening the Clinton probe.

It probably wasn't done to torpedo Clinton, though that was the result. The most convincing explanation: Comey feared that already irate congressional Republicans, if they were to learn that he didn't disclose the new discovery of Clinton emails, would have trashed his integrity. And Republicans were certain to find out. The Trump campaign's Rudy Giuliani, the recipient of leaks apparently originating with anti-Clinton agents in the FBI's New York office, had already signaled that big news was about to break.

Since the election, Comey has continued to protect his reputation — at considerable cost. Earlier this month, news broke that the CIA had concluded Russia intervened in the election to help Trump. But FBI officials resisted joining the conclusion.

Perhaps Comey was again trying to keep his agency and himself above the fray, but the FBI's mush helped Trump dismiss the CIA's findings. The matter turned into a partisan fight rather than the national-security concern it should be. After several days, and the intervention of the director of national intelligence, Comey finally acknowledged the obvious: that the FBI, too, believes the Russians tried to help Trump.

Did Comey mean to become Trump's elector, and now his protector? Probably not. But in the end, motives count for less than outcomes. And Comey's have been ruinous.

James B. Comey

From:	James B. Comey
Sent:	Wednesday, December 21, 2016 6:53 PM
To:	Rybicki, James E. (DO) (FBI)
Subject:	RE:

Wasn't there. Will call me back.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" <[redacted]>
Date: 12/21/16 3:24 PM (GMT-05:00)
To: "James B. Comey" <[redacted]>
Subject: RE:

b6
b7C
b7E

You will call him at 6:30 ([redacted]. There is a chance he may be late from the PC that is occurring at 5pm. Respectfully.

From: Rybicki, James E. (DO) (FBI)
Sent: Wednesday, December 21, 2016 3:23 PM
To: 'jbc.dir@ic.fbi.gov' <jbc.dir@ic.fbi.gov>
Subject:

FBI director under pressure to explain Clinton bombshell

By Katie Bo Williams - 12/21/16 06:00 AM EST 6,518comments

6,271shares

Six weeks since Hillary Clinton's surprise loss in the presidential election, FBI Director James Comey is under pressure to justify the bombshell announcement that rocked the final days of the campaign.

Democrats, still smarting from the Nov. 8 loss, have lashed out at Comey as the architect of the Democratic nominee's defeat.

"James Comey cost her the election," former president Bill Clinton

Now, speculation has begun to swirl that Comey will publicly address the charges of partisanship.

Several former FBI officials told The Hill that they have heard Comey is now weighing a possible press appearance after Trump is inaugurated on Jan. 20 to tell his side of the story.

The FBI declined to comment for this report.

Eleven days before the election, Comey shocked the political world with a letter informing Congress that investigators had discovered new emails that could be relevant to its probe, then considered completed, of Hillary Clinton's use of a private email server while she was secretary of State.

Comey for months defended the integrity of the probe — first against Republicans when he declined to recommend charges against Clinton in the first place, and more recently against Democrats and internal critics who said his eleventh-hour disclosure unfairly damaged Clinton.

The former prosecutor has made few media appearances over the course of his career — he did sit for a "60 Minutes" interview in 2014 — but he has been forced into the harsh glare of camera lights throughout the past year.

He was thrust into the spotlight after Attorney General Loretta Lynch sparked outrage by meeting with Bill Clinton before the conclusion of the investigation this summer — a meeting they described as social — forcing her to announce that she would abide by whatever recommendation Comey made in the case.

Comey was then open publicly with the FBI's reasoning in declining to recommend charges against Hillary Clinton, holding a detailed press conference announcing its conclusion and later appearing before Congress in an open setting multiple times.

But he has been notably silent since his Oct. 28 letter to Congress.

Democrats, appalled by the fallout from his letter to Congress, have argued that Comey's disclosure in the final days leading up to the election was a massive break from bureau policy that blunted Clinton's path to the White House. They say that although the FBI announced two days before the election that the new emails would not change its conclusion in Clinton's case, the damage was done.

Critics hammered Comey's vague letter for igniting a firestorm of speculation that the new emails contained a "smoking gun" — without providing any substantive information for voters to judge.

"Today's disclosure might be worst abuse yet. DOJ goes out of its way to avoid publicly discussing investigations close to election," former Department of Justice spokesman Matthew Miller said in a tweetstorm at the time. "This might be totally benign & not even involve Clinton. But no way for press or voters to know that. Easy for opponent to make hay over."

Trump did in fact run with Comey's announcement on the campaign trail, repeatedly telling supporters that the emails must contain something truly damning.

"I have a feeling those emails are going to be — whoa, there are going to be some beauties in there. Can you imagine? She's been deleting all the time, deleting," he said at a Florida rally shortly after the announcement.

Clinton herself has since told donors that she believes Comey's disclosure raised "doubts that were groundless, baseless, proven to be, stopped our momentum."

It's unclear how much of an effect the last-minute news had at the ballot box, but Trump's narrow win in a number of battleground states and Clinton's lead in the popular vote tally are giving fuel to those who say her loss could have been avoided.

One of Trump's pollsters, veteran political strategist Tony Fabrizio, said just five counties made the difference: four in Florida and one in Michigan.

And post-election analysis from data guru Nate Silver and others has suggested that some voters shifted to Trump in

the final weeks of the election, though he notes that the analysis is not cause-and-effect.

Comey himself was aware of the risks associated with the late October missive. In an internal memo to FBI employees, he acknowledged that "there is significant risk of being misunderstood."

"We don't ordinarily tell Congress about ongoing investigations, but here I feel an obligation to do so given that I testified repeatedly in recent months that our investigation was completed," Comey wrote. "I also think it would be misleading to the American people were we not to supplement the record."

Comey has a reputation as an independent and principled lawman — which some critics say has led him to operate outside of important institutional norms.

Others say Comey had no choice but to inform Congress of the existence of the emails — when he chose to go public with the details of the investigation's findings over the summer, he pinned himself in a corner when the bureau realized it might have more work to do.

But throughout, Comey has been strident in his defense of the probe.

"You can call us wrong, but don't call us weasels. We are not weasels," Comey said during a House Judiciary Committee hearing during which Republicans suggested he had caved to political pressure from above.

"We are honest people and ... whether or not you agree with the result, this was done the way you want it to be done."

Pressure to speak out is mounting as more details emerge about the circumstances surrounding the discovery of the new emails.

The search warrant used to go through the emails, unsealed Tuesday, confirmed that Comey delivered his letter to Congress two days before the warrant was granted — meaning that investigators didn't yet know what was in them.

Investigators found emails they thought might be pertinent to Clinton's investigation when they sorted and scanned the header information of messages stored on a laptop seized as part of an investigation into former Rep. Anthony Weiner (D-N.Y.).

The former New York congressman was under investigation for allegedly sending sexually explicit messages to a minor. Weiner is married to longtime Clinton aide Huma Abedin, though the two are separated.

Some of the accounts used on the seized computer correlated with those used by Clinton and her aides during her tenure at Foggy Bottom — accounts that investigators previously concluded had been used inappropriately, the newly released documents show.

The FBI told a federal judge it believed that was sufficient to show there was probable cause that the computer contained classified information pertinent to the Clinton probe.

James B. Comey

From:	James B. Comey
Sent:	Wednesday, December 28, 2016 1:13 PM
To:	Rybicki, James E. (DO) (FBI); McCabe, Andrew G. (DO) (FBI); Baker, James A. (OGC) (FBI)
Subject:	Fwd: A weird development

-------- Original message --------
From: Reinhold Niebuhr <[redacted]> b6 b7C b7E
Date: 12/28/16 1:11 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Fwd: A weird development

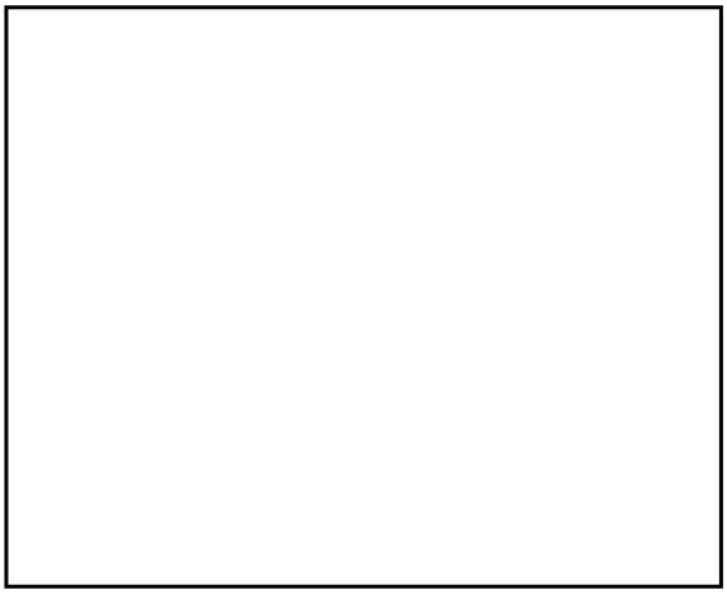
---------- Forwarded message ---------
From: [redacted]
Date: Wed, Dec 28, 2016 at 11:48 AM
Subject: A weird development
To: Reinhold Niebuhr <[redacted]>

Hey there--
I'm writing because a very strange document has crossed my desk that may--or may not--have implications for investigations you guys are conducting. Under normal circumstances, I would simply assume that the document is either a fraud or that you guys already know all about it. (Both may well be true, as it is.) The wrinkle here is that the document--which purports to be a series of reports/dispatches by a private British intel company on Trump and Russia and the hacking and contains a number of highly-detailed accounts stuff that would be explosive if alleged publicly--is being furiously investigated by, at a minimum, the Wall Street Journal (the document was given to me by [redacted]. What's more, it seems to already be in the hands of the SSCI. I wouldn't be surprised if it's also in the hands of other congressional committees.

I want to stress that I have NO idea if it is authentic, much less accurate. But I thought I would alert you to it in case, for some reason, it hasn't made its way to your people long ago. I'm happy to put you in touch with [redacted] if you're interested in hearing his account of what it is, or I can just forward a copy to you. b6 b7C

Hope you're doing well. It was great seeing you a couple of weeks ago.

Happy New Year.
[redacted]



b6
b7C

If you want to send me encrypted communications, here is my PGP Public Key

James B. Comey

From: James B. Comey
Sent: Wednesday, January 4, 2017 6:37 PM
To: Rybicki, James E. (DO) (FBI)
Subject: RE: WSJ: Donald Trump Plans Revamp of Top U.S. Spy Agency

Thanks.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 1/4/17 5:59 PM (GMT-05:00)
To: "James B. Comey" [redacted], "McCabe, Andrew G. (DO) (FBI)" [redacted]
Cc: "Kortan, Michael P. (DO) (FBI)" [redacted]
Subject: WSJ: Donald Trump Plans Revamp of Top U.S. Spy Agency

Donald Trump Plans Revamp of Top U.S. Spy Agency

President-elect works with advisers on restructuring Office of the Director of National Intelligence

By
Damian Paletta and
Julian E. Barnes

Updated Jan. 4, 2017 5:54 p.m. ET

552 COMMENTS

WASHINGTON—President-elect Donald Trump, a harsh critic of U.S. intelligence agencies, is working with top advisers on a plan that would restructure and pare back the nation's top spy agency, people familiar with the planning said, prompted by a belief that the Office of the Director of National Intelligence has become bloated and politicized.

The planning comes as Mr. Trump has leveled a series of social media attacks in recent months and the past few days against U.S. intelligence agencies, dismissing and mocking their assessment that the Russian government hacked emails of Democratic groups and individuals and then leaked them last year to WikiLeaks and others in an effort to help Mr. Trump win the White House.

One of the people familiar with Mr. Trump's planning said advisers also are working on a plan to restructure the Central Intelligence Agency, cutting back on staffing at its Virginia headquarters and pushing more people out into field posts around the world. The CIA declined to comment on the plan.

"The view from the Trump team is the intelligence world [is] becoming completely politicized," said the individual, who is close to the Trump transition operation. "They all need to be slimmed down. The focus will be on restructuring the agencies and how they interact."

In one of his latest Twitter posts on Wednesday, Mr. Trump referenced an interview that WikiLeaks editor in chief Julian Assange gave to Fox News in which he denied Russia had been his source for the thousands of emails stolen from Democrats and Hillary Clinton advisers, including campaign manager John Podesta, that Mr. Assange published.

Mr. Trump tweeted: "Julian Assange said 'a 14 year old could have hacked Podesta'—why was DNC so careless? Also said Russians did not give him the info!"

Mr. Trump has drawn criticism from Democratic and Republican lawmakers and from intelligence and law-enforcement officials for praising Russian President Vladimir Putin, for attacking American intelligence agencies, and for embracing Mr. Assange, long viewed with disdain by government officials and lawmakers.

"We have two choices: some guy living in an embassy on the run from the law...who has a history of undermining American democracy and releasing classified information to put our troops at risk, or the 17 intelligence agencies sworn to defend us," said Sen. Lindsey Graham (R., S.C.). "I'm going with them."

But for Mr. Trump and some of his supporters, the accusations of Russian hacking and the criticism of WikiLeaks are seen as an effort to delegitimize the president-elect's victory.

Since his November election, Mr. Trump has published close to 250 Twitter posts. Of those, 11 have focused on Russia or the election-related cyberattacks. In each of those tweets, Mr. Trump either has flattered Russian President Vladimir Putin—last month calling him "very smart"— or disparaged the investigation into the hacks.

This stands in contrast to his posts on other issues and countries, such as North Korea or China, where his views on national security risks line up more squarely with U.S. spy agencies.

The Office of the Director of National Intelligence was established in 2004 in large part to boost coordination between intelligence agencies following the Sept. 11, 2001 terror attacks.

Many Republicans have proposed cutting the ODNI before, but this has proven hard to do in part because its mission centers are focused on core national security issues, such as counterterrorism, nuclear proliferation, and counterintelligence.

"The management and integration that DNI focuses on allows agencies like the CIA to better hone in on its own important work," said Rep. Adam Schiff (D., Calif.), the ranking Democrat on the House Intelligence Committee, who believes dismantling the ODNI could lead to national security problems.

Mr. Trump's advisers say he has long been skeptical of the CIA's accuracy, and the president-elect often mentions faulty intelligence in 2002 and 2003 concerning Iraq's weapons programs. But he has focused his skepticism of the agencies squarely on their Russia assessments, which has jarred analysts who are accustomed to more cohesion with the White House.

Top officials at U.S. intelligence agencies, as well as Republican and Democratic leaders in Congress, have said Russia orchestrated the computer attacks that hacked and leaked Democratic Party emails last year. President Barack Obama ordered the intelligence agencies to produce a report on the hacking operation, and he is expected to presented with the findings on Thursday.

Russia has long denied any involvement in the hacking operation, though Mr. Putin has said releasing the stolen emails served a public service.

The heads of the CIA, Federal Bureau of Investigation, and Director of National Intelligence James Clapper are scheduled to brief Mr. Trump on the findings on Friday. Mr. Trump tweeted late Tuesday that this meeting had been delayed and suggested that the agencies still needed time to "build a case" against Russia.

White House officials said Mr. Trump will be briefed on the hacking report as soon as it is ready. White House officials have been increasingly frustrated by Mr. Trump's confrontations with intelligence officials.

"It's appalling," the official said. "No president has ever taken on the CIA and come out looking good."

Among those helping lead Mr. Trump's plan to restructure the intelligence agencies is his national security adviser, Lt. Gen. Michael Flynn, who had served as director of the Defense Intelligence Agency until he was pushed out by DNI James Clapper and others in 2013. Also involved in the planning is Rep. Mike Pompeo (R., Kan.), who Mr. Trump selected to be his CIA director.

Lt. Gen. Flynn didn't respond to a request for comment and Mr. Pompeo declined to comment.

Mr. Trump shares the view of Lt. Gen. Flynn and Mr. Pompeo that the intelligence community's position that Russians tried to help his campaign is an attempt to undermine his victory or say he didn't win, the official close to the transition said.

Mr. Flynn will lead the White House's National Security Council, giving him broad influence in military and intelligence decisions throughout the government. He is also a believer in rotating senior intelligence agencies into the field and reducing headquarters staff.

Current and former intelligence and law-enforcement officials have reacted with a mix of bafflement and outrage to Mr. Trump's continuing series of jabs at U.S. spies.

"They are furious about it," said one former senior intelligence official, adding that a retinue of senior officials who thought they would be staying on in a Hillary Clinton administration now are re-evaluating their plans following Mr. Trump's election.

Current and former officials said it was particularly striking to see Mr. Trump quote Mr. Assange in tweets.

"It's pretty horrifying to me that he's siding with Assange over the intelligence agencies,'' said one former law-enforcement official.

Paul Pillar, a 28-year veteran of the CIA who retired in 2005, said he was disturbed by Mr. Trump's tweets and feared much of the intelligence community's assessments could be filtered through Lt. Gen. Flynn, chosen by Mr. Trump as his national security adviser.

"I'm rather pessimistic," he said. "This is indeed disturbing that the president should come in with this negative view of the agencies coupled with his habits on how he absorbs information and so on that don't provide a lot of hope for change."

—Carol E. Lee, Shane Harris, Devlin Barrett, Felicia Schwartz an, Siobhan Hughes contributed to this article.

Write to Damian Paletta at damian.paletta@wsj.com and Julian E. Barnes at julian.barnes@wsj.com

James B. Comey

From:	James B. Comey
Sent:	Thursday, January 5, 2017 12:37 PM
To:	Rybicki, James E. (DO) (FBI)
Subject:	RE: ABCNews

Wow. Sounds like the Director wrote a great message. At least it held for two days.

-----Original Message-----
From: Rybicki, James E. (DO) (FBI)
Sent: Thursday, January 05, 2017 11:19 AM
To: James B. Comey [redacted] b7E
Subject: ABCNews

Addressing Email Controversy and Other Challenges, FBI Director Still Stands By Decisions

By Mike Levine

In his first publicly-revealed comments since Donald Trump was elected president of the United States, FBI Director James Comey said he stood by his controversial decisions in the midst of what he called a "contentious election cycle."

"I would be lying if I said the external criticism doesn't bother me at all, but the truth is, it doesn't bother me much because of the way we made the decision," Comey said in a New Year's message to FBI personnel this week. "At every turn last year, we were faced with choosing among bad options and making decisions we knew would bring a torrent of criticism."

Comey's lengthy message was intended to telegraph the agency's mission and "vision" for the coming year, noting the FBI's vast cyber-related work, its extensive criminal efforts fighting corruption and violence, and its unending counterterrorism operations, particularly related to what he called "the collapsing 'Islamic State.'" The message also described advances in hiring and technology, and the hardships facing FBI personnel.

2016 was, to put it mildly, a challenging year," Comey wrote, alluding to the deadly shooting of a militia member who helped take over a federal wildlife refuge in Oregon; the deadly terrorist attack inside a nightclub in Orlando, which was carried out by someone previously on the FBI's radar; and the heavily-scrutinized investigation into Hillary Clinton's private email server.

As it always is, our work was subject to a fair amount of second-guessing ... [but] I am very proud of the way we approached the work," Comey said in his message, echoing sentiments in previous notes to his workforce.

While Comey did not specifically cite his decision to publicly detail the FBI's conclusions in the Clinton email probe, or his decision to disclose new steps in the investigation just days before the election, he likely had those moves in mind when writing the message this week.

"People often ask me what we should do to respond to those who have questions or concerns about the FBI in the wake of a contentious election cycle. 'Do great work' is my answer," Comey told FBI personnel. "Actions speak so much louder than words ... Just stay at it and be your honest, competent, and independent selves."

"When you know you have made decisions thoughtfully and consistent with your values, it is freeing, in a way," Comey added.

Many Trump critics have accused Comey of throwing the election to Republicans. And just days after the election, Hillary Clinton said Comey's letter to Congress disclosing new steps and newly-discovered messages in the email investigation blunted her presidential campaign's growing momentum.

Even before the letter became public, Attorney General Loretta Lynch and other senior Justice Department officials implored Comey not to send the letter, telling FBI counterparts that doing so would violate long-standing tradition and could potentially influence the outcome of the election, sources familiar with the matter told ABC News at the time.

Comey later said he felt compelled to notify Congress because he had previously assured lawmakers and the public that the FBI investigation was "completed." Nevertheless, a review of the newly-discovered emails found most of them to be duplicates, and no charges were filed.

While "the media focused" on such matters, FBI agents worked "in so many other places and in so many other ways to protect America," Comey wrote in his message this week.

"[It's] hard to capture all the good we have done, both for innocent people and to make ourselves better as an organization," he added.

He also noted the tough environment facing law enforcement officers across the country.

"As we look back at our work, we should always remember our people are in harm's way," he said, noting that 19 FBI agents were "shot or severely injured in line of duty in 2016."

"We also lost far too many of our state and local partners in the line of duty," and "each incident serves as a reminder that our agent colleagues do very dangerous work," according to Comey.

In his message, Comey did not mention FBI work on election-related hacks that the FBI and others in the U.S. intelligence community have attributed to the Russian government.

Trump has questioned that conclusion, and Comey is expected to participate in a briefing tomorrow in New York laying out classified details of the U.S. government's findings pointing to Russia.

Comey ended his New Year's message with this: "Whatever challenges 2017 brings, we will be ready, protecting the American people and upholding the Constitution of this extraordinary country."

James B. Comey

From:	James B. Comey
Sent:	Saturday, January 7, 2017 3:57 PM
To:	[redacted](DO) (OGA)
Cc:	Rybicki, James E. (DO) (FBI)
Subject:	Fwd: negative take on your policing speeches
Attachments:	Donohue on Crime -- Columbia Law Review.docx

b6
b7C

Take a look at this and let me know yiur thoughts next week. Thanks.

-

-------- Original message --------
From: Reinhold Niebuhr <[redacted]>
Date: 1/7/17 3:47 PM (GMT-05:00)
To: "James B. Comey" <[redacted]>
Subject: Fwd: negative take on your policing speeches

b6
b7C
b7E

---------- Forwarded message ---------
From: [redacted]
Date: Sat, Jan 7, 2017 at 3:39 PM
Subject: negative take on your policing speeches
To: Jbc <[redacted]>

b6
b7C

[redacted]

b6
b7C

Comey, Trump, and the Puzzling Pattern of Crime in 2015 and Beyond

John J. Donohue[1]
January 5, 2017

What a difference a decade makes. In 2006, 45 percent of Americans were worried a great deal about crime. In 2016, the number jumped to 53 percent, the highest level since 9/11 which was the last time a majority of Americans had expressed that view. This increase in the level of fear buoyed Donald Trump to the Presidency on his promise to restore law and order. But since 2006, the murder rate had dropped 15.6 percent, violent crime had fallen 22.3 percent, and property crime had fallen 25.7 percent – according to the latest FBI data of 2015. If the US in 2015 had had the same murder rate as it had in 2006 (5.78 per 100,000), almost three thousand more murders would have taken place in 2015 than the 15,696 that did occur. How then did 2015 come to symbolize a nightmare of exploding violent crime that could aid the fortunes of the law and order candidate? Welcome to the uncertain and unpredictable world of crime in the U.S.

Through 2014, the broad statistical picture of crime during the term of President Obama was a largely congenial one. Despite some hiccups, every major crime category had been trending down in the first six years of his administration. Talk of evidence-based criminal justice reform was in the air, resort to the ineffectual death penalty was waning (with a number of states entirely jettisoning the costly and controversial punishment),[2] and sensible proposals to reduce mass incarceration in a way that did not create risks to the public were being debated.

Although the 2014 murder rate was the lowest such rate in the United States since 1957, in October of 2015, FBI Director Jame Comey delivered a controversial speech at the University of Chicago Law School, in which he highlighted the jump in murders that had begun earlier that year. Comey issued a dire prediction about a violent crime explosion, which he largely attributed to urban, black crime resulting from the impact on police caused by the Black Lives Matter movement, which he did not reference by name. What a decade earlier might have seemed a dream year in crime, 2015 was now painted as a crime nightmare. Comey's remarks were at once infuriating to both supporters of the movement as well as the police, but quickly embraced by Donald Trump, who made the need to re-establish law and order a centerpiece of his political campaign. Trump then proceeded to deliver the most outlandish set of falsehoods about crime during a Presidential election since the Republican effort in 1996 to persuade Americans that they should take no comfort from one of the greatest drops in crime in American history because of the (wholly fictitious) "coming generation of super-predators.[3]

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[1] C. Wendell and Edith M. Carlsmith Professor of Law, Stanford Law School, and Research Associate, National Bureau of Economic Research. I want to thank Maggie Yellen, Bhargav Gopal, and Isaac Rabbani for invaluable research assistance and Stanford University for research support.

[2] "The Continuing Collapse of the Death Penalty," The New York Times, December 26, 2016, http://mobile.nytimes.com/2016/12/26/opinion/the-continuing-collapse-of-the-death-penalty.html

[3] The calculated and dishonest scheme to spur fear of crime was launched in an effort to defeat Bill Clinton in his 1996 bid for re-election. With crime in virtual free-fall during the first term of the Clinton Administration, one might have thought that the Republicans would have shied away from this issue. Instead, they enlisted some misguided or dishonest academics and concocted a narrative of "a ticking crime bomb that was about to explode," unleashing a new generation of "super-predators" that would generate a crime increase so massive that "it would make 1995 look like the good old days." The shameful campaign of deception failed, since Clinton was re-elected, and – contrary to the loudly proclaimed fear-mongering -- crime continued to drop sharply throughout his Presidential term.

The lies unleashed in 1996 were about the future and therefore not easily subject to immediate refutation. What made Trump's deceptions so brazen was they were about factual matters that could easily be checked. Shortly after the Comey speech, Trump picked up on the race and crime theme by tweeting under a title "USA Crime Statistics – 2015" with a picture of a black man with a gun, a set of statistics stating that 81 percent of murdered whites were killed by blacks.[4] The number is ludicrous since murder is overwhelmingly intra-racial, but such claims encourage belief in the false narrative that the overwhelming threat to whites comes from black criminals. The graphic cited the "Crime Statistics Bureau," a non-existent organization, yet when confronted about this by Bill O'Reilly, Trump replied: "I retweeted somebody that was supposedly an expert. Am I gonna check every statistic?"[5] Indeed, since Trump was tweeting the nonsense only a few months after the deeply troubled white racist killer Dylann Roof was expressing similar nonsensical ideas about "black-on-white crime" in his manifesto justifying his killing of nine members of a black church in Charleston, South Carolina in June 2015, one might have thought he would have listened to the corrective news stories on this topic rather than the erroneous rantings of white supremacists.[6]

In the days leading up to the election, Trump repeatedly made egregiously incorrect claims about the murder rate in the United States. For example, at a campaign rally in Cedar Rapids, Iowa, Oct. 28, 2016, Trump announced: "You won't hear this from the media: We have the highest murder rate in this country in 45 years. You don't hear that from these people. They don't want to talk about it. The highest murder rate in the United States in 45 years."

Day after day on the campaign trail, Trump repeated the identical false assertion that the murder rate is the highest it has been in 45 years.[7] Amazingly, the press was not willing or able to effectively refute his wildly inaccurate claims. In fact, while the *jump* in the murder rate was the highest in many years, the murder rate in 2015 was around 50 percent lower than at its peak in 1991. Prior to Obama's Presidency the last time the U.S. murder rate was as low as it was in 2015 was in 1963 – 52 years ago! Is it possible to believe that the billionaire businessman did not understand the difference between the *percentage change* in the murder rate from 2014 to

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[4] Jon Greenberg, "Trump's Pants on Fire tweet that blacks killed 81% of white homicide victims," Politifact, November 23, 2015, http://www.politifact.com/truth-o-meter/statements/2015/nov/23/donald-trump/trump-tweet-blacks-white-homicide-victims/

[5] Ezra Klein, "Donald Trump is too gullible to be president," Vox, March 15, 2016, http://www.vox.com/2016/3/15/11225128/donald-trump-gullible-internet

[6] The dangerous nonsense that Trump was tweeting captured one of Roof's core beliefs. Six weeks after his arrest for the murders, Roof wrote: "I would like to make it crystal clear I do not regret what I did. I am not sorry. I have not shed a tear for the innocent people I killed. I do feel sorry for the innocent white children forced to live in this sick country and I do feel sorry for the innocent white people that are killed daily at the hands of the lower race." Alan Blinder and Kevin Sack, "Dylann Roof, Addressing Court, Offers No Apology or Explanation for Massacre," The New York Times, Jan. 4, 2017, http://www.nytimes.com/2017/01/04/us/dylann-roof-sentencing.html?&hp&action=click&pgtype=Homepage&clickSource=story-heading&module=first-column-region&region=top-news&WT.nav=top-news&_r=0

[7] For further fact-checking of Donald Trump's claims on crime, see, e.g. Lori Robertson, "Dueling Claims on Crime Trend" The Wire, July 13, 2016, http://www.factcheck.org/2016/07/dueling-claims-on-crime-trend/ and Bump, Philip "Donald Trump's understanding of the historical nature of crime is upside down." The Washington Post, August 29, 2016.

2015 and the *level* of the murder rate in 2015? He was either lying or grossly incompetent. Was there no one in the Trump camp who knew the facts about crime? Was no one willing to tell him what he was saying was outrageously inaccurate? Did Trump care? This does not bode well for the next four years.[8]

On the night that the tape was released of Trump's highly controversial comments on the bus with Billy Bush, Trump parried by insisting that the focus must be on the serious problems that plagued the country, such as the fact that crime was higher now than when Barack Obama took office. This was Trump's go-to issue at a critical moment, but the claim was absolutely false. Under both UCR and NCVS crime measures, the country was better off in 2015 than before Obama's presidency: the murder rate decreased from 5.42 murders per 100,000 in 2008 to 4.88 murders per 100,000 in 2015, while UCR violent crime went from 458.6 per 100,000 to 383.2 per 100,000 and NCVS violent crime went from 19.3 to 18.6 per 1000 person age 12 or older over the same period. The property crime drops during the first seven years of the Obama administration were even larger.[9]

At the same time that Comey and Trump were making provocative comments on race and crime, with strong backing from the right-wing media, the Brennan Center was simultaneously downplaying the size and significance of the large jump in the murder rate. Police researcher Peter Moskos derided the comforting claims, saying "I expect better from the left-leaning but usually respectable Brennan Institute for Justice. This is like Heritage Foundation bullshit, but coming from the Left." Conservative columnist Heather MacDonald was writing of "The New Nationwide Crime Wave" resulting "as officers scale back on proactive policing under the onslaught of anti-cop rhetoric."[10] In response, Darrel Stephens, executive director of the Major Cities Chiefs Association and former police chief in Charlotte for nine years, spoke for many in law enforcement in stating that, "I personally don't really believe that police officers across America have pulled back from doing their job."[11]

A May 2016 New York Times editorial summarized some of the critical responses to Comey's remarks:

> Mr. Comey came under intense criticism [for his] speech last fall. He repeated the idea at a news briefing in Washington last week, when he said that speaking to police officials around the country had led him to believe that a "viral video effect" had made officers wary of confronting suspects and "could well be at the heart" of an increase in crime in some places.

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[8] Trump's insistence in the days before the election on the guilt of the five boys who were exonerated by DNA evidence for the infamous Central Park rape was another troubling example of his lack of judgment and disregard for the truth. Sarah Burns, "Why Trump Doubled Down on the Central Park Five," The New York Times, October 17, 2016.http://www.nytimes.com/2016/10/18/opinion/why-trump-doubled-down-on-the-central-park-five.html

[9] Property crime dropped from 3214.6 per 100,000 in 2008 to 2487.0 per 100,000 in 2015 in the UCR and from 134.7 to 110.7 victimizations per 1,000 household in the NCVS over the same period.

[10] Heather Mac Donald, "The New Nationwide Crime Wave." The Wall Street Journal, May 29, 2015 (http://www.wsj.com/articles/the-new-nationwide-crime-wave-1432938425)

[11] Max Ehrenfreund and Denise Lu, "More people were killed last year than in 2014, and no one's sure why,"The Washington Post, January 27, 2016.

> Law enforcement organizations are outraged. The National Fraternal Order of Police accused Mr. Comey of saying the police officers were afraid of doing their jobs. Law Enforcement Leaders to Reduce Crime and Incarceration, a group of more than 165 police chiefs and prosecutors, denounced the "viral video" comment as "unfounded, and frankly, damaging to the efforts of law enforcement."
>
> Intentionally or not, Mr. Comey's remark fed into the false notion that the country is entering a crime wave that is some how related to the public backlash against police brutality.[12]

But as Comey continued to support the Heather MacDonald view, the White House Press Secretary responded to Comey's de-policing thesis in May 2016: "there still is no evidence to substantiate the claim that the increase in violent crime is related to an unwillingness of police officers to do their job, [and] the President's point is that as we consider policy approaches to addressing those communities where we've seen an uptick in violent crime, we need to be making policy decisions that are based on facts and evidence, and not anecdotes."

Comey was essentially making three different points: 1) there was an explosion of murder and violent crime in the black community in 2015 that represented an abrupt change from 2014; 2) this change was caused by a widespread pattern of de-policing in cities across the nation because of the emergence of the Black Lives Matter movement; and 3) he wanted a careful examination of the data on violent crime and murder. While it might have been better if the careful examination of crime data had occurred prior to the publication of Comey's controversial remarks, this paper will try to provide the detailed analysis that Comey called for.

As we will see, there were many different crime measures that were available to the FBI director but he chose to focus only on the spike in murders, which generated the most negative message on crime. Comey was correct about the sharp jump in post-2014 murders but wrong about the explosion in violent crime, and he offered no evidence on the exclusive racial dimension of the murder rate jump, which was unlikely given the widespread nature of the murder hike. Moreover, Comey had no evidence for his causal de-policing claim, which is an implausible explanation for the pattern of crime observed in 2015. A comprehensive analysis of all federal crime data for the year reveals that the full picture of crime in 2015 was more complex than Comey's remarks suggested. In contrast to the terrible news on murders, the news about property crime in 2015 continued to be entirely positive and the news about violent crime overall was mixed and complicated, but again far more positive than Comey's apocalyptic claims would have suggested. What is it that most Americans should have known about crime going into this presidential election? What exactly is happening with crime right now, and can we assess at this early stage whether we are witnessing a reversal of a long-term downward trend in crime?

Section I discusses the major trends in crime over the last half-century and notes that, because of the enormous post-1993 crime drop, we are currently in a relatively good position in terms of crime, as long as the spike in murder does not persist. Nonethelsess, the implicit crime rate of

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[12] Editorial, Don't Blame the Video, New York Times, May 16, 2016, http://mobile.nytimes.com/2016/05/16/opinion/dont-blame-the-video.html?emc=edit_ty_20160516&nl=opinion&nlid=69719608&_r=0&referer=

today is quite a bit higher than the crime rate of, say, 1960 because we have suppressed crime through a massive increase in incarceration and large increases in the number of police. Section II takes a closer look at crime in 2015 and Section III distills the stylized facts that while the news for murder was quite bad and the news for property crime was quite good, there are conflicting signals about what really happened to violent crime in 2015. Nonetheless, we can say with confidence that Comey was incorrect in saying there was an overall violent crime explosion in 2015 (although one might speak in those terms for the jump in murders).

Having established the basic facts of crime in 2015, we then turn in Section IV to an examination of the major causal influences on crime in that year. Declining incarceration and police, and growing markets for illegal drugs were large stimulants to crime, particularly for murder, while a series of unique factors have led to lower property crime. Section V points out the imprecision in Comey's de-policing hypothesis and notes that it likely has little causal significance for the nationwide jump in homicides in 2015, even if some version of it can apply in selected cities at particular times. Section VI concludes, noting that Comey and Trump probably contributed to an increase in the public's apprehension of crime, which likely aided Trump's law and order candidacy.

I. The Major Trends in U.S. Crime Over the Last Half Century

In his initial October 2015 speech and his continuing subsequent commentary, FBI Director James Comey made a number of specific factual claims. After mentioning the large jump in crime that occurred in the late 1980s, fueled by the crack epidemic, Comey announced:

> "I fear **we are facing another wave of violent crime and homicide**, and **our communities are once again in trouble.**
>
> "In cities **across the country, we are seeing an explosion of senseless violenc**e.

Comey then stated in the section of his speech titled "**Rising Violent Crime Rates**:"

> "…**something has changed in 2015. Far more people are being killed in America's cities this year than in many years**. And let's be clear: **far more people of color are being killed in America's cities this year**. And it's not the cops doing the killing.
>
> "Police chiefs say **the increase is almost entirely among young men of color, at crime scenes in bad neighborhoods** where multiple guns are being recovered….
>
> "What could be driving **an increase in murder in some cities across all regions of the country, all at the same time**? What explains this map and this calendar? Why is it **happening in all different places, all over and all of a sudden**?"

I have put in bold Comey's major factual claims about the explosion in 2015 of violent crime and murder across the nation at a level worse than we have seen in many years and that we are once again in trouble as we were during the high-crime years of the crack epidemic of the late 1980s. To assess these claims, I will begin by looking at the long-run trends in violent crime and murder to determine how we are doing today compared to the pre-1993 crime situation, and then

will look more closely at what is happening with violent crime in 2015 (and beyond to the limited extent the data allows). I will address causal stories, including Comey's de-policing explanation, but only after I have established the basic facts about murder and property crime and amassed the somewhat conflicting data on violent crime.

A. Trends in Murder After 1993

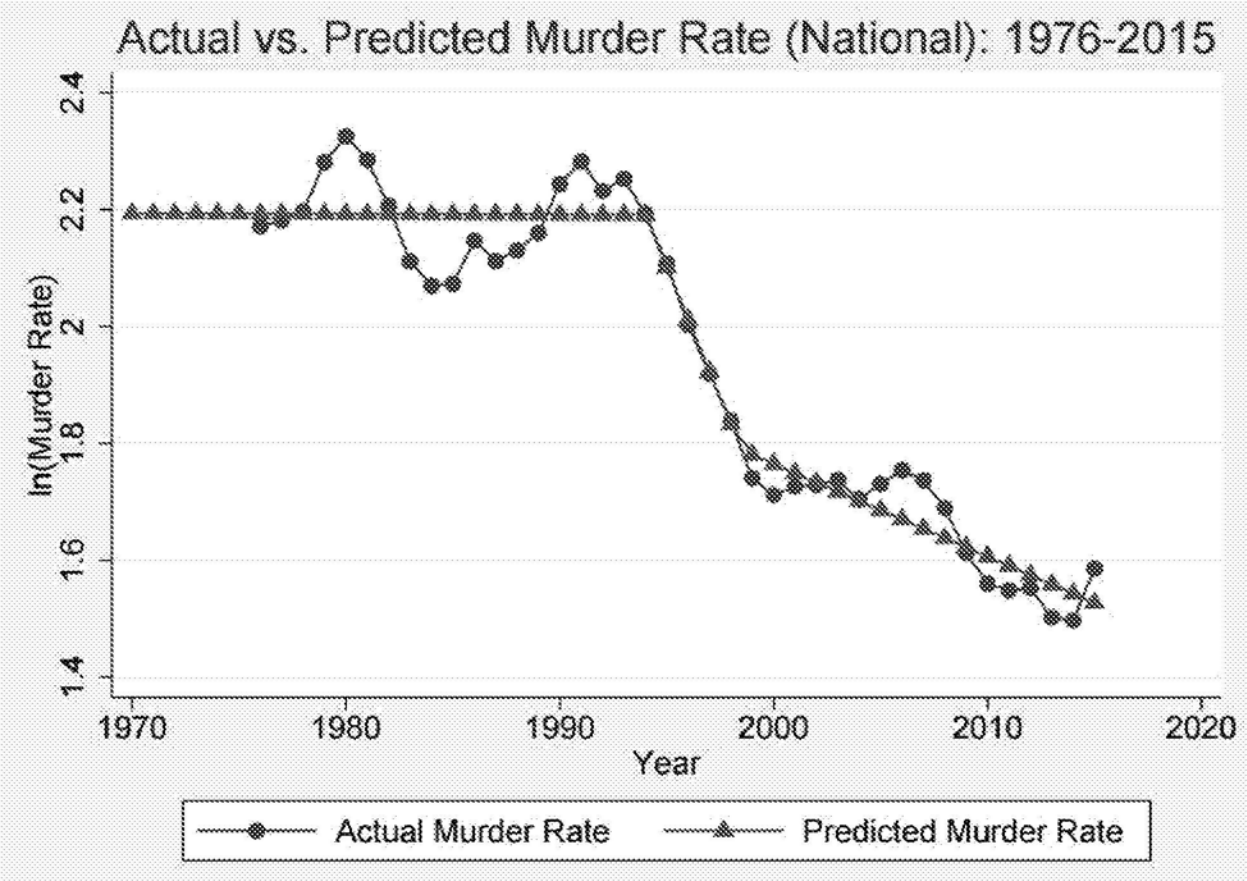
Figure 1 documents the path of the murder rate in the United States since 1976, and reveals that after astonishingly large drops in crime occurred during the Clinton years and a renewal of further drops through 2014 during the Obama Administration, the murder rate jumped up sharply in 2015. This final-year upward jump is the entire factual predicate for Comey's claims of an "explosion of violence" in 2015 (including its racial dimension). Note that after 1993, the murder rate dropped year after year at a brisk 9 percent per year before slowing to a trend rate drop of 1.6 percent per year. The fact that the post-2000 murder rate data fits so tightly on a downward linear trend – as reflected in the R-squared value of .95 for the entire time series – tells us that, as of 2015, even the dramatic one-year jump in the murder rate would not be enough to justify the conclusion that crime was suddenly on some sustained new upward trajectory.[13] Only time will tell if a long-time reversal in the murder rate has begun.

Figure 1 also enables us to evaluate Comey's factual claims that more people are being killed in America than in many years. The murder rate in the United States in 2015 was 4.88, and the first time it had dropped below 5 in decades was in 2010 when it fell to 4.8. While the increase in homicides in 2015 was alarming, the murder rate in 2015 stood out only in comparison to the exceptionally low murder rate of 4.5 of 2013 and 2014. The 4.88 murder rate in the U.S. that existed at the time Comey gave his University of Chicago speech was closer to the exceptionally low levels of the previous two years, then it was to the 5.4 per 100,000 rate in the final year of the Bush Administration. In the grand scheme of things, then, the comparatively low murder rate of 2015 performance looks rather good.

Nonetheless, the jump in the 2015 murder rate was unusually, indeed shockingly, large, representing roughly 1500 more murders than we would have had if the amazingly low (given American standards) 2014 rate could have been preserved. That would be a highly unfortunate development even if it were quickly reversed, but the U.S. is nowhere near the level of killing of the early 1990s, when the murder rate was roughly twice the level of 2015.

[13] Of course, many different trend lines could be drawn through the time series shown in Figure 1, but the depicted three-segment line is the figure that maximizes the R-squared value conditional on having only two break points. The resulting R-squared value is 0.95, which is a remarkably high value for such a sparse model.

Figure 1



Since murder is the rarest and hence most volatile of major crimes, a one-year jump can quickly return to trend, as it often has over the last forty years. But, the still incomplete evidence from selected cities this year – with no federal data yet available to indicate the national murder rate -- suggests that 2016 will again have an increase in the murder rate. Part way through 2016, Jeff Asher at 538 aggregated murder data for 79 cities with populations over 250,000. For these cities, the estimated increase in murder count – not rate -- is around 10.5 percent (compared to 14.7 percent for the same group in 2015); although without Chicago and Orlando (primarily due to the Pulse nightclub shooting that killed 49), that percent increase drops to 6.3 percent.[14] On December 19, 2016, the Brennan Center, looking at a smaller set of 26 of the 30 largest cities in America, projected that the 2016 murder rate would be 14 percent higher than in 2015 for those cities (which included the bloated murder jump in Chicago, diluted by fewer other locales).[15] Since the murder hike will be larger in the major urban areas than in the rest of the country, the combined information from these two data sets suggests that the murder rate will rise again in 2016, although probably less than in 2015. But even a 5 percent increase following last year's

[14] Jeff Asher, A Handful Of Cities Are Driving 2016's Rise In Murders, FiveThirtyEight.com (Oct. 6, 2016), available at http://fivethirtyeight.com/features/a-handful-of-cities-are-driving-2016s-rise-in-murders/

[15] Matthew Friedman, Ames Grawert, and James Cullen, "Crime in 2016: Updated Analysis," https://www.brennancenter.org/sites/default/files/analysis/Crime_in_2016_Updated_Analysis.pdf

9.95 percent increase in the murder rate would be a source of substantial concern given the size of the added body count, particularly if this were to signal a structural break in crime rather than a temporary deviation around the previous benign trend.[16] Even though many aspects of Comey's October 2015 remarks were subject to criticism, he was correct and indeed prescient in heralding a substantial two-year increase in murder, even before the end of 2015.

B. U.S. Crime Data – the UCR and NCVS

The FBI's Uniform Crime Reports (UCR) compiles crime data from 110,000 agencies into an annual, official report for the seven major "Index crimes." While the UCR data on homicides is quite reliable, the data on other crimes have some significant limitations. First, because the program is not mandatory, some agencies fail to submit any information, forcing the FBI to estimate the missing data. Second, among agencies that do submit, some of the reported information may suffer from errors or even intentional police department deception.[17] Finally, the police themselves do not hear of all the crimes. For a variety of reasons, victims often choose not to report crimes, and this is especially true in areas with low trust of police.

Thankfully, a second governmental data source -- the National Criminal Victimization Survey (NCVS) – tries to address some of these shortcomings. The NCVS is a national survey on crime administered by the U.S. Census on behalf of the Department of Justice. It consists of responses by approximately 49,000 households, which are randomly selected from "tracts" of similar housing units in order to generate a representative sample. Participants answer questions about recent victimizations, as well as whether they reported the crime to the police. By collecting data from citizens themselves, the NCVS side-steps the limitations of UCR counts based only on crimes known to police. Because of the relatively small sample, however, it can provide reliable annual crime estimates only at the national level.

While the goal of the NCVS and UCR data is to provide an accurate picture of violent and property crime in America, one needs to be mindful that they cover distinct subsets of crime. The most notable distinction is for murder, which is the best measured crime in the UCR, but which does not show up in a victim survey for obvious reasons.[18] The NCVS, meanwhile, includes simple assault and sexual assault, while the UCR Index I crimes are limited to the more serious crimes of aggravated assault and rape. Importantly, since the NCVS captures a great deal of the unreported crime that is not reflected in the UCR, the NCVS counts of violent and property crime tend to be far higher than the UCR measures. Finally, since the NCVS is based on a

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[16] Executive Director of the Major Cities Chiefs Association said "I don't know if we've got the beginning of a longer term trend in the change in violent crime…I think it's too soon for anybody to really know that for sure. Gabriel Dance and Tom Meagher, "Crime in Context" Marshall Project, August 18, 2016.

[17] In the year after a UCR release, agencies can continue to submit updated, corrected data. These corrections are reflected in the *national* total when the following year's UCR is released (that is, the 2015 *national* tables of the UCR contain adjustments for 2014). At some point, the FBI will also update the disaggregated data for 2014, but until it does, there will often be a discrepancy between the *national* growth of crime and the aggregated growth rate from the disaggregated state data The adjustment to the 2014 murder that the FBI issued when it published 2015 numbers, lowered the 2014 murder rate from 4.47 per 100,000 people to 4.44, which had the effect of elevating the increase in the murder rate for 2015 from 9.2% to 9.95%. For an extended discussion of flaws in the UCR data, see, e.g., Michael Maltz (1999), "Bridging Gaps in Police Crime Data," Bureau of Justice Statistics Discussion Paper, NCJ 176365.

[18] In addition, the UCR includes crimes against children under 11, while the NCVS does not.

sample, it will have a predictable amount of sampling error, which leads the NCVS to calculate standard errors for its estimates.[19] This means that a listed NCVS change in crime of, say, a drop of 3 percent with a standard error of 2 should be thought of as evidence that the actual change in crime that year is roughly between a *drop* in crime of 7 percent and an *increase* in crime of 1 percent (at the 95 percent confidence level). The bottom line, then, is that unless one is looking at murder, the reliability of any single-year movement in a UCR or NCVS crime category needs to be evaluated.

C. Murder, Violent Crime, and Property Crime over Time

The country's remarkable post-1993 crime drop is reflected in both the UCR murder and violent crime measures, shown in Figures 2 and 3, as well as in the NCVS violent crime measures shown in Figure 4. According to the UCR, from 1993 to 2015, the US murder rate fell 49 percent, violent crime fell 49 percent, and property crime fell 45 percent.[20] According to the NCVS, meanwhile, the drops in violent and property crime (from 1993-2015) have been even more dramatic at 77 and 69 percent, respectively.[21]

As I wrote in 1998: "We would achieve an enormous public policy victory if we could engineer a return to the low crime rates of the 1950s and early 1960s."[22] Happily, the victory was achieved during the Obama Administration: in 2014, the murder rate at 4.4 per 100,000 had dropped to the lowest level seen in the United States since 1957! Even with the jump in the murder rate that came the following year, the last time the U.S. murder rate was as low as it was in 2015 prior to Obama's Presidency was in 1963 – 52 years ago! This was astonishingly good news for the country. Well over 100,000 lives were saved by the huge post-1993 drop in the murder rate, and millions avoided being victimized by violent and property crime.

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[19] For example, the 2015 NCVS violent crime rate of 18.6 per 1000 individuals over 12 has a standard error of 1.2, which means that the 95 percent confidence interval for the most recent NCVS measure of violent crime is the uncomfortably large range between 16.2 and 21.0.

[20] Uniform Crime Reports, 2015.

[21] National Crime Victimization Survey.

[22] John Donohue, "Understanding The Time Path of Crime," 88 Journal of Criminal Law and Criminology 1423, 1428 (1998).

Figure 2

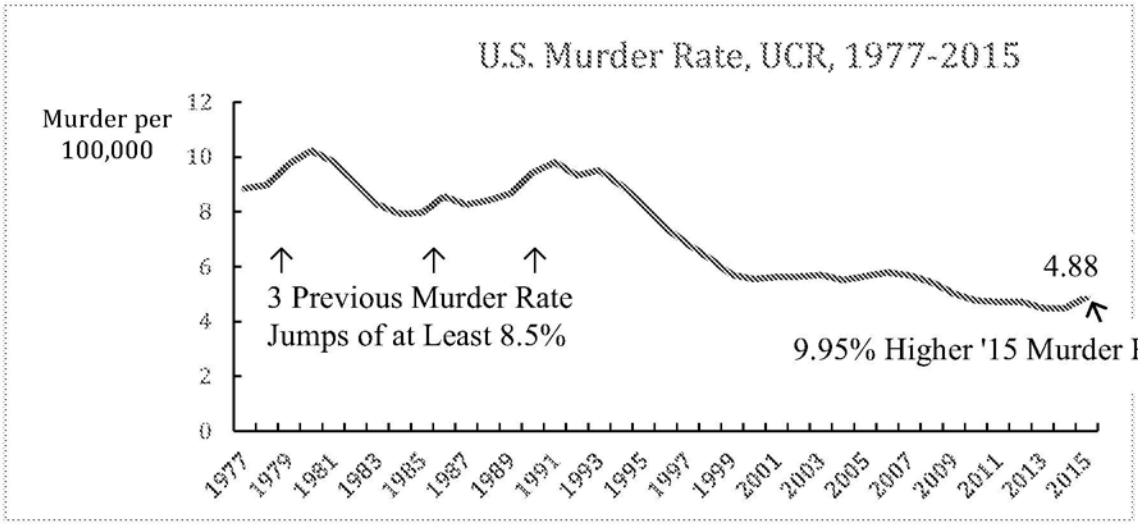

Figure 3

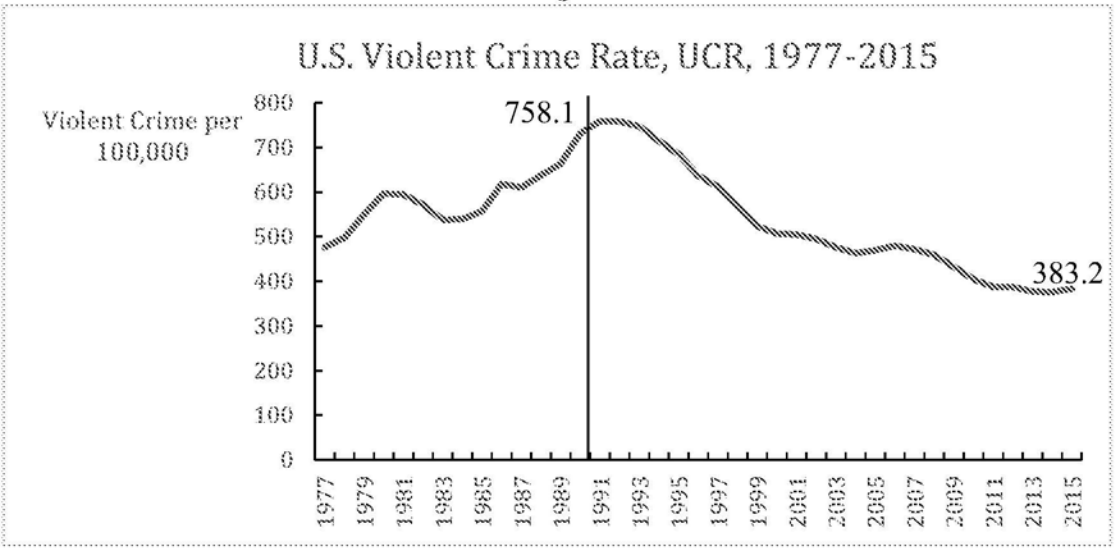

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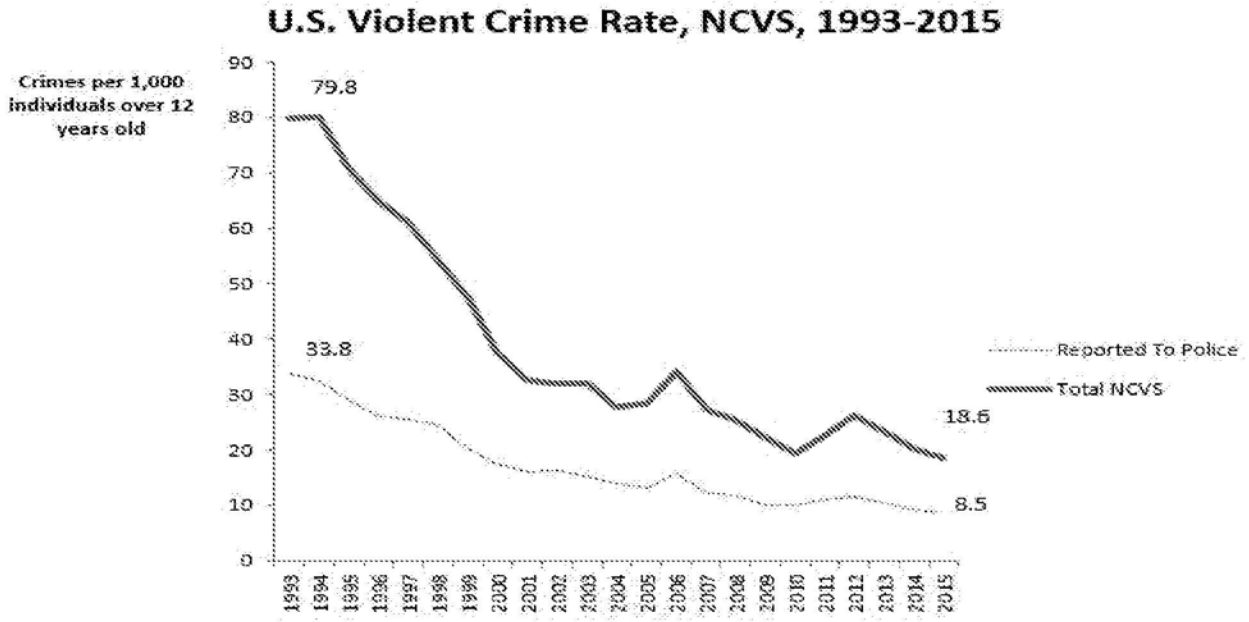
Figure 4



D. The Incomplete Success of the Great American Crime Drop

In one important respect, though, the success of the great American crime drop has not been as complete as the crime data would suggest. Whether we have returned to the murder rate of 1963 or 1957, the fact is that we have not yet achieved what I hoped for in 1998 – the level of underlying criminality of the late 1950s or early 1960s. The ostensible contradiction is explained by the fact that while the *observed* murder rate has fallen to the level of a half century ago, the *implicit* murder rate is substantially higher today. The U.S. responded to the massive crime increases of the late 1960s and 1970s by dramatically increasing our incarceration rate to the highest level the world has ever seen and by substantially increasing our public and private police forces and other anti-crime measures. With these suppressive forces at work, we have returned to an observed murder rate of an earlier time, but without these forces in play today, the murder rate would be substantially higher. Thus, the *implicit* murder rate of today – the murder rate that would exist if the criminal justice policy of, say, 1963 were currently in place -- is substantially higher than the actual murder rate of today (or of 1963).

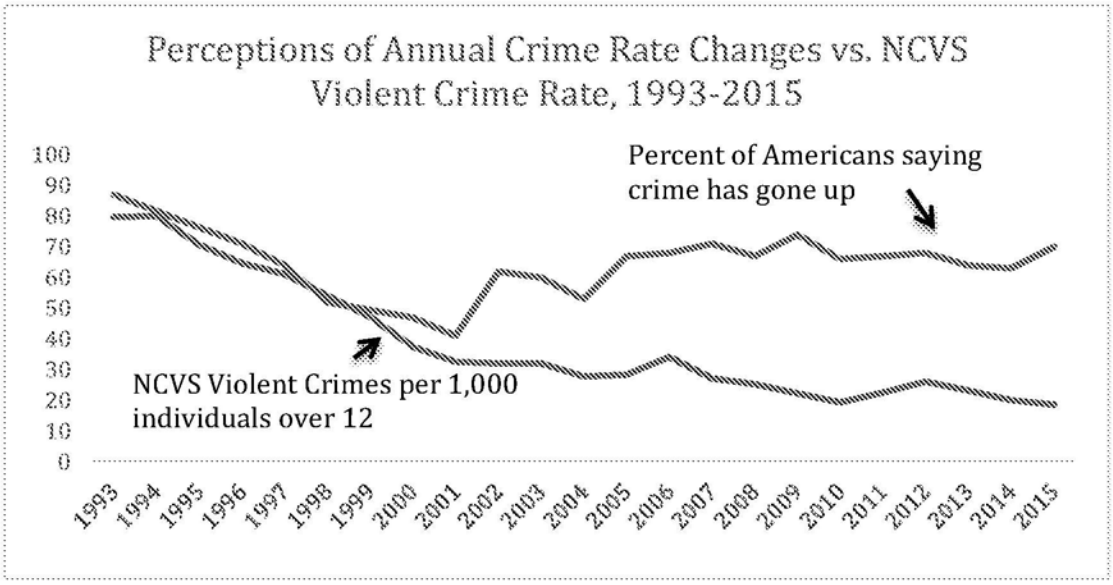
This discussion highlights that at any one point in time, the observed crime rate reflects the operation of many suppressing and stimulating influences on crime. Evanescent influences, whether benign or malign may temporarily move the crime rate above or below any underlying time path but they will not disrupt the longer-term trend. On the other hand, more sustained influences can alter the course of crime more powerfully, for good or ill.

E. American Misperceptions About Changes in Crime

Rivalling the astonishing crime drop is the almost equally astonishing level of ignorance Americans have about this good news. Figure 5 documents the percentage of Americans each year reporting crime has gone up (in a Gallup poll), alongside the actual NCVS violent crime

rate (reported as number of violent crimes per 1,000 people over 12 years old).[23] Despite the long-term decline in violent crime, since 9/11 a majority of 60-70 percent of Americans have consistently answered that crime has risen over the last year. Even with the broad crime drop experienced during the Obama Administration, 63 percent of Americans thought crime was higher in 2014 – the year properly extolled by director Comey for its low crime rate. The next year with the biggest jump in murders in years, the number with the same opinion of rising crime increased but only to 70 percent.

Figure 5



Source: NCVS and http://www.gallup.com/poll/186308/americans-say-crime-rising.aspx

It is not surprising that Americans are woefully ignorant about the level and trends of crime in the United States. Unscrupulous politicians and their supporters, the gun industry (using fear of crime to help sell guns and elect Republicans), and parts of the media constantly seek to scare the public with alarmist crime stories, An uninformed electorate is more likely to be swayed by demagogues, and Trump clearly seized on Comey's remarks in his effort to unleash the power of race and crime for political gain.

In addition to the distorting factors mentioned previously, the public perception may have been influenced by the increase in one particular type of highly publicized, shocking crime. The long-term downward trend in crime has been accompanied by a concurrent upward trend in mass shootings, from an average of 2.7 events per year in the 1990's to an average of 4.5 events per year from 2010 to 2013.[24] While the total deaths in these mass shootings has been too small relative to the overall homicide rate to overcome the downward trend in murders, mass shootings are particularly high visibility events, are reported on endlessly by the cable news network, and

[23] Gallup, 2015. http://www.gallup.com/poll/186308/americans-say-crime-rising.aspx

[24] William Krouse, Daniel Richardson, "Mass Murder with Firearms: Incidents and Victims, 1999-2013" Congressional Research Service, July 30, 2015; Mother Jones, "The new normal of mass shootings," 2014 graphic.

are quite shocking to the public and unsettling to the sense of public safety.[25] Horrific mass shootings, such as by Dylan Roof (killing nine members of black church in Charleston in June 2015) and at Umpqua Community College (killing eight students and a professor in Oregon in October 2015) and attacks by ISIS sympathizers in San Bernadino (killing 14 in December 2015) and Orlando (killing 49 in June 2016), although small in number compared to the total number of homicides, generated widespread apprehension and rich material for the Trump campaign.

II. A Closer Look at Crime in 2015

Before we begin speculating about the cause of the striking and unwelcome 9.95 percent increase in the 2015 murder rate, it is useful to analyze crime far more deeply than simply noting a one or even two-year jump in murder has occurred. First, it is important to remember that past claims that a crime jump portends a significant and sustained reversal in the benign trend in crime have often proven to be wrong. For example, in 2006 a wave of pessimistic news articles appeared that decried the end of the great crime decline. USA TODAY wrote that "cities see crime surge as threat to their revival," while the Associated Press announced that "violent crime in the U.S. is on the rise, posting its biggest one-year increase since 1991."[26] Even a police advocacy group, the Police Executive Research Forum, contributed a report ominously titled "A Gathering Storm—Violent Crime in America."[27] In retrospect, we can see that those concerns of resurgent violent crime were unfounded. As Figures 2-4 show, the 2006 crime increase gave way to a continued decline in both murder and violent crime more generally. Comey was certainly very quick on the trigger to be speaking of a reversal of our enormous crime decline in October of 2015, although of course as a law enforcement officer, he was expected to be alert to jumps in murder, whether temporary or sustained. Assuming the 2016 preliminary murder numbers hold up when the UCR data is released, Comey will be seen as having been ahead of the curve in sounding the alarm on the murder rate increase.

Second, it is important to look at all crime data to fully understand both changes in crime and possible causal explanations for those changes. The three short red (darker) portions of Figure 2 demonstrate the three years since 1977 with comparable percent increases in the rate of murder.[28] Since the most recent was 1990, Comey was correct in noting that a substantial and unusually high jump in murders had occurred in 2015. But an important fact that Comey did not acknowledge was that in all three of those previous years of substantial murder hikes, the country also experienced double digit increases in UCR overall violent crime that were each greater in magnitude than the homicide changes.[29] In 2015 the UCR jump in violent crime was nowhere near that level at only 3.04 percent. Comey was imprecise in making broad claims about what is happening to *violent crime* while only looking at one component of violent crime -- murder.

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[25] Notably, the average number of mass murders per person is twice as high among states with no background checks as it is for those with background checks (8.36 vs. 4.04 per 100 million person-years, averages across states between 2009 and July 2015). The striking disparity warrants further investigation to determine whether universal background checks would reduce the frequency of mass shootings.

[26] Haya El Nasser, "Cities see crime surge as threat to their revival," USA TODAY, 1/24/2007. http://usatoday30.usatoday.com/news/nation/2007-01-24-crime-surge_x.htm

[27] Police Executive Research Forum (2006). "A Gathering Storm—Violent Crime in America."

[28] The highlighted red portions of the chart (with murder growth in parentheses) are 1978-79 (9.72%), 1985-86 (8.62%), and 1989-90 (9.01%).

[29] The UCR violent crime growth rate was 11.3% from 1978-79, 12.1% from 1985-86, and 10.2% from 1989-90.

A. Do Murder Rates and Violent Crime Rates Always Move in Sync?

Peter Moskos recognized that the UCR increase in violent crime of 3.04 percent was a far more modest increase than the 9.95 jump in the murder rate, but he dismissed its significance:

> Now reported violent crime isn't up as much as homicide. That is interesting. But violent crime and homicide are always correlated. So if homicide data says up and violence data says not-so-up, my good money is on the homicide data being more correct. (It's why my preference is to look just at homicide or shooting data when examining trends in violence, at least when the n is high enough, which it is in this case.) Perhaps homicide is up and violent crime is down. But if so, that would be the first time, ever.
>
> My guess is that the apparent disparity reflects less reporting of crime, particularly in cities where crime is going up. Bodies get counted. Bruises less so. Also, just as proactive police can prevent crime, it can simultaneously increase the reporting of crimes. Fewer arrests mean less crime. Not in reality, of course, but in terms of crimes being counted. Some crimes are only recorded because police took the initiative and made an arrest.[30]

The suggestion that big jumps in murder might lead to undercounting of violent crime did not appear to be the case in the three prior years of such jumps that we just noted in Figure 2, in which each measured violent crime increase exceeded that year's murder rate increase. Moreover, while Moskos' claims seems reasonable, we need not rely only on police-collected UCR violent crime data. NCVS data is collected to deal precisely with this issue, and it does not support the view that the homicide increase is a better measure of the violent crime movement than the far lower UCR figure. Indeed, the percentage drop in the NCVS violent crime data for 2015 is -7.5. If one can rely on this NCVS point estimate, the US in 2015 may well have experienced *increasing* murders and *less* overall violent crime. The US certainly experienced less property crime (as both UCR and NCVS confirmed). Even though the near double digit increase in the murder rate is a major concern, to ignore the major divergence in crime that emerged in 2015 between murder and all other crime is to miss the big picture. Something more complex than an overall expansion of crime is underway. There is not even a hint that the long-term national decline in property crime is abating.

B. The Link Between Changes in Murder and Other Crimes

Figure 6 provides a heat map to visually track the changes in the five major crime measures we have discussed: UCR murder, violent, and property crime rates and NCVS violent and property rates. Combined, these data sources again confirm that 2015 is a rather anomalous year from a historical perspective: 2015 was the first year in the history of the modern (post-1993) NCVS that (1) an *increase* in the national UCR violent crime rate has coincided with a *decrease* in the NCVS violent crime rate, and (2) the only year the jump in the murder rate even exceeded 5 percent (and it reached almost twice that level). Moreover, in 15 of the 22 years show in Figure 6, NCVS violent crime and UCR and NCVS all fell – as it did in 2015 – yet in none of those other 15 years did murder and UCR violent crime rise. Figure 7 also illustrates the strong continuing, downward trend in UCR property crime: since 1993, there has only been one year

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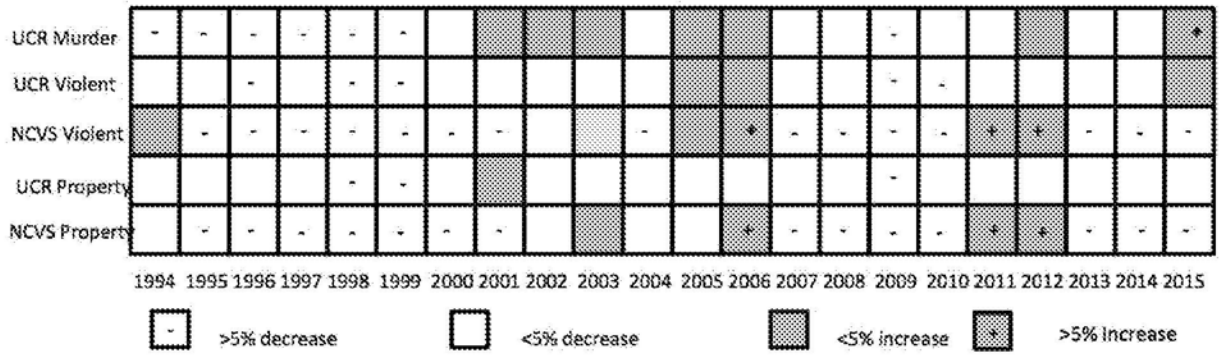
[30] Peter Moskos, http://www.copinthehood.com/2016/04/who-you-gonna-believe.html

(2001) that UCR property crime did not fall (and only four such years for NCVS property crime).

Figure 6: Changes in Five National Crime Rates By Year, 1994-2015



So we have a puzzle. The UCR tells us that murder rates rose sharply in 2015 – the biggest increase in 24 years – yet the violent crime rate rose only modestly (up 3.04 percent) and the property crime rate fell (down 3.38 percent). Moreover, the NCVS tells us that violent crime and property crime *both* fell, by 7.5 percent and 6.3 percent, respectively, although at least with respect to the NCVS violent crime numbers some qualifications are needed, as we will discuss in Section D below. Since anomalous patterns tend to mean revert, it will be interesting to see whether the not-yet released 2016 UCR and NCVS violent crime figures will converge to each other, and also to the changes in the murder rate, or whether the diverging patterns will continue.

C. State Analysis Of UCR Data in 2015

Figure 7 mimics the earlier national heat map across time by examining the pattern of changes in the three UCR crime categories in 2015 for all 50 states and the District of Columbia (recall there is no state data released for the NCVS because the sample size is too small for statewide analysis). The figure reveals that many more states experienced murder rate increases (37) than decreases (9) in 2015 (with five states showing no change), and in 34 states and the District of Columbia the jump in the murder rate was at least 5 percent. On its face, this widespread pattern of murder rate increases on its face calls into question the Comey claim that the crime explosion was exclusively a black, urban phenomenon. Interestingly, only 20 states had a jump in the violent crime rate of that magnitude in 2015 (40 states had some drop), and only 3 had such a jump in property crime (11 had some drop).

In general, the murder rate jumps were considerably larger than murder rate drops: for example, Utah and Hawaii were the only states to experience *drops* in murder rates of over 20 percent (at 22 and 28 percent respectively). In contrast, 16 states had murder rate *increases* of that magnitude or more in 2015. Moreover, 7 states had at least a 40 percent jump in their murder rates, with South Dakota, the District of Columbia, and Minnesota leading the way with at least 50 percent increases in their murder rates in 2015. Wisconsin, Alaska, Kansas, and Maryland had the fourth through seventh highest murder rate increases.

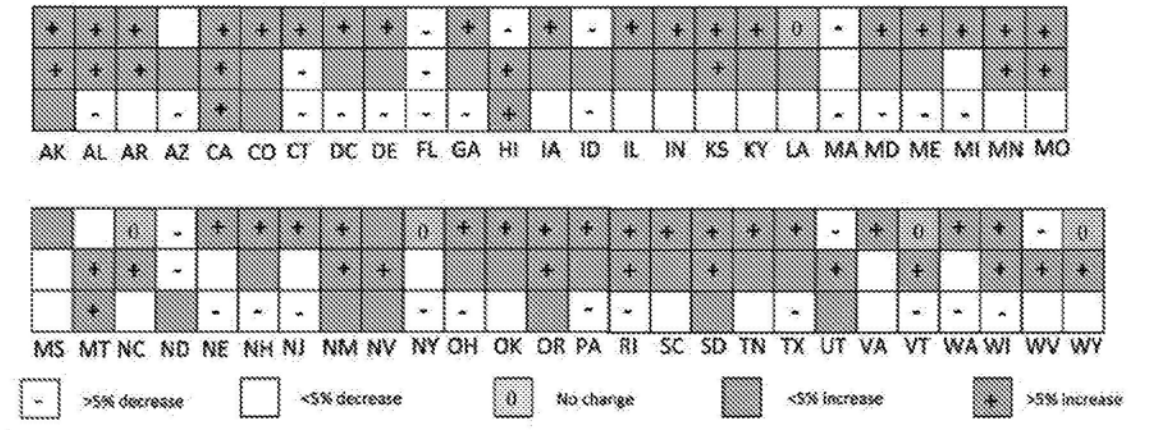
If I had to select the state that had the overall worst deterioration in crime performance in 2015 according to the UCR data, it would be South Dakota with rates of murder up 61 percent, violent crime up 17 percent, and property crime up 4 percent. The state that looked best in that year was Florida, with drops in murder of 12 percent, violent crime of 15 percent, and property crime of 18 percent. Note that while Comey was pointing towards an explosion in black inner-city crime as the reason for the 2015 crime jump, South Dakota has little black urban crime (indeed only 1.27 percent of the state's population is black). Conversely, Florida has a large, urban black population and an overall black population of 15.9 percent, yet its crime experience in 2015 was uniformly positive in direction.

Indeed, five of the states with the largest increases in murder in 2015 had less than half the proportion of blacks of the nation as a whole, so the murder increase is likely not purely the black crime phenomenon that Comey described. It seems highly implausible that the anomalous jumps in murder in Alaska (43 percent increase in 2015), Iowa (21 percent), Kansas (42 percent), Minnesota (50 percent), Nebraska (14 percent), New Hampshire (22 percent), New Mexico (17 percent), Oregon (25 percent), South Dakota (61 percent), and Washington (16 percent) can simply be explained by unleashed black, urban crime because of police retrenchment in the wake of protests over the killing of unarmed blacks.[31] Any such de-policing story would seem much more likely to occur in, say, Florida than in South Dakota (the reverse of what we see in terms of crime movements).

The message thus far from the available national and state crime data is that a substantial and widespread jump in murder occurred at the same time that property crime continued to trend down, while the movement in the overall violent crime rate was uncertain with UCR evidence suggesting a modest but widespread nationwide increase and, as we will now discuss, NCVS data providing some evidence that violent crime actually fell in 2015.

[31] Similarly, eight of the twenty states experiencing greater than 5 percent jumps in violent crime were low-black-population states, including Alaska, Hawaii, Montana, Oregon, South Dakota, Utah, Vermont, and Wyoming. Comey's black, urban crime rise story undoubtedly plays out in a few cities but doesn't ring true for the nation as a whole.

Figure 7 – Changes in UCR Murder, Violent, and Property Crime Rates by State, 2014-2015



Note: For each of the two above panels, the first row shows the change in the murder rate, the second row is change in the violent crime rate (UCR), and the third row is the change in the property crime rate (UCR).

D. A Closer Look at NCVS Violent Crime Data for 2015

1. NCVS Total Victimization Rates – Declines but Not Statistically Significant

Recalling that the NCVS captures simple assault while the UCR does not (counting only aggravated assaults), one might speculate that the conflicting movements in the NCVS and UCR violent crime rates for 2015 could be explained by the considerably more numerous simple assaults dropping even as the more serious aggravated assaults rose. Fortunately, the NCVS also provides breakdowns of its violent crime category and it shows that not only did both aggravated and simple assaults drop in 2015, but the percentage drop was *greater* for aggravated assaults. Indeed, the NCVS drop in the rate of aggravated assaults in 2015 was roughly 19 percent (while the drop in simple assault was about 9 percent).

We see the same basic story if we limit our focus to the following NCVS subcategories: 1) the serious violent crime rate fell almost 12 percent, 2) serious violent crime involving weapons fell almost 27 percent, and 3) serious violent crime involving injury fell almost 8 percent.[32] On the other hand, owing to the size of the standard errors on these NCVS figures, none of the NCVS violent crime drops I have referenced here are statistically significant at the .05 level.[33] Consequently, while the NCVS sample on its face suggests that all of these violent crime rates fell in 2015, the NCVS states that there was no "statistically significant" drop in violent crime in 2015. The true level of violent crime would be captured in a 95 percent confidence interval that would suggest anything from a modest rise in violent crime (but certainly nothing comparable to the jump in the murder rate) to a decline that is greater in absolute value than the murder rate

[32] Jennifer L. Truman and Rachel E. Morgan, Criminal Victimization, 2015, Bureau of Justice Statistics Bulletin, October 2016, Table 1.

[33] Three NCVS violent crime drops were significant at the lower .10 level: rape/sexual assault, aggravated assault, and serious violent crime involving weapons.

increase. Note, however, that the NCVS property crime rate drops of 6.3 percent were statistically significant at the .05 level, and this evidence of a national drop in the rate of property crime is broadly consistent with the finding in the UCR of property crime drop of 3.4 percent in 2015.[34]

2. NCVS Prevalence Rates -- Statistically Significant Declines

Interestingly, the NCVS provides data not only on total victimizations but also on the proportion of the population that suffers any violent crime during the year (the latter number counting not how many times someone was victimized in the year but just whether they were victimized during the year).[35] The NCVS tells us that in 2015, 0.98 percent of all persons age 12 or older (roughly 2.7 million persons) experienced at least one violent victimization, which was a statistically significant drop from the level of 1.11 percent in 2014. Disaggregating this violent crime prevalence category, the drop in crime prevalence from 2014 to 2015 was also statistically significant at the .05 level for overall assault, and at the .10 level for aggravated assault, domestic violence, and stranger violence.

If we limit our focus to subcategories of what the NCVS counts as serious violent crime (rape or sexual assault, robbery, and aggravated assault), the drop in crime prevalence from 2014 to 2015 was statistically significant at the .05 level for serious stranger violence and serious violent crime involving weapons. The drop in prevalence of property crime was also statistically significant at the .05 level (from 7.99 to 7.6 percent of the population).

III. The Stylized Facts of Crime, 2015-2016

Our exploration of the full set of federal crime data from the UCR and NCVS for 2015, and the limited murder data from selected cities in 2016 underscores the fact that all of our knowledge about crime is probabilistic and that crime data can be uncertain and conflicting. This must impart a degree of humility to our pronouncement since if we don't even know what happened – for example, did violent crime rise by just a fraction of the rise in murders, or did it decline similarly to property crime? – we cannot be confident about any causal story. Peter Moskos seems to have endorsed the view, consistent with Comey's behavior, that as long as you know the murder data, you know all you need to know – or perhaps can know -- about trends in crime. Murder data is certainly privileged in the sense that it is the best measured crime data we have, and homicide is the most serious crime category. But if all crime moved in approximate lock-step with murder, there would be no need to maintain the rest of the UCR crime data or have any NCVS.

There are certainly reasons to be skeptical of the non-homicide UCR data. The most common components of UCR violent and property crime -- aggravated assault and larceny – can be, and

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[34] Since property thefts from businesses are included in the UCR but not in the NCVS, the different values may suggest that property crime fell more for individuals than for businesses.

[35] While the NCVS recorded 5,006,620 violent crimes in 2015, only 2,650,670 individuals were victimized, underscoring that many Americans experience multiple victimizations within the same year (in separate incidents). To provide context, the total number of violent crime victims in 2015 was roughly the population of the city of Chicago.

in fact have been, manipulated in certain cities.[36] Moreover, changes in reporting rates, as well as the aggressiveness of policing, may alter the count of crimes known to police (which is all that the UCR reports) even if crime itself doesn't change. Similarly, one must always ask if a survey such as that provided by the NCVS has gone astray in a single year or suffered from some alteration in the response rate in a way that could skew the results.[37]

While the NCVS has limitations – for example, it undersamples the homeless and its respondents do not report fully accurately, especially underreporting domestic violence and forgetting some events – Chris Jencks notes that the NCVS, to a greater extent than the UCR, "is conducted in the same way every year, so most of [its] biases are likely to be constant. So while the NCVS almost certainly underestimates the level of violence in America, it should be a quite reliable guide to trends in violence."[38] Consequently, it would be unwise to simply reject NCVS evidence of a continuing violent crime decline (or at most a minor increase) in estimating the true level of violent crime in 2015. Whatever pull towards a 10 percent increase is exerted by the Moskos "violent crime moves with homicide" equation is offset by the countervailing NCVS data. If the NCVS violent crime estimates are accurate, this would directly contradict the Comey claim of exploding violent crime. While I give considerable weight to the NCVS violent crime evidence, one's confidence would of course increase if additional years of data showed a similar pattern.

Figure 7 summarizes what we know about the percentage change in 2015 in the rates of murder, violent crime, and property crime, the last two of which we have estimates from both the UCR and the NCVS. Figure 8 underscores a noteworthy aspect about Comey's October 2015 speech and subsequent comments about the explosion in violent crime. Ask yourself if you were giving a major speech on crime and you saw the data in Figure 8, which would certainly have been available to the FBI director, would you comment only on the murder rate jump and not say anything about any other aspect of the data in that Figure? Would you say something about the anomaly of the murder rate figures or the apparent divergence in movements between murder and other crimes? Comey certainly did not.

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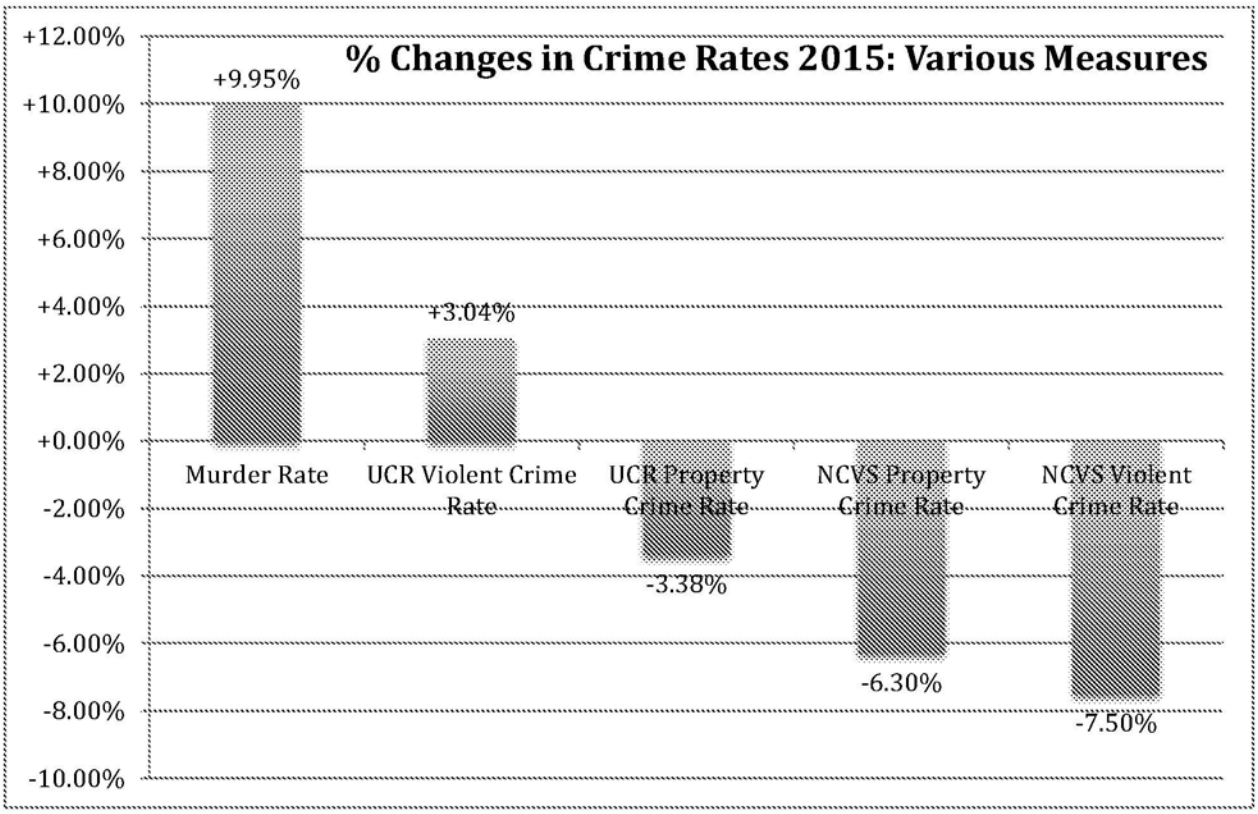
[36] For example, the Los Angeles Police Department misclassified approximately 14,000 serious assaults as minor offenses from 2005 through 2012, which artificially lowered violent crime rates. http://www.latimes.com/local/cityhall/la-me-crime-stats-20151015-story.html

[37] If the decline in NCVS violent crime estimates for 2015 were caused by some differential nonresponse, it would have to mean that fewer individuals subject to violent crime were being interviewed in 2015 than had been interviewed in 2014. With murder and UCR violent crime both showing increases in 2015, it seems more likely that any error in the 2015 NCVS violent crime data would have led to an *understatement* in crime. Without this conflicting pattern, I might even have had concerns about NCVS *overstatement* of violent crime in 2015, given election-year exaggerations as reflected in the growing concerns the public was feeling about violent crime when respondents were being interviewed. This overstatement could result if the high salience of crime increased respondent recall about victimizations, regardless of whether they had occurred in the relevant time frame. The NCVS asks about victimizations over the last six months and respondents tend to report more such victimizations in the preceding three months, suggesting they are under-reporting the more distant (presumably less well-remembered) crimes.

[38] Christopher Jencks, "Is Violent Crime Increasing?" The American Prospect (Winter 1991), http://prospect.org/article/violent-crime-increasing

Figure 8



Given the evidence that we have amassed, it is useful to try to distill some stylized facts about crime in 2015 and 2016.

1) The murder rate rose sharply – almost 10 percent -- in 2015, and in 2016 likely will rise substantially again but not as much as in 2015 (perhaps in the 5-6 percent range).
2) The murder rate jump is fairly widespread throughout the country (Figure 7 above), and of course quite dramatic in individual cities, particularly Chicago in 2016 (as we will see in Figure 15).
3) Property crime fell in 2015, consistent with its long-term downward trend (as shown in both the UCR (3.38 percent drop) and the NCVS (a statistically significant drop of 6.3 percent drop).
4) While the findings of the divergent trends of a rising murder rate and a continuing decline in property crime are unmistakable, the evidence on violent crime is mixed and needs to be interpreted.
5) Moskos based his estimate of the change in the violent crime rate purely on the 9.95 percent jump in the murder rate, ignoring the far lower UCR violent crime rate estimate of a roughly 3 percent increase in 2015, as well as the NCVS estimate of a 7.5 percent drop. This approach will not be correct from a Bayesian perspective unless the weight to be assigned to the latter two numbers should be zero.
6) Despite the NCVS estimate of a 7.5 percent drop in the violent crime rate, this number turns out not to be statistically significantly different from zero. Hence, the NCVS report

of 2015 notes the lower violent crime number in 2015 but states: "There was no statistically significant change in the rate of overall violent crime, defined as rape or sexual assault, robbery, aggravated assault, and simple assault, from 2014 (20.1 victimizations per 1,000 persons age 12 and older) to 2015 (18.6 per 1,000). However, the rate of violent crime in 2015 was lower than in 2013 (23.2 per 1,000)." With measured NCVS violent crime hitting an all-time low, Comey's claim that 2015 was a year of exploding violent crime is not supported by the data.

7) The NCVS evidence on the *prevalence* of violent crime suggests a statistically significant decline of 11.7 percent in this rate in 2015.
8) A plausible summary might be that if the crime prevalence rates in 2014 had persisted in 2015 (and we accept these two NCVS point estimates as correct) roughly 350,000 more individuals would have suffered violent victimizations, and 500,000 more would have suffered property crime victimization than was the case.[39] This impressive drop in the prevalence of violent and property crime was offset by the tragedy that roughly 1500 more were murdered in 2015 than in 2014. Another 750 will likely die in 2016 beyond the previous jump of 1500. This is a widespread worsening of homicide but a clear lessening of property crime, coupled with a mixed but in some ways favorable year with respect to violent crime.

Only after the preceding discussion of the facts about crime are we at the point that we can evaluate Comey's three primary factual claims: 1) there was an explosion of murder in 2015 that represented an abrupt change from 2014; 2) there was an explosion of violent crime in 2015; and 3) this crime explosion occurred throughout the nation, and overwhelmingly generated by black, urban men in bad neighborhoods.

The first claim is unequivocally true: in 2015, the murder rate rose by 9.95 percent, an unusually high national rate of increase. There was an explosion of homicidal violence leading to an almost 10 percent increase in the murder rate. The second Comey claim is not true: there was no nationwide explosion in violent crime in 2015. The only uncertainty for violent crime is whether violent crime rose but at a fraction of the amount of the homicide increase (as the UCR figure of a 3.04 percent increase suggested), stayed the same (as the finding of no statistically significant difference in NCVS violent crime might suggest), or fell given the -7.5 percent change NCVS violent crime point estimate. Indeed, the statistically significant NCVS prevalence data for 2015 suggests that there were hundreds of thousands of fewer violent and property crime victims. Unequivocally, property crime fell in 2015. In any event, the murder hike, coupled with diverging movements in other violent and property crime categories is a more complete description of crime in 2016.

Comey's third claim is also false: the nationwide murder explosion, which did occur, is not exclusively generated by black, urban men in bad neighborhoods. The large murder increases in New Hampshire, Alaska, Iowa, South Dakota, etc., undercut this thesis.

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[39] Again, since these estimates come from an NCVS sample, one might think of a confidence interval around these point estimates. Since the NCVS prevalence numbers were statistically significant at the .05 level, the 95 percent confidence interval would still reflect a decline in the number of violent crime victims that was far higher than the increased number of killings.

The most parsimonious description of the stylized facts of crime in 2015 might be that the large and abrupt rise in the murder rate diverged sharply from the downward trend in property crime and perhaps not as sharply but noticeably from the change in violent crime. Although the evidence does not support Comey on two of his three factual claims, it is still possible that the de-policing causal story he told applies to the sharp jump in the murder rate in 2015. Since it is unlikely that a single factor could generate this large jump, we will discuss that theory only after we have considered other major factors that were likely operating on crime in 2015 to see how much scope is left for de-policing to be part of the story.

IV. Considering the Impact of Major Factors on Crime

The 1990s witnessed a confluence of many factors that combined to have a large dampening effect on crime. The result was the sharpest and most abrupt crime shift in American history – the dramatic and sustained drop in crime that began in 1993. An array of diverse phenomena, such as increasing rates of incarceration and police, improved quality of policing, shifts in illegal drug use and marketing, and arguably even abortion legalization and lead elimination in the 1970s, finally overwhelmed the forces that were stimulating crime. As I have previously written:

> With continuing crime reduction benefits coming in the 1990s from demographics, the economy, and incarceration along with a growing police presence, the USA was poised for a major improvement when it got two additional benign shocks – the abatement of the crime stimulant from the crack trade, and the sudden jolt of the crime-suppressing drop in unwanted births engineered via 1970s abortion legalization…. The lesson of the great American crime drop is that when six major factors press in one direction, crime moves.[40]

To fully understand the crime pattern of 2015 and reflect on where crime may be headed, one needs to consider this larger array of factors. By 2015, many of the most potent factors that had contributed to the post-1993 crime decline were no longer contributing to crime reductions or had even reversed and were now putting upward pressure on crime. Section A and B will discuss the factors currently operating to stimulate crime, but I will begin with four factors that could also plausibly explain the basic 2015 crime pattern of an increasing murder rate and divergence from other crimes. Section C will then discuss current factors tending to suppress crime. To the extent that the major influences that led to the post-1993 drop in crime have been reversed or have lapsed, there will be upward pressure on crime that will need to be confronted, either through restoration of past factors or initiation of new crime-suppressing approaches.

A. Factors That Differentially Promote Homicide and Hence Crime Divergence

1. Reduced Incarceration

A major contributing factor in the declining crime rates of the 1990s was the sustained, enormous increase in the country's rate of incarceration. As Figure 9 shows, however, the rate of incarceration has now peaked and has begun to fall. The 8.6 percent drop in the incarceration

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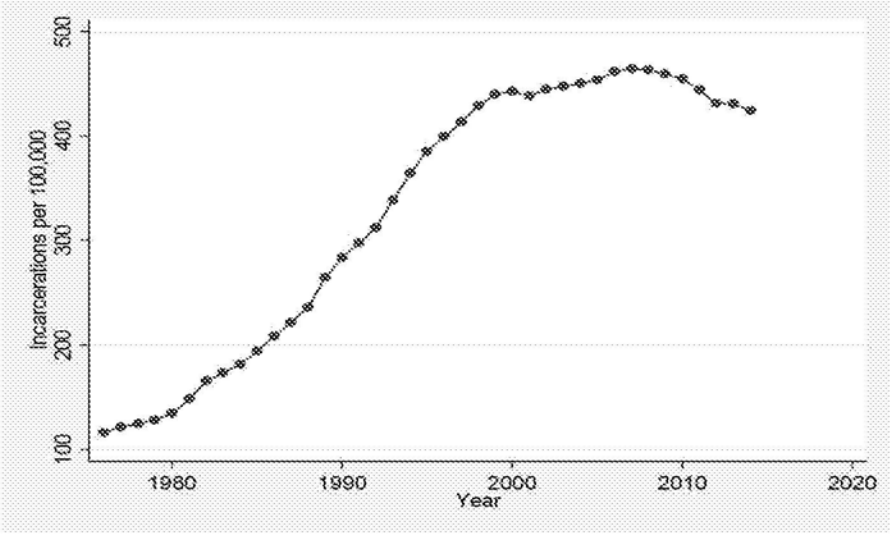
[40] John Donohue, "Understanding the 1990s Crime Drops in the U.S. and Canada," Canadian Journal of Criminology and Criminal Justice, Vol 49, No. 4, p. 552 (October 2007) at http://www.ccja-acjp.ca/en/cjcr200/cjcr278.html

rate since a peak of 465 prisoners per 100,000 people in 2007 is now providing a stimulus to crime as more convicts -- who typically have high recidivism rates -- are returning to the streets than criminals are being taken off.[41] One could easily get an upward bump of 1.5 percent in the homicide rate from prison decreases of this magnitude.[42]

Is there any evidence that would suggest that the declining level of incarceration might also contribute to the divergence in crime that we have found in 2015, with murder rising and other crime experiencing a far lower jump or even a decline? Interestingly, an earlier paper of mine with Steve Levitt estimated that the likely crime-stimulating effect of a decrease in incarceration would be greatest for murder and an order of magnitude less for violent crime. Thus, if the regression estimates from Donohue and Levitt were true today, the shrinking level of incarceration would elevate the murder rate in 2015 by 1.5 percent but would cause only a negligible upward push of .15 percent in violent crime. In other words, the decreasing incarceration rate is differentially stimulating increases in homicide and thereby increasing crime divergence (although still providing lesser stimulus to other violent and property crimes).

Figure 9



Of course, as with every aspect of crime, there is a debate on the magnitude of the impact of incarceration on crime. While I have used a consensus estimate for this elasticity, others believe the effect is far smaller or even negligible. A recent Brennan Center study argues that

[41] Troublingly, states struggling with heavy budgetary burdens imposed by mass incarceration may face legal constraints that limit their ability to release older criminals who have been sent away with controversial programs such as three-strikes. It could well reduce the safety of the public if these constraints discourage the release of older criminals and promote the release of more criminally active younger criminals.

[42] Donohue and Levitt's Table 4 shows an elasticity of almost 25 percent for the impact of incarceration on homicide but roughly one-tenth of that value on overall violent crime. John Donohue and Steven Levitt, "The Impact of Legalized Abortion on Crime," Quarterly Journal of Economics (Vol. CXVI, Issue 2, May 2001), pp. 379-420. The impact on property crime is smaller than homicide and not statistically significant.

incarceration had a negligible impact on crime rates from the early 90's through 2013.[43] Table 1 shows the type of evidence that the Brennan Center report relies on to reach this conclusion, but it is unclear whether the statistically insignificant Table 1 estimates for the impact of incarceration on crime are reliable, or whether the Table only shows that given the endogeneity between incarceration rates and crime, one needs a stronger empirical tool than a panel data model to capture the true impact.

2. Declining Police Rates

Important papers by Levitt,[44] Klick and Tabarrok,[45] and most recently Chalfin and McCrary[46] have concluded that higher police employment has a dampening effect on crime—and, most strikingly, on murder. Chalfin and McCrary, for example, find elasticities of -.34 for violent crimes, -.17 for property crimes, and -.67 for murder. As Figure 10 shows graphically, police employment of sworn officers has declined over the past few years. Police officer rates have fallen from a peak of 254 officers per 100,000 people in 2008 by 7.1 percent.[47] Using Chalfin and McCrary's numbers, this drop would be associated with a 4.75 percent increase in murder but only a 2.41 percent increase in violent crime and.[48] Again, we see evidence that a major influence on crime would be differentially stimulating homicide and generating crime divergence.

Combining just the two factors of incarceration and police, one would expect the murder rate to be 6.3 percent and the violent crime rate to be 2.6 percent higher in 2015 (than they would have been without the recent declines in incarceration and police). These two factors alone explain two-thirds of the 2015 jump in murder and almost 85 percent of the UCR violent crime increase.

Figure 10: Declining Rate of Sworn Officers

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[43] See, Dr. Oliver Roeder, Lauren-Brooke Eisen, and Julia Bowling (2015), "What Caused the Crime Decline?" Brennan Center for Justice.

[44] Steven Levitt (1997), "Using Electoral Cycles in Police Hiring to Estimate the Effect of Police on Crime." *The American Economic Review,* 87(3): 270-290.

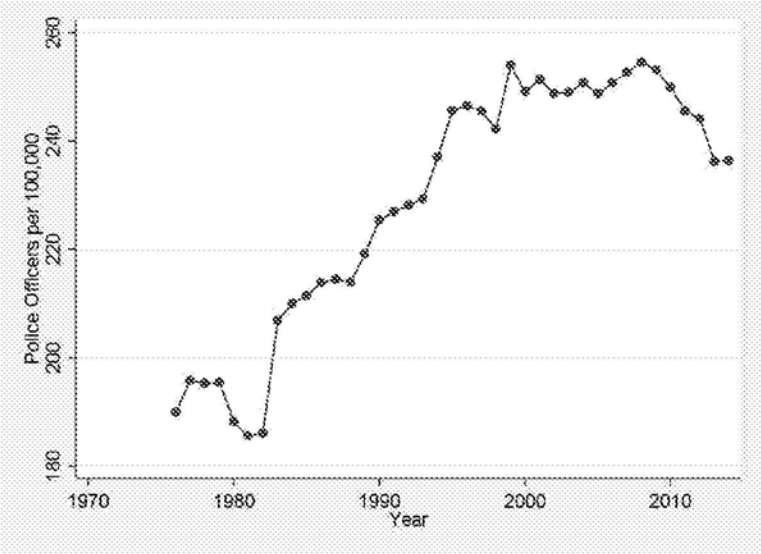
[45] Jonathan Klick and Alexander Tabarrok (2005). "Using Terror Alert Levels to Estimate the Effect of Police on Crime," Journal of Law and Economics 48(1): 267-279.

[46] Aaron Chalfin and Justin McCrary (2014). "The Effect of Police on Crime: New Evidence from U.S. Cities, 1960-2010." NBER Working Paper.

[47] The decline in overall police employment has been somewhat greater. Since a peak of 368 police staff per 100,000 people in 2007, there has been a fall of 7.9% (as of 2014).

[48] Using the numbers from Donohue and Levitt (Table 4) referenced in footnote 42, one would expect the decline in the police force to lead to a 2.1 percent increase in the murder rate and far smaller effects on violent and property crime (perhaps an order of magnitude less) – again suggesting differential effects consistent with the patterns we have identified for 2015.

Table 1 also presents estimates for the impact of police on crime that conflict with those used in the text, but they may be subject to the same infirmity we addressed concerning the Table 1 elasticity estimates for incarceration – they make no correction for endogeneity.



We are not only interested in having an appropriate number of police employees and sworn officers but we also want to make sure they are able to work effectively to reduce or restrain crime. The Brennan Center report on reasons for the long-term crime decline uses a regression analysis to argue that the introduction of CompStat led to a significant reduction of crime in adopting cities between 1994 and 2013. The authors contend that CompStat has enhanced police effectiveness by providing timely information and allowing police to deploy officers more effectively and rapidly and to follow-up in problematic areas.[49]

By 2015, more than 80 percent of the police departments in the nations's 50 largest cities had adopted CompStat, although the rate of new adoptions has slowed considerably in recent years.[50] If more cities continue to adopt this crime-fighting strategy or the police are able to *increase* their crime-fighting effectiveness as they work with this tool, then CompStat could continue to provide additional pressure reducing crime. Conversely, if no further expansion in the use of CompStat occurs and whatever benefits it confers have stabilized, this technology would be providing no *additional* stimulus to crime reduction (since the prior benefits would be baked into the current crime numbers).

3. Illegal Drugs – Stimulating Crime and Perhaps Divergence

The last major increase in crime was triggered by the growth of the illegal crack cocaine trade in the mid-1980s. A new nationwide increase in drug addiction and abuse is under way in the U.S., leading to an estimated 46,940 drug overdose deaths in 2014, a figure that dwarfs homicide deaths.[51] In the past few years, opioid demand, in particular, has risen sharply. Figure 11 depicts the rise in heroin-related overdose deaths in the U.S. since 2011.[52] Some cities, like Chicago, have been hit particularly hard, with drug use expanding to suburban areas. In October of 2015,

[49] Dr. Oliver Roeder, Lauren-Brooke Eisen, and Julia Bowling (2015), "What Caused the Crime Decline?" Brennan Center for Justice.

[50] Id. at Figure 28.

[51] See Figure 4 in Richard Rosenfeld. "Documenting and Explaining the 2015 Homicide Rise: Research Directions." National Institute of Justice, June 2016.

[52] Center for Disease Control, Vital statistics database.

74 people with heroin overdoses flooded into Chicago hospitals within a 72-hour window.[53] According to the CDC, per capita deaths from drug overdoses have more than doubled since 2000. From 2014 to 2015, the total drug overdose death rate increased by 10 percent, and the heroin overdose death rate increased by 21 percent.[54] Figure 12 shows the uniform rise in overdose deaths in 2015 for a group of states and cities.[55] To the extent that the increase in drug overdoses is a reflection of an expansion in illegal drug markets, one would expect crime to be stimulated, as it was with the emergence of crack in the 1980s.

Increases in illegal drug use, particularly in newly emerging or growing illegal markets, can promote deadly gang turf wars, as well as robberies and burglaries as drug users try to support their habits. These changes would stimulate crime overall, but there is also a mechanism that would differentially stimulate murders but not other measured crimes. This results because the expansion of the illegal drug market provides opportunities for a booming business in robbing drug dealers or fighting over drug turf.[56] For obvious reasons, drug dealers do not report such crimes and are unlikely to speak about them to NCVS interviewers. Since these crimes are likely to involve armed participants on both sides, deaths are inevitable and only the presence of a body will ensure that the event is recorded in some federal crime statistic. This factor would perfectly mimic the observed crime pattern of increased murders and crime divergence (although in this scenario, it is only reported, not actual, violent crime that diverges).

---

[53] Tara Dodrill. "Chicago overdoses: heroin overdoses send 74 to the hospital in 72 hours." Inquisitr, October 5, 2015. http://www.inquisitr.com/2471780/chicago-overdoses-heroin-overdoses-send-74-to-the-hospital-in-72-hours/

[54] CDC Morbidity and Mortality Weekly Report "Increases in Drug and Opioid Overdose Deaths — United States, 2000–2014" **January 1, 2016; 64(50);1378-82, https://www.cdc.gov/mmwr/preview/mmwrhtml/mm6450a3.htm**

[55] For Pennsylvania: DEA Intelligence Report, "Analysis of Drug-Related Overdose Deaths in Pennsylvania, 2015" July 2016. Online at https://www.dea.gov/divisions/phi/2016/phi071216_attach.pdf. For Ohio: Ohio Department of Health, 2015 Ohio Drug Overdose Data: General Findings. Online at http://www.healthy.ohio.gov/-/media/HealthyOhio/ASSETS/Files/injury-prevention/2015-Overdose-Data/2015-Ohio-Drug-Overdose-Data-Report-FINAL.pdf?la=en. For New Hampshire: NH Division of Public Health Services, "Opioid Abuse/Misuse Response in New Hampshire." October 7th, 2015. Online at http://www.dhhs.nh.gov/dphs/cdcs/alerts/documents/opioid.pdf. For Kentucky: John Tilley and Van Ingram, 2015 Overdose Fatality Report. Kentucky Office of Drug Control Policy. For Connecticut: CT Office of the Chief Medical Examiner, "Connecticut Accidental Drug Intoxication Deaths" Online at http://d3d3lnryymfzlmnvbq00.g00.courant.com/g00/2_d3d3LmNvdXJhbnQuY29t_/TU9SRVBIRVVTMiRodHRwOi8vd3d3LnRyYmFzLmNvbS9tZWRpYS9tZWRpYS9hY3JvYmF0LzIwMTYtMDIvMjM0NTY0NjgxMDIxNjAtMTUwNjE1MTcucGRm_$/$/$/$/$/$. For New York City: New York City Department of Health and Mental Hygiene, "Unintentional Drug Poisoning (Overdose) Deaths involving Heroin and/or Fentanyl in New York City, 2000-2015.

[56] Speaking in early 2015, NYPD Chief of Detectives Robert Boyce said each of the seven drug-related murders so far that year involved the targeting of drug dealers for robbery: "These are not turf battles. These are ripoffs of marijuana dealers." Rocco Parascandola, Tina Moore, Bill Hutchinson, "Murders up 20% in 2015 in year-to-year comparison, NYPD says," NY Daily News, http://www.nydailynews.com/new-york/nyc-crime/murders-20-2015-year-to-year-comparison-nypd-article-1.2134509.

Figure 11

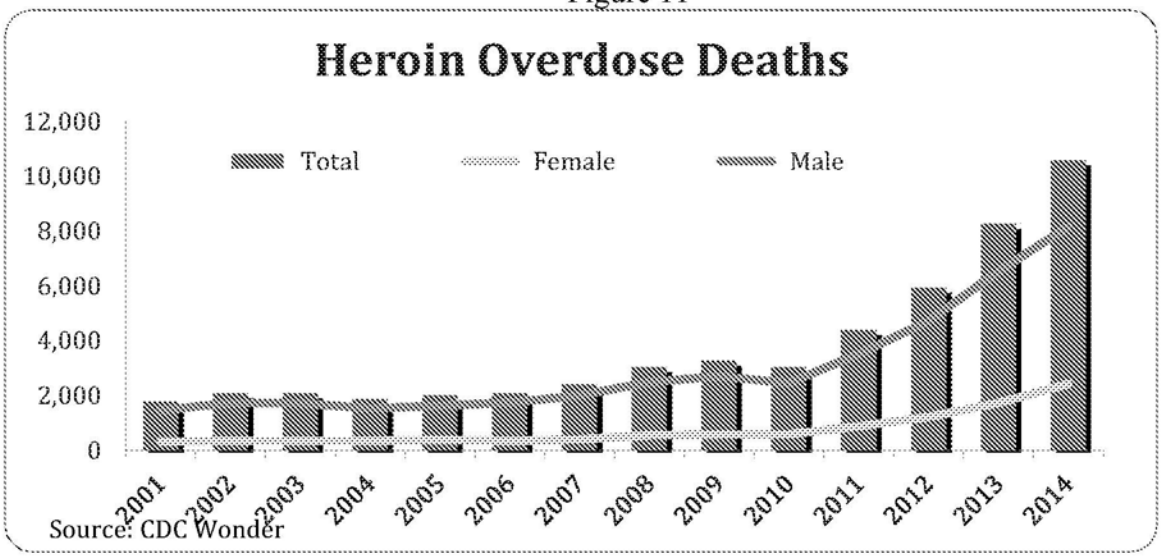
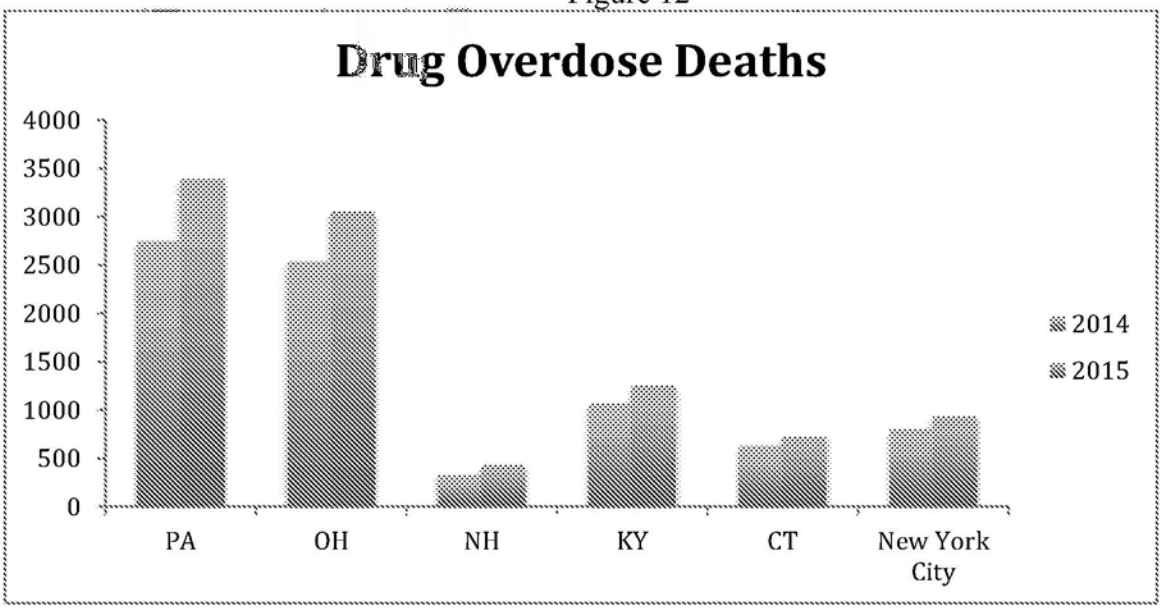


Figure 12



4. Increasing Lethality of Assaultive Attacks

One possible explanation for an increase in murder but not in overall violent crime is that physical violence has increased in lethality. This could happen if attacks that in the past would have led only to a nonfatal injury (hence an aggravated assault) have now become deadly (hence the jump in murders). Conceivably, the increasing availability of more lethal weapons and bullets could be yet another factor pushing in the direction of more murders, while not stimulating overall violent crime – hence promoting crime divergence.

Of course, there are possible factors pushing in the opposite direction. Improving medical treatment of gun injuries would reduce rather than increase the lethality of violent crime, but any such recent trauma treatment improvements would push in the opposite direction to our observed spike in murders (by increasing measured violent crime as murders declined). I suspect both of these factors are operating, but their relatively small and competing effects could well offset each other, so I won't consider them further.

B. Factors Stimulating Crime or Whose Previous Dampening Effect Has Lapsed

1. Declining Abortion

Donohue and Levitt argued in 2001 that the reduction in unwanted children that resulted from the legalization of abortion had a significant dampening effect on crime as successive cohorts reached their high crime years beginning in late adolescence.[57] The abortion-crime hypothesis has been controversial, and not all have accepted this causal relationship.[58] Nonetheless, nearly two decades of additional U.S. data, coupled with confirmatory studies from abroad, have strengthened the link between abortion and crime, so there may be some re-thinking of this issue by past critics.[59]

Using an index designed to capture the potential impact of abortion on crime (based on the summation of each cohort's abortion rate times the proportion of arrests for that age), Figure 13 shows that the peak effective rates for murder (428) and violent crime (427) were reached in 2003, and property crime (426) in 2002. By 2015, these values had declined by roughly 15 percent: the effective abortion rates were down for murder (361), violent crime (358), and property crime (353).

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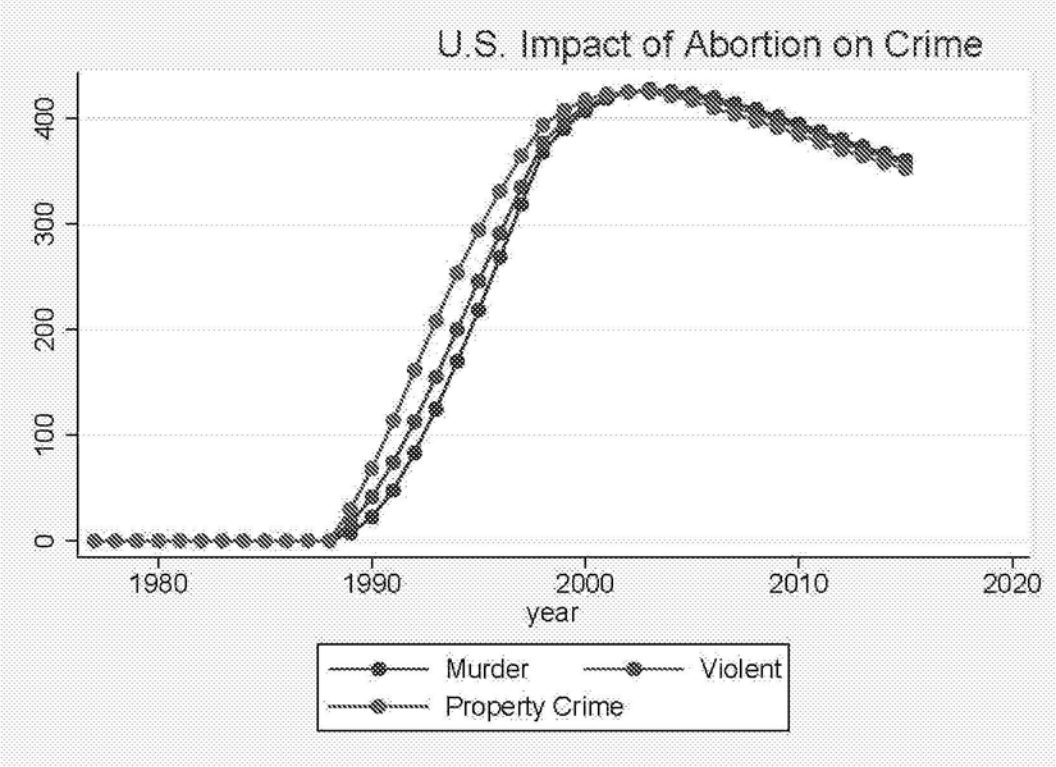
[57] John Donohue and Steven Levitt, "The Impact of Legalized Abortion on Crime," Quarterly Journal of Economics (Vol. CXVI, Issue 2, May 2001), pp. 379-420.

[58] See the exchange between Foote, Christopher L., and Christopher F. Goetz, "The Impact of Legalized Abortion on Crime: A Comment," Quarterly Journal of Economics, (2008). and John Donohue and Steven Levitt, "Measurement Error, Legalized Abortion, and the Decline in Crime: A Response to Foote and Goetz," The Quarterly Journal of Economics (2008) 123 (1): 425-440. http://qje.oxfordjournals.org/content/123/1/425.abstract

[59] Yair Listokin (Journal of Law and Economics 2003) (using abortion as an instrument to estimate the effect of crime on incarceration, premised on the finding that abortion influences crime but doesn't influence incarceration except through its dampening effect on crime); François, Abel, Raul Magni-Berton, and Laurent Weill. "Abortion and crime: Cross-country evidence from Europe." International Review of Law and Economics 40 (2014): 24-35 (their model 2 shows annual decline of 12-40% for homicide and 23-43% for theft 10 years after legalization's effect begins).

Figure 13



The first three columns of Table 1 use this effective abortion rate to establish how powerfully increases in abortion are linked to decreases in the three crime categories (using a panel data analysis with state and year fixed effects for data from 1979-2014). Indeed, no other factor contained in the table even comes close to the enormous statistical significance of the abortion effect. Combining the information from Figure 13 and Table 1, the recent 15 percent reduction in the effective abortion rate would, mechanically applied, be associated with an increase in crime of almost two thirds the coefficient estimates in Table 1.

While this mechanical application would suggest that the abortion rate drops would lead to crime increases across all three categories of perhaps 10-12 percent that number may be exaggerated. The causal mechanism that led the increase in abortions in the 1970s – 1990s to reduce crime was through the reduction in unwanted children. Of course, reducing unwanted pregnancies reduces the number of unwanted children as well as the number of abortions. Some of the recent drops in abortion were not the product of limitations imposed by the state that resulted in increased births of unwanted children but rather were caused by reductions in unwanted pregnancies (in part resulting from earlier reductions in unwanted births).[60] If all of the abortion

[60] See, John Donohue, Jeff Grogger, and Steven Levitt, "The Impact of Legalized Abortion on Teen Childbearing," 11 American Law and Economics Review 24 (2009).

drop were caused by this benign trend, then the reduced level of abortion would not be currently stimulating more crime. Some of the abortion drop, though, may have been caused by state efforts to restrict access to abortions through various legal and policy changes.[61] Such restrictions would be crime-stimulative. If we knew the relative proportion of the observed drop in abortion that falls into this crime-stimulative category, we could adjust our mechanical estimated effect of the decline in abortion on crime. Without this percentage, it is hard to provide a solid estimate of the likely impact of the recent abortion decline on crime. At the very least, it is plausible that the crime-reducing benefit of diminishing the number of unwanted children by expanded access to abortion is no longer providing an *added* stimulus to crime declines, and might actually have reversed, leading to crime increases by 2015.

Of course, those who do not accept the described abortion-crime link would likely not want to include the effective abortion rate variable in the panel data regressions of Table 1. Accordingly, I eliminated that variable from columns 4-6 in the Table and otherwise re-ran the same crime regressions. This has the interesting effect of altering the estimated effects of laws allowing citizens to carry concealed handguns (RTC laws), suggesting that the continuing movement to allow more concealed carry is promoting violent and property crime, but not homicide. In this event, the growth of RTC laws would be stimulating crime in a manner that promotes crime divergence, but the opposite type of crime divergence that we observed in 2015, where increased homicides were dominant.

[61] States employ an array of measures to try to reduce the frequency of abortion. See, https://www.washingtonpost.com/news/the-fix/wp/2013/03/07/where-all-50-states-stand-on-abortion-in-two-charts/?utm_term=.636ee7ed9202

State Panel Data Estimates of the Factors Influencing Crime, 1979-2014

	(1) Violent Crime Rate	(2) Property Crime Rate	(3) Murder Rate	(4) Violent Crime Rate	(5) Property Crime Rate	(6) Murder Rate
Effective Abortion Rate (x100)	−21.82*** (3.42)	−17.37*** (2.53)	−17.19*** (5.56)			
Right-to-Carry Law	2.71 (2.55)	2.50 (2.37)	−4.20 (4.56)	14.18** (5.57)	11.10** (5.25)	4.55 (5.96)
Logged Incarceration Rate (x10)	−0.65 (0.16)	−0.21 (0.17)	−0.41 (0.35)	0.05 (0.25)	−0.21 (0.23)	−0.23 (0.42)
Logged Police Employee Rate (x10)	−0.16 (0.31)	0.40** (0.19)	−0.39 (0.33)	0.27 (0.38)	0.75*** (0.25)	−0.12 (0.34)
Real Per Capita Personal Income (x10)	0.03* (0.01)	−0.00 (0.01)	0.03 (0.02)	−0.01 (0.02)	−0.03 (0.02)	−0.00 (0.03)
Real Per Capita Unemployment Insurance (x10)	0.20 (0.33)	0.27 (0.27)	0.32 (0.50)	0.15 (0.36)	0.19 (0.29)	0.23 (0.52)
Real Per Capita Income Maintenance (x10)	0.61 (0.41)	0.61** (0.26)	−0.44 (0.74)	0.69 (0.49)	0.50 (0.30)	−0.29 (0.76)
Real Per Capita Retirement Payments and Other (x10)	−0.06 (0.13)	0.11 (0.10)	0.04 (0.16)	−0.16 (0.22)	0.06 (0.13)	−0.05 (0.24)
Unemployment Rate	0.18 (0.31)	0.78 (0.67)	−0.46 (1.05)	−1.31 (1.22)	−0.32 (0.96)	−1.46 (1.44)
Poverty Rate	−0.24 (0.32)	−0.27 (0.33)	−0.20 (0.36)	−1.48** (0.68)	−1.37** (0.60)	−1.68 (0.65)
Population Density	−0.07 (0.05)	−0.03 (0.04)	−0.04 (0.11)	−0.17*** (0.06)	−0.10* (0.05)	−0.12 (0.08)
Black Males 15-19	0.02 (14.47)	−51.18*** (13.97)	−12.02 (24.39)	17.49 (21.84)	−26.77 (17.63)	−4.71 (27.04)
Black Males 20-39	4.10 (5.42)	3.49 (4.72)	15.41 (9.81)	24.09*** (8.28)	15.18** (6.56)	32.45*** (10.37)
White Males 15-19	−13.56** (6.12)	−6.34 (4.57)	−4.07 (8.01)	−8.00 (7.38)	5.12 (5.86)	−3.88 (8.24)
White Males 20-39	−5.07* (2.84)	−0.78 (2.30)	−5.78 (4.68)	−1.51 (3.19)	1.45 (3.31)	−2.94 (4.50)
Constant	8.35*** (0.73)	7.86*** (0.64)	1.96* (1.11)	6.32*** (1.51)	7.56*** (1.32)	1.80 (1.68)
Observations	1823	1823	1823	1823	1823	1823
Abortion Included	Yes	Yes	Yes	No	No	No

***Significant at the 1 percent level. **Significant at the 5 percent level. *Significant at the 10 percent level.
Robust standard errors clustered at the state level are reported in parentheses.
Coefficients on state and year fixed effects omitted.
Inclusion of the poverty rate variable prevents the use of observations in 1975 and 1974.
The Effective Abortion Rate is different for each of the 3 crime categories.
All coefficients are multiplied by 100 to reflect percent changes, unless noted otherwise.
Controls for 4 demographic variables represent the fractions of the state population in a particular age, sex, and race group.
The dependent variable is the natural log of the various crime rates.
A 100 unit increase in the EAR is expected to reduce violent crime by 20%, property crime by 17%, and murder by 17%, as shown in columns 1-3.

2. Out of Wedlock Births

Over time there has been tremendous growth in the number of children born out of wedlock. Specifically, as shown in Figure 14, the percentage of live births that occur to single women has grown from 4 percent in the early 1950s, to 25 percent in 1988 (a level that led Moynihan in the early 1960s to see the black family as in peril) and 33 percent in 1999. As of 2010, the figure was 41 percent for all US births and 72.8 percent for blacks. This increasing pattern of out of wedlock births increases the likelihood that the children will experience a number of factors that have been associated with higher risks of subsequent criminal involvement: growing up in poverty and unstable homes without the benefits of the presence of two parents.[62] While in the last five or six years, that number has flattened out, the number of children who grew up in these less favorable circumstances who are now entering the high-crime years of late adolescence and beyond will still be growing each year until all of the children growing up in these circumstances prior to 2009 have aged out of the high crime-age population. Thus, while I don't have a regression-based estimate for this effect, we have evidence that the past increases in out of wedlock births will put upward pressure on crime for perhaps the next ten years.

C. Factors Tending to Suppress Crime

The factors discussed above have all been putting upward pressure on crime in recent years. As we saw earlier, however, property crime continues to fall. This means that there are some potent factors at work putting downward pressure on crime – or at least on property crime – and these factors continue to dominate any stimulating influence on property crime.

1. Increasing Use of Technology that Raises the Cost of Crime

A number of technological innovations are operating to restrain crime. Jennifer Doleac has recently written of the success of the expanding use of DNA databases to reduce not only murder and violent crime, but property crime as well.[63] The continuing use and growth of these databases is one of the new factors restraining crime across the board.

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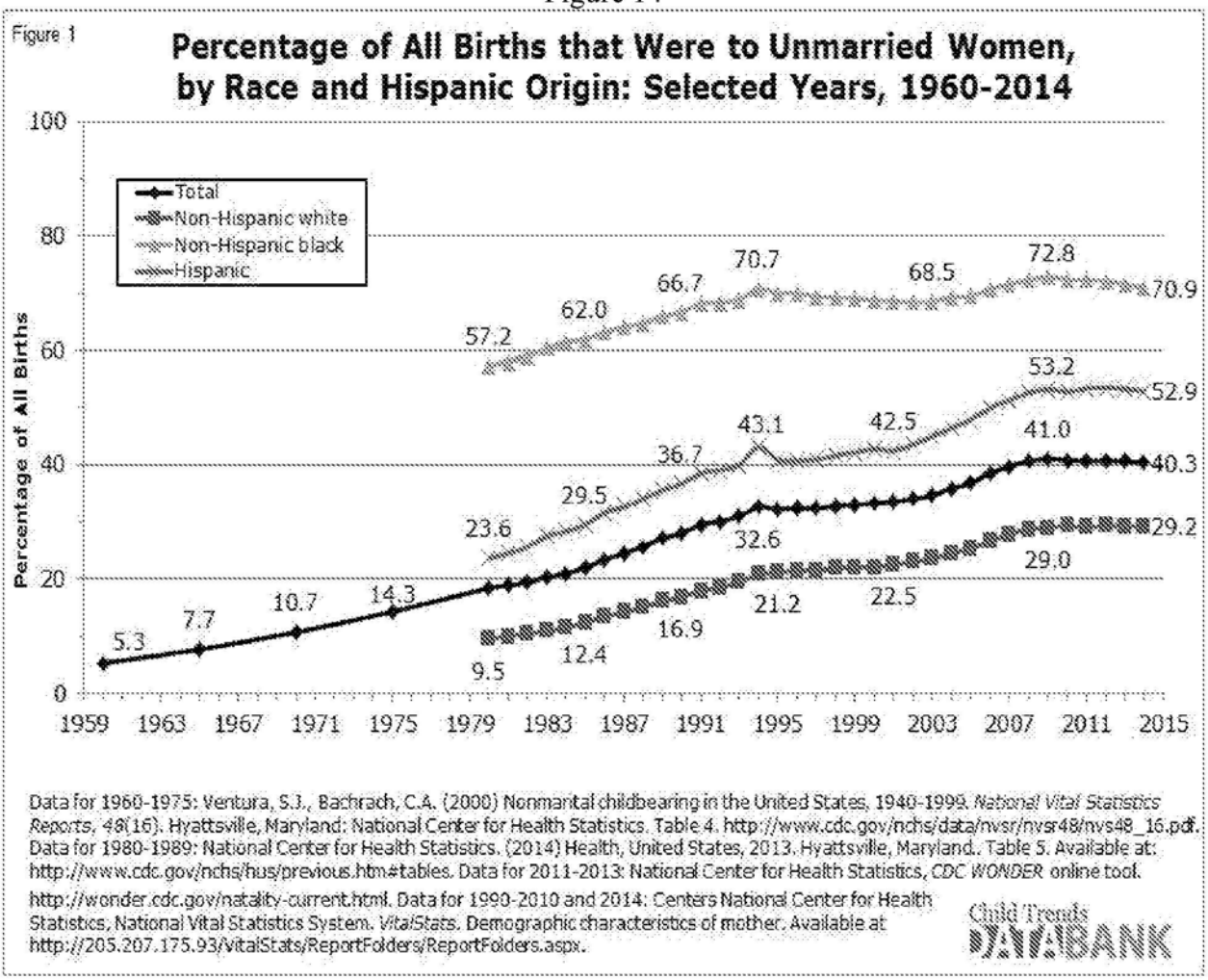
[62] A remarkable recent study finds that criminality is substantially impact by certain types of sub-optimal family dynamics. See, Breining, Sanni, Doyle, Joseph J., Figlio, David N., Karbownik, Krzysztof and Jeffrey Roth. "Birth Order and Delinquency: Evidence from Denmark and Florida." Working Paper. December 2016 (finding second children have substantially higher rates of delinquency and criminality). Whatever disadvantages second children have relative to their older siblings, they are small relative to some of the family disadvantages that poor inner-city children in unstable families experience.

[63] Jennifer L. Doleac, "The Effects of DNA Databases on Crime," American Economic Journal: Applied Economics 2017, 9(1): 165–201, https://doi.org/10.1257/app.20150043

Figure 14



The widespread use and availability of cell phones and surveillance videos has also been curtailing criminal activity. Before cell phones were popular, burglars might have cut phone lines before going into houses. Obviously, they believed that their criminal designs could be compromised if an occupant were to hear them and phone the police. Cell phones have ended that option for burglars. They facilitate calls for help and their cameras allow license plates and other evidence to be gathered more easily, thereby elevating the burdens on criminals. Of course, new technology can also be employed by criminals to aid criminal enterprises, but the dampening effect on crime from the broadening use of technology has been the more dominant influence thus far.

2. The Economy

While the relationship between the economy and crime is often unclear, to the extent that an improving economy has any dampening effect, the strengthening economy will have recently been operating to reduce crime, and should continue to do so in the near future.

Note that 2015 was an unusually good year in every economic dimension that one might think would be relevant to crime. Not only did median household income rise by a robust 5.2 percent from 2014 (the first such increase since 2007), but the large job growth in 2015 enabled the number of individuals in poverty to decline by 3.5 million.[64] While poverty declined in every group, blacks and Hispanics experienced the largest improvement.[65] One would expect these developments to restrain crime, and perhaps they did for property crime and violent crime. Obviously, whatever restraining influence this substantial economic improvement was having on murders was overwhelmed in 2015 by the other factors that were stimulating murders. I note in passing that the nature of media reporting and perhaps voter attention in a presidential election year was such that many more people were aware of the claims about the enormous increase in murders in 2015 than in the enormous improvements in job growth and poverty reduction in the same year.

3. Factors Differentially Suppressing Property Crime

The two previous factors will tend to suppress all types of crime, which we know were outweighed in 2015 by factors that stimulated homicides. Three additional factors have been differentially suppressing property crime. The first two make traditional robbery and theft crimes less attractive: 1) the lesser carrying of cash with the ascendancy of credit cards, and 2) the lower cost of goods, which makes theft less attractive (a "Walmart" effect). Previously, criminals might hope to find cash in a burglarized home but the move towards credit cards has reduced the likelihood that significant amounts of cash will be found (except for the homes of drug dealers, as we noted above). In the past, television sets and other appliances were also attractive to burglars if they could be re-sold quickly for a reasonable price. But as the price of these appliance falls and their size increases, their attractiveness to potential burglars falls. Today, the most alluring targets for non-professional burglars are probably jewelry and guns.

The third factor is in part a response to the first two factors, and while it does not reduce crime, it changes the nature of property crime: criminals are shifting away from stealing goods to stealing via the internet. These losses are probably far less likely to be counted in federal crime statistics, in part because so many victims remain unaware of their losses. This internet effect suggests that some of the reported property crime decline is not real, simply reflecting a change in the technology of theft. Nonetheless, it is probably less socially costly to have a $100 credit card theft than having a burglar steal $100 from your home. The latter will engender more fear, and also carries the risk of escalation into violence.

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[64] Bernadette D. Proctor, Jessica L. Semega, Melissa A. Kollar, "Income and Poverty in the United States: 2015," Census Department Report Number: P60-256 September 13, 2016. http://www.census.gov/library/publications/2016/demo/p60-256.html;

[65] Patricia Cohen, "Millions in U.S. Climb Out of Poverty, at Long Last," The New York Times, September 25, 2016. http://www.nytimes.com/2016/09/26/business/economy/millions-in-us-climb-out-of-poverty-at-long-last.html?_r=0

The move to a cashless society – currently underway in some other societies – certainly merits close attention as a possible further step that can be taken to reduce crime (in addition to other social benefits).[66]

D. The Net Effect on Crime in 2015

When you consider all of the factors that were putting upward pressure on crime in 2015, it is not surprising to see a considerable spike in homicides that year. This conclusion follows from a simple exercise: use existing elasticity estimates and the percentage declines in police and prisoners to estimate the likely effect on murder and violent crime, and add in a plausible estimate for the impact of a growing illegal drug markets. These three factors alone can essentially explain the roughly 10 percent higher murder rate observed in 2015 and the far smaller jump in UCR violent crime. This suggests that murder and violent crime in 2015 would have been roughly at the level of 2014 had these three factors not been operating. The end of the crime suppression generated by the increased abortion rate and the continuing increase in out of wedlock births that has only recently stalled are other factors that are either still stimulating crime or whose previous suppressing effect has now been eliminated or reduced.

Of course, all sorts of complexities are imbedded in these numbers: Which elasticity estimates are the best for estimating the impact of the declines in police and incarceration? How should one account for changes that occurred over a number of years in assessing the impact on murder in 2015? If the increasing drug problem, fewer police and prisoners, and more out-of-wedlock births have pushed crime up and thereby cumulatively explain why murder and violent crime are where they are today, that still leaves the puzzle of why the jump in murder didn't start earlier. In other words, if over the last five years those four factors operated in combination to push up the murder rate by 2 percent per year, why did murder jump by 10 percent 2015? Shouldn't the murder rate have increased from 2014 to 2015 only be one-fifth as high as it was? Why then wasn't the murder rate rise in 2015 only 2 percent instead of 10 percent? Put differently, can continuous changes in causal factors ultimately lead to discontinuous impacts on crime?

It appears from the sharp reversal in crime that occurred in 1993 that this is exactly what happens. Conceivably, the initial decline in police in the years prior to 2015 had relatively little effect but, at some point, a larger cumulative effect was felt. As the police force shrinks, at first one loses the presumably least valuable police services so the upward pressure on crime is small. When the losses continue and 5 or 10 percent of the police force is gone, the department has started losing some muscle and bone. If this tipping point or threshold effect story is correct, then by the time the police force had fallen by 7.1 percent and the incarceration rate has fallen by 8.6 percent in 2015, that threshold had been met. At that point, the criminal population finally perceived a lower police threshold and/or the police force was stretched more thinly, thereby stimulating a rise in criminal behavior, which is less easily restrained. Similarly, lower incarceration levels meant more criminals for the increasingly short-handed police to grapple with, and the growing illegal drug markets imposed similar burdens.

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[66] Jon Henley, Sweden leads the race to become cashless society, The Guardian, June 4, 2016 https://www.theguardian.com/business/2016/jun/04/sweden-cashless-society-cards-phone-apps-leading-europe

The above discussion suggests that major crime shifts result more from the accumulation of a number of factors pushing in one direction that eventually overwhelm forces pushing in the opposite direction. There may be a catalytic event that stimulates the shift but the power of a crime shift derives from the accumulation of forces, perhaps over a number of years. This is true about the dramatic post-1993 crime drop and will be true if 2015 heralds a sustained murder rate increase. Accordingly, the factors putting upward pressure on crime over the last few years can in aggregate provide a potential causal underpinning of the dramatic and sudden rise in homicides that occurred in 2015 after a very good year in 2014 if they finally overwhelmed the countervailing forces in 2015. The implications of this claim for Comey's suggested de-policing theory as the reason for the 10 percent increase in murders in 2015 is not encouraging. Since the more fundamental factors that we have mentioned may explain the full increase in murder, there is little scope for the Comey thesis to have played a role in this nationwide increase in crime (unless the factors depressing homicide are so great that we need yet another element to again close the gap between the observed homicide rate and the rate that we can explain).

Note that our elasticity estimates for police and incarceration both showed that murder was most influenced by these factors, violent crime came next, and property crime was last. Hence we should not be surprised that this was the basic pattern seen for 2015 with a very large jump in murder but a large decline in property crime. The property crime decline must reflect the continuing power of the forces we mentioned that are putting particularly strong downward pressure on the theft of goods.

V. Further Thoughts on Policing

A. The De-Policing Hypothesis

1. Comey's October 2015 Speech

Given the enormous importance of the police in restraining crime, it was not implausible for Comey to speculate whether some of the developments in the wake of various highly publicized police killings might be responsible for the dramatic murder hike of 2015. Unfortunately, Comey's de-policing thesis was ill-defined, unsophisticated, and unsupported.

His story would only make sense if police are powerful crime suppressors, but presumably Comey would have known that the number of police was falling. Therefore, if one knows that police rates are down substantially, one must conclude that there will be upward pressure on crime. Comey ignored this factor. Indeed, Comey's entire explanation for the spike in murders in 2015 seems to be based on what he had "heard in conversations all over the country." Of course, the most arrant nonsense was heard in conversations all over the country in the course of the Presidential election, so this is not a promising beginning. Comey continued:

> Nobody says it on the record, nobody says it in public, but police and elected officials are quietly saying it to themselves. And they're saying it to me, and I'm going to say it to you. And it is the one explanation that does explain the calendar and the map and that makes the most sense to me.
>
> Maybe something in policing has changed.

> In today's YouTube world, are officers reluctant to get out of their cars and do the work that controls violent crime? Are officers answering 911 calls but avoiding the informal contact that keeps bad guys from standing around, especially with guns?
>
> I spoke to officers privately in one big city precinct who described being surrounded by young people with mobile phone cameras held high, taunting them the moment they get out of their cars. They told me, "We feel like we're under siege and we don't feel much like getting out of our cars."
>
> I've been told about a senior police leader who urged his force to remember that their political leadership has no tolerance for a viral video.
>
> So … the question that has been asked of me, is whether these kinds of things are changing police behavior all over the country.
>
> And the answer is, I don't know. I don't know whether this explains it entirely, but I do have a strong sense that some part of the explanation is a chill wind blowing through American law enforcement over the last year. And that wind is surely changing behavior.

Comey's statement was widely taken to mean that the FBI director had now concluded that the protest against perceived police misconduct spearheaded by the Black Lives Matters movement was to blame for the added 1500 deaths in the U.S. last year. Since Comey added that these deaths were not at the hands of the police and almost entirely among young men of color, the subtext of Comey's remarks were that even if Black Lives Matters had some legitimate complaints, their conduct had led to many more deaths of young black men than would be saved even if all the wrongful police shootings were eliminated. The "blame the victim" overtone of Comey's musings surely explained some of the angry response it elicited.

But the implicit criticism of the police was also striking. A chill wind blows and suddenly the police aren't doing their job, and as a result 1500 people die? The astonishingly tone deaf Comey seems not to have understood that his speculation reflected a powerful indictment of the police as well. It is highly imprudent for an FBI director to level such allegations against both the Black Lives Matters movement and the police without having solid empirical support for his position. Did Comey realize that his speculations could well inflame both fears of black crime and white resentment, and did he understand the possible implications of that incitement during a Presidential campaign (especially coming a few months after the Dylann Roof killings that were motivated by the mistaken belief that blacks were slaughtering whites)? As we alluded to at the beginning of this paper, the public got the message, and fear of crime jumped sharply in 2016 – to levels higher than it was when crime was far worse. The White House rebuke of his de-policing story as inappropriately based on anecdotes rather than facts and evidence was quite appropriate.

Where is the evidence that the 1500 additional deaths were "almost entirely among young men of color?" That information would be available to Comey, yet no such evidence has been forthcoming. Moreover, the substantial increases in murders in the very low black populations states that we documented above makes that seem rather unlikely. But even if it were true that all the added deaths were of black men of color that would not prove the Comey de-policing

story. An alternative or complimentary hypothesis might be that when "the longstanding grievances and discontent with policing in African-American communities [were] activated by controversial incidents of police use of force, chronic discontent erupt[ed] into violence."[67] Comey seemed oblivious to this possibility, but riots in Baltimore in April 2015 following the death of Freddie Gray in police custody and in Ferguson, Missouri four months later on the one-year anniversary of the shooting of Michael Brown (with more cities to follow in 2016 following other police shootings) seemed to conform to that description. We know that this rage was spilling over into homicidal conduct in at least some cases because this was the explicit reason offered for some of the horrible police shootings of the last two years.

It might have been helpful if Comey had reflected on the following questions before he announced what he thought was the most plausible explanation for a large jump in homicides. How would one test for this de-policing hypothesis? What evidence could be gathered that would be supportive of this claim? What implications are there for other forms of criminal conduct if the de-policing story is true? While Comey gave the briefest consideration of other factors that might have been causing the jump in murders, he quickly rejected them saying the one that made most sense to him was the chill wind theory.

One would hope that Comey was aware of the literature we alluded to above showing the impact of police and incarceration on crime. Note that the two findings we stressed were that police and prisons reduced crime substantially, and the declines in these two factors (and perhaps the growth of illegal drug markets as well) would stimulate crime differentially – with murder growing the most and property crime rising the least, and violent crime somewhere in between. Since Comey did not recognize (or at least acknowledge) the crime divergence in 2015 we have highlighted, he would not have been able to attend to that nuance, but he could have at least considered the impact of the declining rates of police and incarceration on homicide. Moreover, the impact of growing illegal drug markets on homicide is relatively straightforward. Surely Comey should have recognized that his theory could not explain the murder hike, in his words, "entirely," because other significant factors were playing a role, thereby reducing the amount that needed to be, or could be, explained by his preferred thesis.

The de-policing hypothesis (perhaps supplemented by the "building frustration at police misconduct finally explodes" theory) is more plausible as an explanation for a short-term increase in crime in a specific city after an identifiable triggering factor than as an explanation for a widespread jump in murders across 37 states.[68] Some fivethirtyeight.com articles on the topic show striking time-series graphs of arrests falling as crime rises. Such studies from a small number of cities that have experienced a traumatic event provide some plausibility to the existence of a de-policing effect.[69] Causal attribution can be tricky even in these cases, however.

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[67] Richard Rosenfeld. "Documenting and Explaining the 2015 Homicide Rise: Research Directions." National Institute of Justice, June 2016.

[68] Following the launching of a DOJ investigation into the Seattle police department in 2011, claims of de-policing emerged, with reports of police failing to investigate crimes (Scigliano, Eric. "The D word: Seattle confronts the 'depolicing' dilemma"). Similarly, a drop in arrests in Oakland in 2012 was attributed, by some, to de-policing following federal oversight. See Bulwa, Demian. "Arrest totals down sharply in Oakland," SFGATE, December 1, 2012. Online at http://www.sfgate.com/crime/article/Arrest-totals-down-sharply-in-Oakland-4084463.php

[69] See, e.g., Rob Arthur and Jeff Asher. "Gun Violence Spiked—And Arrests Declined—In Chicago Right after the Laquan McDonald Video Release." Fivethirtyeight.com, April 11, 2016. And Reuban Rischer-Baum and Andrew Flowers, "Charts: Baltimore Crime, Before and After Freddie Gray's Funeral." Fivethirtyeight.com, June 16, 2016.

During the riots following the death of Freddie Gray in Baltimore in April 2015, one could imagine that crime could rise and arrests could fall if the police were scrambling to maintain order, especially given Baltimore's shrinking police force.[70] This may not be the product of the type of intentional de-policing that Comey described, but simply the consequence of a police response to a riot where police may be re-assigned from other tasks to confront a mob. Of course, a Comey effect could follow, but then the analyst would need to sort out that portion of the post-Freddie Gray crime increase caused by the riot from that caused by the Comey effect.

Pyrooz et al conducted an empirical test for any kind of national de-policing effect after the August 2014 shooting of Michael Brown – a so-called "Ferguson Effect." The authors concluded that except for robbery there was no evidence to support the claim.[71] The paper looked at monthly city crime data from 81 large cities for the period one year prior to the August 2014 shooting and the one year after and did not find a statistically significant break in the trend in crime for murder, violent crime, or property but did so for robbery. Of course, whether the full effect of de-policing occurred within one year of the Brown killing remains unclear, so a different statistical model or just a longer post-treatment evaluation period might produce different results.

Rushin and Edwards have an intriguing new paper that analyzes "all police departments that have been subject to federally mandated reform under 42 U.S.C. § 14141—the most invasive form of modern American police regulation."[72] Their major finding was that

> "the introduction of external regulation to a police department via § 14141 was associated with a statistically significant increase in the frequency of several crime categories—particularly property crimes….We found that this apparent uptick in crimes was concentrated in the years immediately after the initiation of external regulation and diminished into statistical insignificance over time. This suggests that external regulation may come with growing pains."

The paper finds that the property crime rate elevation is substantial – a 25.4 percent increase.[73] This may suggest that as police departments are undergoing policy changes in response to federal regulation their crime fighting capacities are temporarily disrupted, particularly for property crimes. But of course since both the UCR and NCVS data showed property crime was declining in 2015, this effect seems not to have been operating very powerfully.[74]

None of these studies provide evidence of a contagion effect that could explain the rising crime in cities nationwide. In effect, Comey seems to have conflated geographically and temporally local effects with broad national trends. Even reports showing that the cities experiencing the largest murder rate jumps have relatively high black populations is not particularly

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[70] Scott Malone, "Baltimore saw steep fall in police numbers as murder rate soared," Reuters, Jul 7, 2016, http://www.reuters.com/article/us-baltimore-police-hiring-insight-idUSKCN0ZN0BF

[71] Pyrooz, David, Scott Decker, Scott Wolfe, and John Shjarback (2016). "Was there a Ferguson Effect on crime rates in large U.S. cities?" *Journal of Criminal Justice,* 46: 1-8.

[72] Stephen Rushin and Griffin Edwards, *De-Policing*, 102 Cornell Law Review __ (forthcoming 2017).

[73] The "percentage change" is listed in Figure 7.

[74] Note that the difference-in-difference methodology employed in this paper could not capture any national de-policing effect, because that would be operating on both the treated and untreated cities.

corroborating.[75] These cities may also be experiencing disproportionate drops in incarceration, police, and abortion, while having larger growth in illegal drug markets and out-of-wedlock births – all factors that can and should have been explored before announcing a highly controversial theory.

2. Murders and Policing in NYC and Chicago

A very telling graph by Peter Moskos, shown in Figure 15, illustrates simultaneously how a major disruption in a police department can lead to a chillingly large jump in crime, while effective policing can substantially curtail murders in a large city. As one looks at the counts of murders for NYC and Chicago, the first thing to note is that Chicago – with only one-third the population of NYC – has had more murders than NYC since 2012 (and obviously a much higher murder rate for many years). The disastrous murder spike that has befallen Chicago in 2016 is tragic, and much like Baltimore, the product of some acute pathologies.

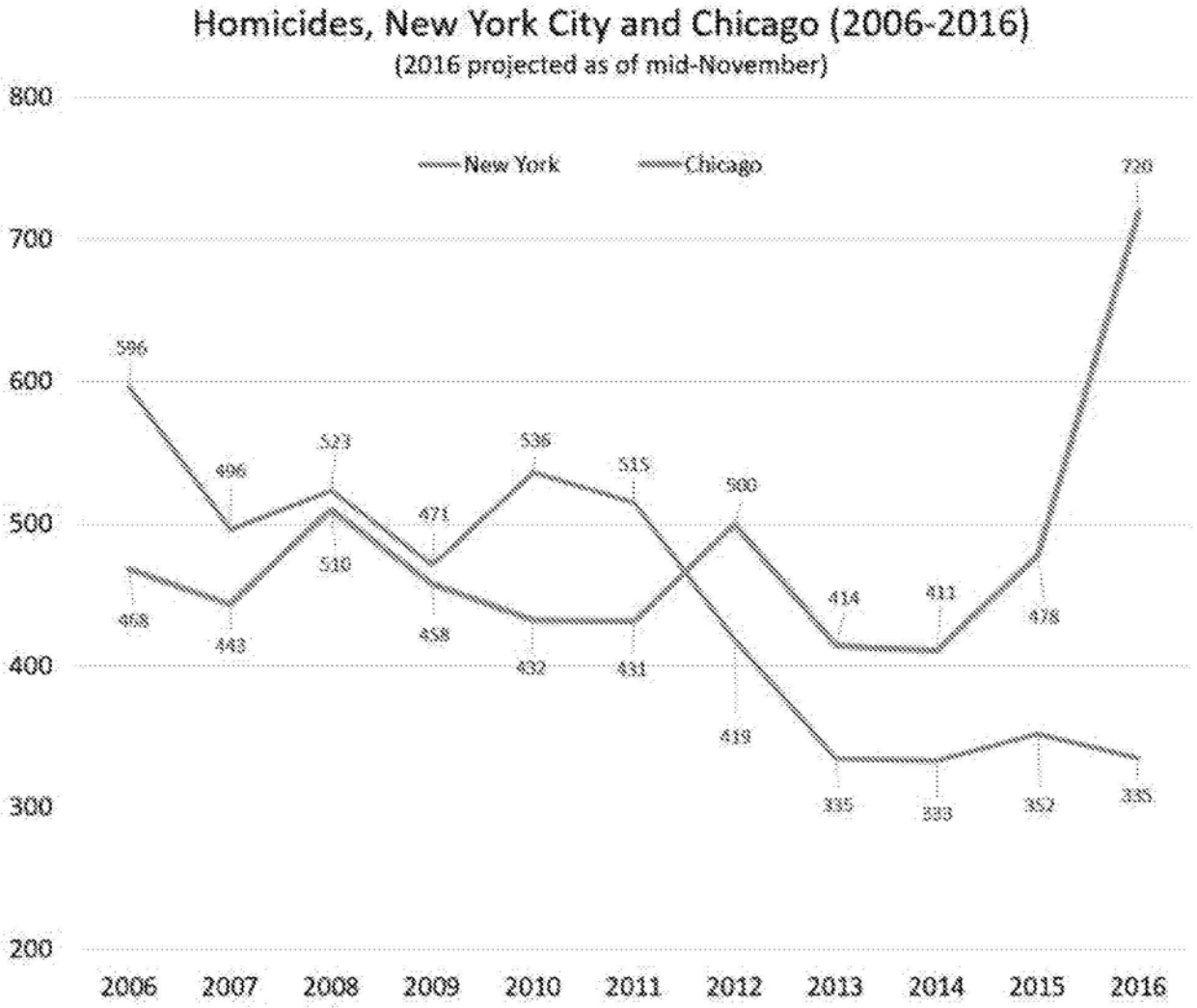
Figure 15 also displays the equally dramatic decline in murder that occurred in NYC from 2011 to 2013. As Figure 16 reveals, the impressive murder decline was also accompanied by a drastic reduction in police stops. When Donald Trump extols the benefits of stop and frisk policing strategies, someone should point out to him that by 2014, both the number of stops and murders in the city were at remarkable lows. The best evidence from an important study by MacDonald, Fagan and Geller shows that "crime reduction can be achieved with more focused investigative stops."[76] The good news on crime in NYC has persisted after 2013 under the liberal Mayor de Blasio, despite many loud and insistent predictions that crime would explode if stop and frisk were to end. Moreover, the post-2014 murder trend in NYC casts further doubt on the nationwide de-policing story that Comey advanced. Indeed, the NYC experience underscores that without a careful definition of the term, claims about "de-policing" can be both misleading and dangerous. The NYC murder drop of 2011-2013 was achieved contemporaneously with a massive reduction in stops and misdemeanor marijuana arrests. That is a type of "de-policing" we need more of.

Former Chicago Police Superintendent Garry McCarthy — who was fired amid controversy over the police shooting (with 16 bullets) of unarmed teen Laquan McDonald in October of 2014 — said criticism of policing methods by local officials there had left cops "hamstrung." Such claims need to be carefully examined because police often raise them whenever police misconduct is identified and criticized.

[75] Richard Rosenfeld, supra note 67.

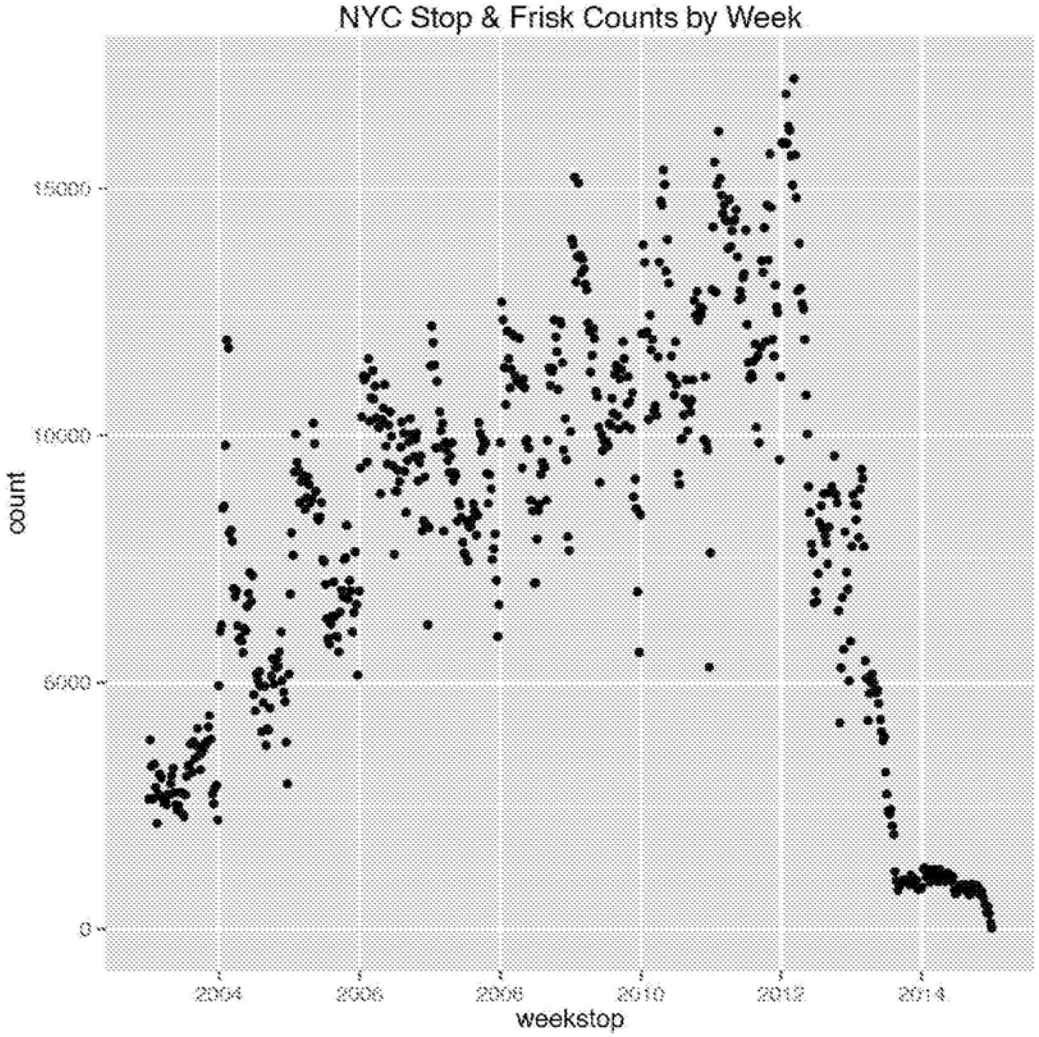
[76] John MacDonald, Jeffrey Fagan, Amanda Geller, "The Effects of Local Police Surges on Crime and Arrests in New York City," PLOS One (2016).

Figure 15



Peter Moskos, "The best of times, the worst of times," The Cop in the Hood Blog, November 18, 2016 http://www.copinthehood.com/2016/11/the-best-of-times-worst-of-times.html

Figure 16



For example, an LAPD recruit contended that after the release of the 1992 Rodney King video massive de-policing occurred: "we make no arrests; we do not even try to… Officers are beyond paranoia when it comes to using force. Our police force has been effectively emasculated" (Dunn 1996). One must be highly skeptical of such claims in light of the actual experience of sharply dropping crime in Los Angeles after 1992. Specifically, the violent crime rate dropped in Los Angeles from 1992 to 1996 by 27 percent, and the murder rate declined by 32.8 percent. Crime declines of this magnitude are unlikely to occur if there really is emasculation of the police force. Any effect of "de-policing" in Los Angeles at that time was likely modest, short-lived, and outweighed by countervailing downward pressures on crime.

Another illustration of the need for greater precision in the use of the term "de-policing" comes from the recent troubles in Chicago. Chicago Police Department spokesman Anthony Guglielmi blamed the decline in proactive policing in Chicago on a new form that must be filled out after certain interactions with the public. The form was required under the terms of the city's August

2015 settlement with the American Civil Liberties Union over the department's "stop and frisk" program. The form, called an investigatory stop report (ISR), is longer than the previous contact cards it replaced and takes substantially longer to complete after some incidents. "The rules of the game changed on Jan. 1," Guglielmi said.[77]

But a review of arrest rates in Chicago concluded that these rates fell right after the release of the Laquan McDonald video (again, a riot-induced effect?) and actually rose after the ISR requirement went into effect:

> Although the ISR may be playing a minor role in curbing proactive policing, it doesn't appear to be the major reason behind the downward trend in arrests. The ISR was implemented on January 1, 38 days after the release of the Laquan McDonald video. In that five-week span, the overall arrest rate fell from 26 percent to 19 percent. Since Jan. 1, the overall arrest rate has risen slightly. The onset of the decline in arrests significantly predates the ISR, and arrests have actually increased since it was introduced, though they are occurring less frequently than they did in 2015.[78]

Making officers fill out forms could certainly have some negative consequences, but again it matters why this happens. Obviously, if the police spend 10 percent of their time filling out forms that would potentially cut the time they could be doing other police work by 10 percent. One always needs to consider the opportunity cost of any particular allocation of time. But if the forms are needed to effectuate lawful arrests or to prevent racially biased policing, then the costs of the forms have to be weighed against the benefits they provide. Moreover, the costs of filling out the forms could fall to some extent if a learning effect operates. It is a different matter, though, if the police simply dislike filling out the forms because they don't like to be monitored. The pure "opposition to monitoring" effect is supported by the cases in which police show their extreme unhappiness about being video-recorded, even if from a distance and unobtrusively.[79] This may be a human reaction, but it is not a legitimate basis for objection because it is essential that all government officials, especially those given great powers and accorded great discretion, are monitored effectively.

A sense of the severity of the problem in Chicago is conveyed by the fact that since 2004, the city has spent almost $642 million dollars dealing with police misconduct legal claims, with

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[77] Rob Arthur and Jeff Asher, "Gun Violence Spiked — And Arrests Declined — In Chicago Right After The Laquan McDonald Video Release," FiveThirtyEight, April 11, 2016, http://fivethirtyeight.com/features/gun-violence-spiked-and-arrests-declined-in-chicago-right-after-the-laquan-mcdonald-video-release/

[78] Id.

[79] After the widely publicized shooting of Alton Sterling in July 2016 in Baton Rouge, for example, officers confiscated the nearby Triple S Mart's security system, detained the store's owner, and confiscated the phone he had used to record the shooting. In 2011, in Georgia, police slammed a girl's head into a car after she videotaped the arrest of her cousin. Andrea Pritchett and Annie Paradise (2011). "The Criminalization of Copwatching: Berkeley Copwatch Report on State Violence, Police Repression and Attacks on Direct Monitoring." In 2010, Maryland, police arrested a man after he posted video of a traffic stop on YouTube. Hanley (2011). "A Dangerous Trend: Arresting Citizens for Recording Law Enforcement." *American Journal of Trial Advocacy* 34: 645-668.

$102 million of that total from the last two years alone.[80] These settlements diverted government resources away from needed services that could improve high-crime communities. Chicago took out almost $100 million in bonds in 2014 to pay for police misconduct cases.[81] Indeed, the police have tried cover-up the nature of misconduct with certain settlements. For example, the Chicago police tried to suppress a video of the fatal police shooting of Laquan McDonald with a $5 million settlement, and destroyed video footage of a nearby store's security camera to hide the evidence of what happened.[82]

Chicago isn't alone, either. In the past four years, Baltimore has had 100 settlements or judgments based on police brutality or civil rights abuses. In many of these instances, police acted violently against bystanders after minimal provocation. For example, in one convenience store, police stopped Jerriel Lyles without any discernible reason, then hit him in the face when he objected. Lyles' case ended in a verdict against the officers and an award of $200,000. Starr Brown was trying to explain what she had witnessed to officers at the scene of a crime, when the situation escalated. Even after she declared she was pregnant, an officer threw her to the pavement: "I was tossed like a rag doll. He had his knee on my back and neck."[83] Brown settled her case for $125,000. The high-profile death of Freddie Gray, who sustained spinal injuries in the back of a police van, led to a $6.4 million settlement.[84]

According to a tally by the Wall Street Journal, payouts from police misconduct cases in the 10 cities with the largest police departments totaled $248.7 million in 2014, compared to $168.3 million in 2010.[85] The family of Eric Garner, a man who was killed by a police chokehold (and famously declared "I can't Breathe"), won a $5.9 million dollar settlement from the city of New York.[86] A 2016 case in Michigan, meanwhile, led to a strikingly large award of $37 million when a man arrested for drunk driving was severely beaten by police at the jailhouse.[87]

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[80] Andrew Schroedter. "BGA PUBLIC EYE: City pays a price for police misconduct--$642 million since 2004." Chicago Sun-Times, November 9th, 2016.

[81] Carrie Sloan and Johnae Strong, "Chicago has spent half a billion dollars on police brutality cases—it's impoverishing the victims' communities." The Nation, March 11, 2016.

[82] The settlement contained a clause specifically prohibiting the release of the video; ultimately, however, a court ruled that the video had to be released. Curtis Black, "How Chicago tried to cover up a police execution." The Chicago Reporter, November 24, 2015. Indeed, this case has brought concerns of police silence into the public conversation. In late 2016, a special prosecutor was appointed to investigate the role of seven Chicago police officers in attempting to cover up the shooting. One of the attorneys involved, Michael Robbins, told the Chicago Tribune that "The real problem here is the culture…that creates this code of silence and this almost unspoken instinctual conduct on the part of officers to shield one another from allegations of misconduct." See Annie Sweeney, Jeremy Gorner and Dan Hinkel, "Top cop seeks to fire 7 officers for lying about Laquan McDonald shooting." Chicago Tribune, August 18, 2016.

[83] Mark Puente. "Undue Force," The Baltimore Sun, Semptember 28th, 2014.

[84] Sheryl Gay Stolberg, "Baltimore Announces $6.4 Million Settlement in the Death of Freddie Gray," New York Times, September 8th, 2015. http://www.nytimes.com/2015/09/09/us/freddie-gray-baltimore-police-death.html

[85] Zusha Elinson and Dan Frosch, "Cost of Police-Misconduct Cases Soars in Big U.S. Cities," The Wall Street Journal, July 15, 2015.

[86] David Goodman, "Eric Garner Case is Settled by New York City for $5.9 million," New York Times, July 13th, 2015.

[87] Tresa Baldas, "Brutality caught on camera gets man $37M," Detroit Free Press, November 7th, 2016. The jury ruled against six officers for use of excess force—damages included $10,420,000 for the use of unlawful force, $7,210,000 for future harm, and punitive damages for each officer, ranging from $2 - $5 million.

B. Policing in the Years Ahead

The relationship between the police and the community will never be without friction. Police are needed because not everyone obeys the laws and police must be the ones to arrest them or impede their misconduct, neither of which will endear them to the people they apprehend or those whose preferences they thwart. Moreover, given the nature of their tasks in a country brimming with weapons, the police will always be making some deadly errors, even with the best of intentions, since split second judgments at times have to made under situations of considerable stress. The police are also not given nearly enough credit in certain circles for their absolutely critical role in crime control, and improvements in policing have substantially reduced crime, as the New York City miracle attests.

But that said, the police also have to do better. The admittedly few officers who cause the most problems need to be ferreted out or quickly retrained, rather than protected by a tribal loyalty. No one should impede the police in the exercise of their legitimate authority, but the public should also be protected in its right to appropriately monitor the police without being threatened or physically accosted. Everyone will benefit if the relationship between the police and the community can be improved, but that will require steps from both sides that they have not been willing to take in the past.

An excellent example was set in October 2016, when the President of the International Association of Chiefs of Police Terrence M. Cunningham addressed his group's annual conference and received a standing ovation after his speech on the Law Enforcement Profession and Historical Injustices. Cunningham stated:

> While we obviously cannot change the past, it is clear that we must change the future. We must move forward together to build a shared understanding. We must forge a path that allows us to move beyond our history and identify common solutions to better protect our communities.
>
> For our part, the first step in this process is for law enforcement and the IACP to acknowledge and apologize for the actions of the past and the role that our profession has played in society's historical mistreatment of communities of color.
>
> At the same time, those who denounce the police must also acknowledge that today's officers are not to blame for the injustices of the past. If either side in this debate fails to acknowledge these fundamental truths, we will be unlikely to move past them.
>
> Overcoming this historic mistrust requires that we must move forward together in an atmosphere of mutual respect. All members of our society must realize that we have a mutual obligation to work together to ensure fairness, dignity, security, and justice.[88]

Certainly, Cunningham was setting the right tone, and hopefully more police chiefs will be able to suffuse these insights throughout their departments. Americans' confidence in the police was

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[88] Remarks Made by IACP President Terrence M. Cunningham During the 2016 IACP Annual Conference and Exposition in San Diego, California (October 17, 2016), http://www.iacp.org/ViewResult?SearchID=2690.

at a record high of 64 percent in 2004, but subsequently slipped to a low of 52 percent, reflecting some of the policing troubles of 2015 before rebounding modestly this year. At present, 25 percent of Americans have a great deal of confidence in the police, 31 percent quite a lot, 29 percent "some," 13 percent "very little" and 1 percent "none." The combined 14 percent with very little or no confidence in the police is down from 18 percent last year, which was the worst assessment in Gallup's history of rating the police.[89]

Improved national data collection on policing would enhance accountability, and the Department of Justice has taken some promising steps in this direction, by, for example, announcing the creation of a use of force database.[90] But relying on accountability systems that administer punishment after police misconduct has occurred may be less effective than taking pro-active measures to prevent police misconduct in the first place. The University of Chicago Crime Lab has joined with the Chicago Police Department and the city of Chicago to reduce adverse police-citizen encounters and improve police-community relations by strengthening support services for officers who display signs of elevated risk of future misconduct, using data-driven operational systems to identify and prioritize officers for available support.

Steps can only be taken to reduce tensions with the police by finding ways to further improve police safety. Police are always aware that they are in danger from guns and even though assaults (fatal and non-fatal) on the police have been trending down, they are still at a distressingly high level (about a tenth of the police force is assaulted every year).[91] The primary cause of death to police officers from intentional assaults is from guns. Efforts to improve officer safety through body armor and effective training can lessen the threat they feel and thereby reduce the number of "quick trigger" events.

One important study that merits further investigation found that states with high rates of civilian gun ownership are more dangerous for the police.[92] The study examined data on the number of

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[89] http://www.gallup.com/poll/192701/confidence-police-recovers-last-year-low.aspx

[90] See, e.g., Department of Justice, "Justice Department Outlines Plan to Enable Nationwide Collection of Use of Force Data," Official Department of Justice release, October 13, 2016. The White House has also taken recent steps to improve the quality and quantity of police data. In December 2014, President Obama signed an executive order creating the *President's Task force on 21st Century Policing,* a committee tasked with identifying best practices and making recommendations. In the Task Force's first report, it recommended that law enforcement "collect, maintain and report data . . . on all officer involved shootings, whether fatal or nonfatal, as well as any in-custody death" Action Item 2.1.1, Final Report of the President's Task Force on 21st Century Policing, May 2015. Online at https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf.

[91] The FBI does a good job of collecting information on the number of police that are killed in the line of duty, and this number in 2014 was at an all-time low of roughly 62 officers killed per year out of roughly 800,000 sworn officers (down steadily from about 101 annual police deaths during the Reagan years). The number of assaults per 100 police officers is down from 12.7 in 2000 to 9.0 in 2014. FBI, 2014 Law Enforcement Officers Killed and Assaulted, https://ucr.fbi.gov/leoka/2014/officers-assaulted/main; Christopher Ingraham, "Police are safer under Obama than they have been in decades," The Washington Post, July 9, 2016

[92] David I. Swedler, Molly M. Simmons, Francesca Dominici, and David Hemenway, "Firearm Prevalence and Homicides of Law Enforcement Officers in the United States," American Journal of Public Health, October 2015, Vol 105, No. 10, http://ajph.aphapublications.org/doi/pdf/10.2105/AJPH.2015.302749.

homicidal deaths of police in two groups of states with roughly equal number of police officers – the 8 states with the lowest levels of gun ownership and the 23 states with the highest rate of gun ownership. The study found that, over the period from 1996-2010, the rate of police homicide in the high-gun prevalence states was three times as high as the rate of police homicide in the low-gun prevalence states.[93] It might be worth studying whether gun control measures – universal background checks, reducing civilian firepower, banning armor-piercing bullets -- could enhance police safety.

VI. Conclusion

This paper has shown that after one leaves the comfort of noting that the murder rate rose sharply and property crime continued to fall in 2015, nothing else about crime is known with complete certainty. It is challenging, one year after the fact, to know exactly what happened with violent crime in 2015, even though we have two different data sources designed to measure this important social metric. Given the major discrepancies in UCR and NCVS violent crime data, it is unclear whether we should be applauding the news on violent crime or a bit concerned about a somewhat worsening performance. It is harder still to figure out why one might see big jumps in murder, large drops in property crime and an apparent substantial reduction in the prevalence of violent crime (even if more multiple victimizations). If there really were 300,000 fewer violent crime victims, 500,000 fewer property crime victims as well as 1500 more homicides in 2015 that would be an unusual crime picture – and one that is strikingly divergent from the picture that Comey painted.

Comey deserves credit for quickly identifying the rising murder rate, but much else in his University of Chicago speech and subsequent comments on crime was either slanted or oblivious (Comey made no reference to continuing crime improvements in property crime and the NCVS evidence of improving violent crime in 2015), incorrect (there was no explosion in overall violent crime in 2015 and we are not in trouble as we were prior to 1993), or unsupported and dangerously inflammatory (where is the evidence that nearly all of the increased murders were of blacks? The de-policing comments pounded the wedge between the Black Lives Matter movement and the police with little evidentiary basis). The perception that Comey was exaggerating the extent of the bad news on crime and emphasizing its racial dimension and his de-policing causal explanation without providing any empirical support raised eyebrows since fear mongering about the race-crime connection conforms to a frequent Republican presidential election playbook.[94] Donald Trump picked up the baton from Comey and ran with this issue, jettisoning even the smallest pretense of concern with the actual facts about crime.

For the first time since 9/11, a majority of Americans (53 percent) in 2016 said they were personally worried "a great deal" about crime and violence.[95] But note that nothing about the

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[93] In exploring whether gun prevalence is the causal factor in the higher police death rate one would have to control for the fact that high crime rates could lead to both more guns and to more police deaths.

[94] A Bayesian might argue that Comey's subsequent unusual handling of the email controversy of candidate Hillary Clinton, including his astonishing and apparently influential "October surprise," buttresses the view that Republican Comey was acting out of partisan motivations in his October 2015 speech as well..

[95] Mark Berman, "Americans are more worried about crime than they have been since before 9/11," Washington Post, April 7, 2016.

present *level* of crime would have warranted more fear in 2016 than was seen during any year after 9/11 during the Bush Administration, when crime was clearly worse. The importance of that perceptual shift going into the Presidential election is hard to exaggerate, and Comey and Trump clearly stimulated that belief by elevating apprehension about crime. This heightened apprehension provided enough of a political boost to Trump to at least raise the question whether this development alone, in a razor-thin presidential election in three states, was enough to influence the outcome.[96]

Looking forward, what can we expect in the years ahead concerning crime? For now at least the downward trend in property crime has yet to be disrupted. The path of violent crime and murder will in part depend on what happens with the major factors that we have mentioned. Developments with the prison population and police as well as what happens in illegal drug markets will be most crucial, since it looks as though the factors of abortion and out of wedlock births have stabilized and therefore will be less likely to provide any added substantial push on crime in either direction.

If one wanted to immediately forestall any further bad news concerning the murder rate, a reasonable suggestion might be to return to Bill Clinton's 1992 plan of putting an extra 100,000 police on the streets. This would undo the crime increases that have followed from the declining police employment and even allow further decreases in incarceration. At the margin, greater spending on police and less on prisons seems to be a wise trade-off.[97] Perhaps if the economy continues to improve there will be resources for greater police hiring, but without federal support, almost certainly lacking in Congress at this point, police hiring will be difficult for financially strapped cities. Regardless of whether there are increases in the size of police forces, the steps we have alluded to about healing the police-community rifts are essential for promoting a sense of justice and will likely generate crime-reduction benefits as well. We are poised to see an historic adjustment in police-community relations, and some disruption in crime may occur until the process of adjustment has been complete. Hopefully, New York City has paved the way for understanding how effective use of police can reduce crime without resorting to unconstitutional stops that are not based on reasonable suspicion. Other jurisdictions should learn from that experience. At the end of the day, there is no reason that Chicago should have three times the murder rate of New York City.

Note that if incarceration continues to decline, it will free up some resources, at least some of which should be used to identify effective programs that can increase the likelihood that former convicts return to a crime-free life, which unfortunately is very hard in a world with large illegal drug markets. With a new Attorney General who joked while dealing with a horrible Ku Klux Klan lynching that he always thought the KKK was "ok, until he learned that they smoked marijuana,"[98] I doubt there will be much movement towards drug legalization in the new administration. While legalization would obviously increase harms from drug abuse and

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https://www.washingtonpost.com/news/post-nation/wp/2016/04/07/americans-are-more-worried-about-crime-than-they-have-been-for-15-years/?tid=a_inl&utm_term=.19430f9cf0f3

[96] The similar percentage of those worried a great deal about crime was only 43 percent in 2015 and 39 the prior year, which shows that the perceptual shift was enormous over the course of 2016.

[97] John Donohue, "Fighting Crime: An Economist's View," 7 The Milken Institute Review 46 (2005).

[98] Senate Transcript on Sessions' Hearing.
https://www.scribd.com/document/15090183/Sessions-Hearing-Transcripts

overdose, it would substantially reduce crime, as occurred in the wake of ending Prohibition in 1933.

Many steps, in addition to those mentioned in our discussion of the current influences on crime, can be taken to lower crime,[99] although some of the most promising and cost-beneficial interventions (beyond additional police hiring) involve spending on early childhood enrichment.[100] While the benefits of wisely administered expenditures of this kind would be great, the money needs to be spent now, while the crime-reduction payoff doesn't come for roughly 15 years. This is not an easy sell to an American politician (who are rarely enthusiastic about an approach entailing pay now and benefit later).

I end with the hope that FBI Director Comey, who inadvertently or intentionally may have helped secure the election of Donald Trump will take seriously his obligations to protect the nation from all enemies, domestic and foreign, and stand up to forces within the new Administration that may try to subvert the rule of law. Comey may well have a heroic role to play in the years ahead.

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[99] For a discussion of some of these approaches, see John Donohue, "Fighting Crime: An Economist's View," 7 The Milken Institute Review 46 (2005).

[100] John Donohue and Peter Siegelman, "Allocating Resources Among Prisons and Social Programs In the Battle Against Crime," 27 Journal of Legal Studies 1 (1998).

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Monday, January 16, 2017 6:30 PM
To:	James B. Comey
Subject:	Fwd: The exact quote from Brennan

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" [redacted] > b7E
Date: 1/16/17 6:26 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted] >
Subject: Fwd: The exact quote from Brennan

Jim. Any issue with this Brennan comment to WSJ? Thanks. M

-------- Original message --------
From: [redacted] > b6 b7C b7E
Date: 1/16/17 6:23 PM (GMT-05:00)
To: "Kortan, Michael P. (DO) (FBI)" < [redacted]
Subject: The exact quote from Brennan

"There was an interest on the part of the bureau to make sure that the president-elect was aware of and informed of" the dossier, Mr. Brennan said. "It was not part of the [hacking] report. And it was very explicitly stated that the conclusions of this report in no way took that information [from the dossier] into account. The feeling was wanting to make sure that given the very salacious nature of it, the president-elect was at least aware of it so he could take it into account and do what needs to be done."

James B. Comey

From: James B. Comey
Sent: Monday, January 16, 2017 9:35 PM
To: Rybicki, James E. (DO) (FBI)
Subject: RE: The exact quote from Brennan

It's misleading in at least two respects. First, all agencies thought it should be included. Second, one of the reasons all thought it should be included is that it's source was credible and much of it was corroborative of rest of report. Another reason was the need to alert leadership but that was not only reason.

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-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 1/16/17 6:29 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Fwd: The exact quote from Brennan

-

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" [redacted] b7E
Date: 1/16/17 6:26 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted]
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Date: 1/16/17 6:23 PM (GMT-05:00)
To: "Kortan, Michael P. (DO) (FBI)" [redacted]
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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Monday, January 16, 2017 9:40 PM
To:	James B. Comey
Subject:	RE: The exact quote from Brennan

I pointed out the first and then told Kortan he should talk to Andy. The quote does appear in the article that just came out.

-------- Original message --------
From: "James B. Comey" [redacted] b7E
Date: 1/16/17 9:35 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: RE: The exact quote from Brennan

It's misleading in at least two respects. First, all agencies thought it should be included. Second, one of the reasons all thought it should be included is that it's source was credible and much of it was corroborative of rest of report. Another reason was the need to alert leadership but that was not only reason.

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Date: 1/16/17 6:29 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Fwd: The exact quote from Brennan

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Date: 1/16/17 6:26 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted]
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Date: 1/16/17 6:23 PM (GMT-05:00)
To: "Kortan, Michael P. (DO) (FBI)" [redacted]
Subject: The exact quote from Brennan

b6
b7C
b7E

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Sunday, January 22, 2017 11:46 AM
To:	James B. Comey
Subject:	Fwd: WH
Attachments:	Inauguration 2017-vFinal.docx

Please see attached. I'm waiting to hear back from DPD on pickup time.

-

-------- Original message --------
From: "Abbate, Paul M. (WF) (FBI)" [redacted] b7E
Date: 1/22/17 11:39 AM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: WH

Jim,
As requested, attached is a paper summarizing our final Inauguration-related activities and resourcing.
Still awaiting final details from US Secret Service regarding the WH meeting today.

Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Saturday, January 28, 2017 7:30 PM
To: James B. Comey
Subject: NSC

The NSC reorganization memo is below. Hard to tell your status. [redacted] says that PPD-1 from 2009 didn't mention you either. b6 b7C

SUBJECT: Organization of the National Security Council and the Homeland Security Council

As President, my highest priority is to ensure the safety and security of the American people. In order to advise and assist me in executing this solemn responsibility, as well as to protect and advance the national interests of the United States at home and abroad, I hereby direct that my system for national security policy development and decision-making shall be organized as follows:

A. The National Security Council, the Homeland Security Council, and Supporting Staff

The National Security Act of 1947, as amended, established the National Security Council (NSC) to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security. There is also a Homeland Security Council (HSC) -- established through Executive Order 13228 of October 8, 2001, and subsequently codified in the Homeland Security Act of 2002 -- that has the purpose of advising the President on matters pertaining to homeland security. Each Council is also responsible for the effective coordination of the security-related activities and functions of the executive departments and agencies.

The security threats facing the United States in the 21st century transcend international boundaries. Accordingly, the United States Government's decision-making structures and processes to address these challenges must remain equally adaptive and transformative. Both Councils are statutory bodies that the President will continue to chair. Invitations to participate in specific Council meetings shall be extended to those heads of executive departments and agencies, and other senior officials, who are needed to address the issue or issues under consideration. When the President is absent from a meeting of either Council, the Vice President may preside at the President's direction.

The Assistant to the President for National Security Affairs (National Security Advisor) and the Assistant to the President for Homeland Security and Counterterrorism (Homeland Security Advisor) shall be responsible, as appropriate and at the President's direction, for determining the agenda for the NSC or HSC, respectively, ensuring that the necessary papers are prepared, and recording Council actions and Presidential decisions in a timely manner. When international economic issues are on the agenda of the NSC, the National Security Advisor and the Assistant to the President for Economic Policy shall perform these tasks in concert.

The NSC and HSC shall have as their regular attendees (both statutory and non-statutory) the President, the Vice President, the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Energy, the Secretary of Homeland Security, the National Security Advisor, the Homeland Security Advisor, and the Representative of the United States to the United Nations. When international economic issues are on the agenda of the NSC, the NSC's regular attendees will include the Secretary of Commerce, the United States Trade Representative, and the Assistant to the President for Economic Policy. The Director of National Intelligence and the Chairman of the Joint Chiefs of Staff, as statutory advisers to the NSC, shall also attend NSC meetings. The Assistant to the President and Chief of Staff, the Assistant to the President and Chief Strategist, the Counsel to the President, the Deputy Counsel to the President for National Security Affairs, and the Director of the Office of Management and Budget are invited as attendees to any NSC meeting.

In addition to the NSC and HSC, there is also a single NSC staff within the Executive Office of the President that serves both the NSC and HSC. The staff is composed of regional, issue-focused, and functional directorates and headed by a single civilian Executive Secretary, pursuant to 50 U.S.C. 3021, who is also the Chief of Staff. All policy and staff activity decisions will be transmitted to the Executive Secretary for appropriate distribution and awareness. The purpose of the NSC staff is to advise me, the National Security Advisor, the Homeland Security Advisor, the NSC members, the HSC members, and others in the White House; to facilitate the implementation of Administration policy; and to help coordinate the national-security-related activities of the executive departments and agencies.

B. The Principals Committee

The Principals Committee (PC) shall continue to serve as the Cabinet-level senior interagency forum for considering policy issues that affect the national security interests of the United States. The PC shall be convened and chaired by the National Security Advisor or the Homeland Security Advisor, as appropriate, in consultation with the appropriate attendees of the PC. The Chair shall determine the agenda in consultation with the appropriate committee members, and the Executive Secretary shall ensure that necessary papers are prepared and that conclusions and decisions are communicated in a timely manner. Invitations to participate in or attend a specific PC shall be extended at the discretion of the National Security Advisor and the Homeland Security Advisor, and may include those Cabinet-level heads of executive departments and agencies, and other senior officials, who are needed to address the issue under consideration.

The PC shall have as its regular attendees the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, the Assistant to the President and Chief of Staff, the Assistant to the President and Chief Strategist, the National Security Advisor, and the Homeland Security Advisor. The Director of National Intelligence and the Chairman of the Joint Chiefs of Staff shall attend where issues pertaining to their responsibilities and expertise are to be discussed. The Counsel to the President, the Deputy Counsel to the President for National Security Affairs, and the Director of the Office of Management and Budget may attend all PC meetings.

The Assistant to the President and Deputy National Security Advisor (Deputy National Security Advisor), the Deputy Assistant to the President and National Security Advisor to the Vice President, and the Executive Secretary (who shall serve as the Executive Secretary of the PC) shall attend all of the meetings of the PC, and the Representative of the United States to the United Nations and the Assistant to the President for Intragovernmental and Technology Initiatives may attend as appropriate.

When international economic issues are on the agenda of the PC, the Committee's regular attendees will

include the Secretary of Commerce, the United States Trade Representative, and the Assistant to the President for Economic Policy (who shall serve as Chair for agenda items that principally pertain to international economics).

C. The Deputies Committee

The Deputies Committee (DC) shall continue to serve as the senior sub-Cabinet interagency forum for consideration of, and where appropriate, decision-making on, policy issues that affect the national security interests of the United States. The DC shall be convened and chaired by the Deputy National Security Advisor or the Deputy Assistant to the President and Deputy Homeland Security Advisor (Deputy Homeland Security Advisor), as appropriate. The Chair shall determine the agenda in consultation with the regular DC members, and the Executive Secretary shall ensure that necessary papers are prepared and that conclusions and decisions are communicated in a timely manner. Invitations to participate in or attend a specific DC meeting shall be extended by the Chair to those at the Deputy or Under Secretary level of executive departments and agencies, and to other senior officials, who are needed to address the issue under consideration.

The DC shall have as its regular members the Deputy Secretary of State, the Deputy Secretary of the Treasury, the Deputy Secretary of Defense, the Deputy Attorney General, the Deputy Secretary of Homeland Security, the Deputy Director of the Office of Management and Budget, the Deputy Director of National Intelligence, the Vice Chairman of the Joint Chiefs of Staff, the Deputy Assistant to the President and National Security Advisor to the Vice President, the Deputy National Security Advisor, the Deputy Homeland Security Advisor, and the Administrator of the United States Agency for International Development.

The Executive Secretary shall attend the DC meetings. The Deputy Counsel to the President for National Security Affairs may attend all DC meetings. The relevant Deputy Assistant to the President for the specific regional and functional issue under consideration shall also be invited to attend. Likewise, when and where appropriate, the Deputy Assistant to the President for Strategic Planning, the Deputy Assistant to the President for Strategic Communication, the Deputy Assistant to the President for International Economic Affairs, the Deputy Assistant to the President for Transnational Issues, and the Deputy Representative of the United States to the United Nations, shall also be invited to attend. Other senior officials shall be invited where appropriate.

The DC shall review and monitor the work of the interagency national security process, including the interagency groups established pursuant to section D below. The DC shall help to ensure that issues brought before the NSC, HSC, and PC have been properly analyzed and prepared for decision. The DC shall also focus significant attention on monitoring the implementation of policies and decisions and shall conduct periodic reviews of the Administration's major national security and foreign policy initiatives. The DC is responsible for establishing Policy Coordination Committees (PCCs) and for providing objectives and clear guidance.

D. Policy Coordination Committees

Management of the development and implementation of national security policies by multiple executive departments and agencies typically shall be accomplished by the PCCs, with participation primarily occurring at the Assistant Secretary level. As the main day-to-day fora for interagency coordination of national security policies, the PCCs shall provide policy analysis for consideration by the more senior committees of the national security system and ensure timely responses to the President's decisions.

Regional and issue-related PCCs shall be established at the direction of the DC. Members of the NSC staff (or National Economic Council staff, as appropriate) will chair the PCCs; the DC, at its discretion, may add co-chairs to any PCC. The PCCs shall review and coordinate the implementation of Presidential decisions in their respective policy areas. The Chair of each PCC, in consultation with the Executive Secretary, shall invite representatives of other executive departments and agencies to attend meetings of the PCC where appropriate. The Chair of each PCC, with the agreement of the Executive Secretary, may establish subordinate working groups to assist that PCC in the performance of its duties.

An early meeting of the DC will be devoted to establishing the PCCs, determining their memberships, and providing them with mandates and strict guidance. Until the DC has established otherwise, the existing system of Interagency Policy Committees shall continue.

E. General

The President and the Vice President may attend any and all meetings of any entity established by or under this memorandum.

This document is part of a series of National Security Presidential Memoranda that shall replace both Presidential Policy Directives and Presidential Study Directives as the instrument for communicating relevant Presidential decisions. This memorandum shall supersede all other existing Presidential guidance on the organization or support of the NSC and the HSC. With regard to its application to economic matters, this document shall be interpreted in concert with any Executive Order governing the National Economic Council and with Presidential Memoranda signed hereafter that implement either this memorandum or that Executive Order.

The Secretary of Defense is hereby authorized and directed to publish this memorandum in the Federal Register.

DONALD J. TRUMP

# # #

James B. Comey

From:	James B. Comey
Sent:	Saturday, January 28, 2017 8:28 PM
To:	Rybicki, James E. (DO) (FBI)
Subject:	RE: NSC

Let's not tell anyone that. AG and DAG can engage us as appropriate. I also don't see mention [redacted]

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" <[redacted]>
Date: 1/28/17 7:29 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: NSC

b3
b6
b7C
b7E

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The Secretary of Defense is hereby authorized and directed to publish this memorandum in the Federal Register.

DONALD J. TRUMP

# # #

James B. Comey

From: James B. Comey
Sent: Monday, February 13, 2017 7:39 AM
To: Rybicki, James E. (DO) (FBI)
Subject: RE: FBI Public Affairs News Briefing Monday, February 13, 2017

Yes.

From: Rybicki, James E. (DO) (FBI)
Sent: Monday, February 13, 2017 7:24 AM
To: James B. Comey [redacted]
Subject: FW: FBI Public Affairs News Briefing Monday, February 13, 2017

b6
b7C

Did you receive the clips this morning?

From: Bulletin Intelligence [mailto[redacted]
Sent: Monday, February 13, 2017 7:09 AM
To:[redacted]
Subject: FBI Public Affairs News Briefing Monday, February 13, 2017

b7E

Mobile version and searchable archives available at[redacted].

TO: THE DIRECTOR AND SENIOR STAFF

DATE: MONDAY, FEBRUARY 13, 2017 7:00 AM EST

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- House Homeland Security Committee To Hold Hearing On Cyber Threats.
- Russia Suspected In Italian Foreign Ministry Hack.
- "Prolific" Hacker Sentenced In "Rare Win" For Law Enforcement.
- Cybersecurity Exercise Takes Place In Colorado.
- CSMonitor Analysis: Cyber System Flaws Trigger Efforts To Identify Vulnerabilities.
- House Democrats Call For Probe Of White House Cybersecurity.
- Senators Demand Answers From Yahoo CEO On Data Breaches.
- Representatives Urge Flynn To Change Export Agreement To Address Cybersecurity Concerns.

LAW ENFORCEMENT SERVICES

- California, US Saw Surge In Gun Sales Last Year.
- New York Planning To Have 23,000 Body Cams On Officers BY 2019.

OTHER FBI NEWS

- Podesta: Some "Forces" Within FBI Wanted Clinton "To Lose."
- Wyden Asks FBI To Explain Changes To FOIA Rules.
- Sanctuary City Debate May Influence Decision On Building FBI's New Headquarters.
- FBI Creates "Wanted" App For Smartphones.

OTHER WASHINGTON NEWS

- Miller: Administration Considering Options On Travel Ban.
- Miller Says Blumenthal Misrepresented Gorsuch's Comments.
- DC Area Prepares For Economic Woes Due To Trump's Effect On Federal Workforce, Spending.

INTERNATIONAL NEWS

- Report Disputes Russia's Claims Of Restraint In Syria.
- Hezbollah Supports Syrian Ceasefire, Peace Talks.
- Opposition Selects Delegation For Geneva Talks.
- Tension Mounts Among Shiites In Baghdad After Clashes.
- Baghdad Protesters, Police Clash Outside Baghdad's Green Zone.
- Turkish-Backed Syrian Opposition Forces Stall In Al-Bab.
- WPost Urges Administration To Support Assad's Removal.
- Iraqis Battling Oil Well Fires Set By Retreating ISIS Militants.
- Amnesty International Urges UN To Investigate 13,000 Hangings In Syria.
- Afghan Official: Joint US-Afghan Raid Killed 22 Civilians.
- Media Analyses: Netanyahu Will Seek To Reset US Ties During Talks With Trump.
- Media Analysis: Trump-Trudeau Meeting Comes Amid Questions About Relationship.
- Media Analyses: North Korean Missile Launch A Challenge To Trump.
- Steinmeier, A "Critic" Of Trump, Elected Germany's President.
- UK Defense Minister Praises Trump's Efforts To Strengthen NATO.
- Iran Arrests Eight Foreigners Suspected Of Plotting Attacks.
- Thousands Protest Against Trump, Pena Nieto In Mexico.
- WSJournal Analysis: Trump Moves Toward Center On Foreign Policy.
- NYTimes Analysis: Foreign Diplomats Hope Haley Speaks For Administration.
- Peruvian President Asks Trump To Consider Deporting Former Leader.
- IMF Head: Trump Policies Likely To Be Good For American Economy In The Short Term.
- Hezbollah Leader Calls Trump An "Idiot."
- Moscow Supporting Europe's Far Right Populists.
- Bolton Lauds Reports Trump Seeks To Cast Aside New START Treaty.
- Romanians Continue To Protest Government Corruption.
- Kashmir Clash Between Indian Troops, Militants Leads To Violent Protests.
- Somaliland To Allow UAE To Establish Naval Base.
- WSJournal Analysis: Despite European Unhappiness, IMF Won't Budge On Greece Bailout.
- Egyptian Cost Of Living Soars.
- Cambodian Opposition Party Leader Resigns.
- Swiss Voters Approve Simplified Citizenship Process For Third-Generation Immigrants.
- Spain's Far-Left Podemos Party Head Defeats Leadership Challenge.
- Voeten: Public Recognizes Friendly, Hostile Countries Well.

THE BIG PICTURE

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LEADING THE NEWS

US Agencies Investigate Flynn's Contacts With Russian Diplomats.

Revelations regarding National Security Adviser Michael Flynn's contacts with Russia prior to President Trump taking office dominated coverage over the weekend, with widespread reporting from print and online media, as well as both network and cable news outlets. The Washington Post notably had seven articles dedicated to the matter. On Friday and Saturday, many outlets questioned Flynn's truthfulness in reports focused on how intelligence gathered by US agencies contradicted past claims by Flynn and other White House officials. Many outlets centered on reactions from leading Democratic lawmakers, some of whom called for Flynn to resign or have his security clearance revoked. Sunday's coverage included several stories suggesting that Flynn is on thin ice within Trump's inner circle following White House senior aid Stephen Miller's appearance on several Sunday talk shows in which he declined to defend Flynn or offer President Trump's position on the matter.

The CBS Evening News (2/10, story 2, 2:25, Pelley, 11.17M) reported the FBI and other intelligence agencies are investigating National Security Adviser Flynn to determine whether he discussed US sanctions against Russia in his December phone call with Russian ambassador Sergey Kislyak, as alleged by the Washington Post on Thursday. Correspondent Jeff Pegues said the agencies allegedly "gathered the information through ongoing electronic surveillance of Russian officials and suspected spies." Vice (2/12, Owen, 2.28M) says the fact "Flynn can't seem to get his story straight" is "raising concerns that Trump's trusted advisor may have unlawfully interfered in U.S. foreign policy interactions with Russia and then tried to cover it up."

The Hill (2/10, Seipel, 1.25M) reports in its "Blog Briefing Room" blog, "President Donald Trump on Friday told his press pool that he didn't know about reports that his national security adviser Michael Flynn discussed sanctions with Russia before he was sworn in." In video footage broadcast by the CBS Weekend News (2/11, story 2, 0:55, Ninan), President Trump was shown telling reporters, "I don't know about it. I haven't seen it. What report is that?" A spokesperson to Flynn "now says the national security adviser simply cannot remember whether he discussed sanctions. A switch from his earlier denials," ABC World News Tonight (2/10, story 2, 3:40, Muir, 14.63M) reported. White House press secretary Sean Spicer defended Flynn's conversation and previously described it as a precursor to a possible meeting between President Trump and Russian President Vladimir Putin. Vice President Pence claimed last month that Flynn's conversations "happened to occur around the time that the United States took action to expel diplomats had nothing whatsoever to do with those sanctions."

Bloomberg Politics (2/10, Sink, 201K) reported Pence claimed that his assertion was based on what Flynn told him, according to an Administration official. Bloomberg notes Flynn's spokesman told the Post that while Flynn "had no recollection of discussing sanctions, he couldn't be certain that the topic never came up." The Washington Post (2/10, Hohmann, 11.43M) says "one takeaway" from the revelations on Flynn is that, "Either the national security adviser misled the vice president, or the vice president knowingly misled the American people."

The Washington Post (2/10, Miller, 11.43M) says Flynn spoke privately with Pence on Friday "in an apparent attempt to contain the fallout." One senior Administration official "disputed that Flynn was in jeopardy" of losing his job. "He's in every meeting he's supposed to be doing, fulfilling his job as national security adviser. He's seeing the president constantly," the official said of Flynn.

Writing for the Washington Post (2/12, 11.43M), Chris Cillizza argues, "What's worse for Flynn is that not only did he get caught not telling the truth but that he apparently passed along that falsehood to Vice President Pence, too." In another piece for the Washington Post (2/10, 11.43M), Cillizza said, "It strains credulity that on Wednesday, Flynn could issue a flat denial about conversations he had with Kislyak, but on Thursday, suddenly his memory of those conversations changed." Cillizza adds that "it's hard to see how Flynn or Trump will be able to simply dismiss it as 'fake news' produced by a biased media given the depth and breadth of the sourcing on the Post story."

The Kremlin also denied that Flynn and Kislyak addressed the issue of sanctions before Trump's inauguration, the AP (2/10, Pace, Salama) reported. The AP writes, "It's not unusual for incoming administrations to have discussions with foreign governments before taking office," but

the timing and frequency of the contacts elicited "questions about whether Trump's team discussed--or even helped shape--Russia's response." The AP explains "Putin unexpectedly did not retaliate against the U.S. for the expulsions, a decision Trump quickly praised."

NBC Nightly News' (2/10, story 2, 2:20, Holt, 16.61M) Andrea Mitchell reported, "The timing of Flynn's calls and texts with the Russian is critical: just as the Obama White House was expelling 35 Russian diplomats for the election year hacking." Mitchell clarified that "intelligence sources say no one has concluded that Flynn broke any laws."

Miller Declines To Defend Flynn As Questions About Contact With Russia Continue. The AP (2/12, Colvin) reports that "top White House aide" Stephen Miller "sidestepped repeated chances" to defend "embattled" NSA Flynn during appearances on several Sunday morning political talk shows. President Trump has yet to comment on reports that Flynn "engaged in conversations with a Russian diplomat about US sanctions before Trump's inauguration."

On ABC's This Week, Miller said, "I don't have any information to change anything that has previously already been said by the White House on this matter. Gen. Flynn has served this country admirably and with distinction." Host George Stephanopoulos repeatedly pressed Miller on the issue, asking why he was representing the White House on the show if he did not have anything substantive to say on the issue. On NBC's Meet The Press, Miller said, "Gen. Flynn has served this country admirably...and I look forward to having more discussions about this in the future." According to the Washington Post (2/12, O'Keefe, 11.43M), when Chuck Todd asked Miller if Trump still had confidence in Flynn, "Miller said he did not know. He said his colleagues at the White House 'did not give me anything to say.'"

The Los Angeles Times (2/12, Lauter, 4.52M) says Miller's "silence on Flynn was significant because the White House had booked him on several of the major Sunday television interview programs." Miller appears to have been "deliberately chosen...in part to avoid having to give a definitive answer about Flynn."

The Washington Post (2/12, A1, Rucker, Entous, O'Keefe, 11.43M) reports that Flynn "is under increasing political pressure and risks losing the confidence of some colleagues. ... 'The knives are out for Flynn,' said one administration official who, like others interviewed for this report, spoke on the condition of anonymity in order to speak candidly." The Wall Street Journal (2/12, A1, Borak, Subscription Publication, 6.37M) says in a headline that Flynn's position is growing "tenuous," and that Miller declined to say whether the President still has faith in Flynn. The Los Angeles Times (2/12, Lauter, 4.52M) says that the "ominous silence" around Flynn "deepened" with Miller's appearances.

Reuters (2/12, Holland) headlines a summary of the Flynn controversy "Trump's National Security Adviser Flynn Trying To Survive Crisis."

NYTimes Analysis: NSC "Chaotic And Anxious." The New York Times (2/12, A1, Sanger, Schmitt, Baker, Subscription Publication, 13.9M) reports that even beyond the Flynn situation, "these are chaotic and anxious days inside the National Security Council," where "staff members get up in the morning, read President Trump's Twitter posts and struggle to make policy to fit them. Most are kept in the dark about what Mr. Trump tells foreign leaders in his phone calls." Some now use "encrypted communications to talk with their colleagues, after hearing that Mr.

Trump's top advisers are considering an 'insider threat' program that could result in monitoring cellphones and emails for leaks." Deputy NSA K.T. McFarland "acknowledged that career officials were on edge." McFarland told the Times, "I think it would be a mistake if we didn't have consternation about the changes – most of the cabinet haven't even been in government before."

Democratic Lawmakers Call For Investigation Into Flynn. ABC World News Tonight (2/11, story 3, 1:10, Llamas, 14.63M) on Saturday reported that Democratic members of Congress have called for an investigation into National Security Adviser Michael Flynn and whether he discussed the possibility of loosening sanctions imposed under former President Obama with Russian diplomats.

The Los Angeles Times (2/10, Wire, Lauter, 4.52M) reported, "Democrats on the House intelligence committee demanded Friday that President Trump address" the revelations about Flynn. House Intelligence Committee Ranking Member Adam Schiff said the allegations against Flynn raise "serious questions of legality and fitness for office." Another Los Angeles Times (2/10, 4.52M) article reported that Schiff said in a statement that if Flynn did speak to Russia about the sanctions, "and then he and other administration officials misled the American people, his conduct would be all the more pernicious, and he should no longer serve in this administration or any other." Meanwhile, Rep. Eric Swalwell, the ranking Democrat on the Intelligence Committee's CIA subcommittee, "said Flynn should be suspended until the allegations are investigated." Swalwell told the Daily Beast (2/10, 1.11M) that Flynn "was undermining the [Obama] administration's... policy, to punish Russia for interfering in our elections. ... Until we get to the bottom of it, I don't think he should have access to classified information." Democratic Rep. Mike Quigley, a member of the House Permanent Select Committee on Intelligence Committee, told the Beast Flynn "needs to step down. The credibility of the White House with the American public and international community is at stake." Other senior Democrats echoed Quigley and Schiff, including Eliot Engel, the top Democrat on the House Foreign Affairs Committee, who said Flynn should resign if the allegations are true.

The Washington Examiner (2/10, Feldscher; Klimas, 400K) reported Sens. Ed Markey and Chris Murphy, both members of the Senate Foreign Relations Committee, released a joint statement expressing their concerns regarding Flynn. Markey specifically said Flynn may have to resign. He added, "I hope federal law enforcement professionals investigate this matter immediately. Any effort to undermine our nation's foreign policy – even during a transition period – may be illegal and must be taken seriously."

The Washington Times (2/12, Howell, 272K) reports that Rep. Elijah Cummings (D-MD), "the House's top Democratic investigator" as ranking member of the Oversight and Government Reform Committee, says Flynn "needs to explain whether he discussed sanctions with Russia's ambassador." On ABC's This Week, Cummings said it would be "an appropriate action" to suspend Flynn's security clearance pending an investigation, adding, "There's something else that needs to be asked. That is, did the President instruct Gen. Flynn to talk to the Ambassador? And did he know about it? If he knew about this conversation, when did he know it?" Politico (2/12, Strauss, 2.46M) notes that Cummings' response came after host George Stephanopoulos asked him if he agreed with House Minority Leader Nancy Pelosi, who believes "Flynn's security clearance should be revoked, pending the completion of an investigation into the matter."

The Hill (2/10, Greenwood, 1.25M) reported that Sen. Claire McCaskill, the ranking Democrat on the Senate Homeland Security and Governmental Affairs Committee, demanded an FBI briefing "as soon as possible" on communications between Flynn and Kisylak. In a letter Friday to FBI

Director Comey, McCaskill wrote, "Given the significant implications that any such communications may have had for the nation's homeland and national security, I request that you provide a closed briefing for the Committee as soon as possible regarding the scope and status of any current FBI investigation related to General Flynn's contacts with the Russian government."

On Fox News Sunday [redacted] (2/12, Wallace), Senate Foreign Relations Committee ranking Democrat Sen. Ben Cardin said, "We need to get to the bottom of this. ... The relationship between Russia and our elections is something that needs to be independently investigated. I would call for an independent investigation like we had a 9/11. We need to have an independent investigation, and Gen. Flynn's comments add to our concern about the relationship with Russia."

On CNN's State Of The Union [redacted], Sen. Al Franken agreed, saying, "Either he was lying about not having discussed that had or forgot. ... There's going to be have to be investigations...an independent investigation into the Trump campaign and the Trump Administration's relationship to Russia."

Meanwhile, The Guardian (UK) (2/10, Borger, 4.07M) mentioned that Republican Sen. Mike Rounds told CNN that if the country had been misled, "we would expect the president to take appropriate actions."

Christie: Flynn Needs To Have "Candid" Conversation With Trump, Pence. The Huffington Post (2/12, Wilkie, 237K) reports that New Jersey Gov. Chris Christie joined Miller in trying to "insulate the White House" from the revelations about Flynn. Appearing on CNN's "State of the Union," Christie argued that Flynn needs to give Trump and Pence a "candid conversation" to "make sure that everybody gets the accurate story on this matter and that it's cleared up."

Ignatius: To Reestablish Trust, Flynn Must Truthfully Disclose Contacts With Russia. In his column for the Washington Post (2/11, 11.43M), David Ignatius said the investigation into whether Flynn discussed sanctions with Russian Ambassador Sergey Kislyak should not focus on Flynn's possible violation of the "obscure and probably unenforceable" Logan Act, but on whether he "sought to hide" the nature of the discussion and whether he "was open about his conversations." Ignatius said, "A national security adviser's success depends on maintaining trust, especially with his White House colleagues," and Flynn can only fill his trust deficit "with a full accounting of what happened" that is consistent with US intelligence agencies' records of his calls.

Cartoon Shows Flynn As Soviet Soldier. Washington Post (2/12, 11.43M)cartoonist Ann Telnaes, in a piece titled, "Michael Flynn's Russian Connection," drew Flynn wearing a Ushanka hat featuring what appears to be the symbol for a Soviet soldier. A small man who looks like Putin is shown emerging from the top of the hat.

Pompeo Reportedly Refuses Clearance To Flynn Aide Townley. Politico (2/10, Nussbaum, Cheney, 2.46M) reported "a top deputy" to National Security Adviser Michael Flynn, senior director for Africa Robin Townley, was informed Friday "that the Central Intelligence Agency had rejected his request for an elite security clearance required for service on the NSC, according to two people with direct knowledge of the situation." The decision, which a source said was approved by CIA Director Mike Pompeo, "forced Townley...out of his NSC post" and "infuriated Flynn and his allies." The sources "said that the CIA did not offer much explanation for why Townley's request for so-called 'Sensitive Compartmented Information' clearance was rejected," but "said that Flynn and his allies believe it was motivated by Townley's skepticism of the intelligence community's techniques – sentiments shared by Flynn." The New York Daily News (2/11, Sommerfeldt, 4.45M) said one source told Politico that Flynn and his deputies "believe this is a hit job from inside the CIA on Flynn and the people close to him. .. Townley believes that the CIA doesn't run the world." A second source reportedly "said a number of Trump administration officials

are critical of Flynn, and view him as actively waging a 'jihad against the intelligence community.'" That source claimed officials blame Flynn for Trump's "fraught relationship" with intelligence community leaders.

Putin Spokesman Comments On Leaked Allegations Of Trump-Putin Call. The Washington Post (2/10, Roth, 11.43M) reported details of President Trump's telephone conversation with Russian President Vladimir Putin were leaked on Thursday. According to the leaked details, Trump allegedly denounced the New START treaty, which limits both countries' nuclear weapons deployments to no more than 1,550, as favoring Russia. Trump also allegedly said "nuclear weapons should be way down and reduced very substantially, that's part of it," and that the sanctions against Russia are hurting the nation "very badly right now," but that "something can happen that a lot of people are going to benefit." Putin's spokesman, Dmitri Peskov, said he could not confirm the leaked information, and also denied that nuclear reduction negotiations were in any way tied to the loosening of sanctions.

COUNTER-TERRORISM

Questions Arise About Undercover FBI Agent Near Gunman Before Texas Terror Attack.

The AP (2/10, Billeaud) reported that questions have arisen as to how much more authorities could have done to stop two Arizona men from opening fire "outside a Prophet Muhammad cartoon contest in suburban Dallas in 2015." The AP said court documents show that an undercover FBI agent drove past the two men before they opened fire, which drew criticism from defendant Abdul Malik Abdul Kareem's lawyer and the lawyer for two security guards, who argued the "government has not been forthcoming about the agent's role in the plot and have questions why the agency didn't break up the plot." Lawyer Trenton Roberts said, "We are convinced that there is much more to this story than the FBI has admitted." The Dallas Morning News (2/10, 1.12M) posts the AP's coverage to its website.

Man Pleads Guilty To Planning Bomb Attack With Islamic State.

The AP (2/10, Hays) reported that Munther Omar Saleh of New York City on Friday pleaded guilty to charges that he was in communication with an Islamic State recruiter "who was killed in a US drone strike in Syria in 2015, according to a federal prosecutor." In his plea, Saleh admitted that he sought contact with the group "knowing that it was involved in terrorism."

Reuters (2/10, Raymond) reported that prosecutors said Saleh was planning a pressure-cooker bomb attack in conjunction with one of the Islamic State's top hackers and that he pleaded guilty to four counts, including "conspiring to provide material support to Islamic State and assaulting a federal officer by charging at a law enforcement vehicle." He is one of six men arrested in connection with "a group of individuals who had pledged allegiance to Islamic State, or ISIS, and discussed traveling to join the group." The New York Times (2/10, Mele, Subscription Publication, 13.9M) reported that New York City man Fareed Mumuni also recently pleaded guilty in the plot to join ISIL. FBI New York Assistant Director in Charge William F. Sweeney Jr. said the men's guilty pleas "show just how close the threat of homegrown terrorism exists for New York City."

FBI JTTF Investigating Dakota Access Pipeline Protesters.

The Guardian (UK) (2/10, 4.07M) reported that an FBI joint terrorism task force is investigating activists who are protesting against the Dakota Access pipeline. "Multiple officers," The Guardian said, "have attempted to contact at least three people tied to the Standing Rock 'water protector' movement in North Dakota." The nature of the investigation is unknown, but some attorneys believe the FBI's actions are unconstitutional. "The idea that the government would attempt to construe this indigenous-led non-violent movement into some kind of domestic terrorism investigation is unfathomable to me," said civil rights attorney Lauren Regan. "It's outrageous, it's unwarranted ... and it's unconstitutional." In a piece based on The Guardian's coverage, the Daily Caller (2/10, White, 898K) reported that more than 600 arrests have taken place as a result of protests of the pipeline.

Former National Guardsman Sentenced To Prison For Trying To Join ISIL.

The AP (2/10) reported that 27-year-old former National Guardsman Mohamed Jalloh of Sterling, Virginia was sentenced on Friday to 11 years in prison after pleading guilty last October to "attempting to provide material support to" ISIL. The AP said Jalloh admitted that he traveled to Africa and boarded a truck to join ISIL before "bailing out." The charge against Jalloh "originated from an FBI sting operation." The Washington Post (2/10, Weiner, 11.43M) reported that Joseph Flood, a lawyer for Jalloh, blamed his client's actions on heavy drug use and childhood trauma, rather than radical sentiment. Jalloh's attachment to ISIL was "superficial" and he was confused, Flood said. "He's clearly a follower," he added. Jalloh, the Post noted, also claimed to have been in search of a wife when an FBI operative contacted him about pursuing terrorism. "For two months, Flood wrote, the informant 'hounded' Jalloh with 'nearly constant entreaties' to engage in a violent attack," the Post reported. Jalloh was arrested after attempting to buy an assault rifle.

FBI Asked To Investigate Release Of Pheasants, Possibly By Eco-Terrorists.

The Portland (OR) Tribune (2/12, Rendleman, 104K) reports that the Clackamas County Sheriff's Office in Oregon has asked the FBI to investigate the release of some 50 pheasants from an aviary, purportedly by eco terrorists. The Animal Liberation Front lauded the release of the animals online, the Tribune reports. The pheasants were valued at approximately $1,000.

Trump Administration Delivers CIA Torture Report To Federal Court.

The Miami Herald (2/10, Rosenberg, 856K) reported the Trump Administration on Friday said it had delivered the Justice Department's copy of the "so-called Torture Report on the CIA's secret prison network during the George W. Bush administration" to a Federal court in DC. The Herald says Acting Assistant Attorney General Chad Readler notified the court that a redacted copy of the report had been deposited for secure storage with the Court Information Security Officers.

House Report Calls For Better Screening Of "Insider Threats" At Airports.

The Washington Post (2/11, Kunkle, 11.43M) says a new Congressional report released by the House Homeland Security Committee this week indicates a need for the "Transportation Security Administration, airport operators and airlines" to improve screening procedures for "workers such as baggage handlers or cleaning crews for possible security threats." The report notes cases going back to 2008 of "aviation workers, former employees or contractors" being "recruited to fight for ISIS or other terrorist groups" or "engag[ing] in efforts to smuggle firearms or other contraband aboard aircraft." Moreover, the report says that "approximately 450 airports remain vulnerable to insider attacks" given inadequate employee background checks and rechecks.

Bomb Scare In Los Angeles Creates "Commuter Nightmare."

Breitbart (2/11, Marlow, 2.02M) reports the Los Angeles County Sheriff's bomb squad was called to investigate a package, which resulted in the temporary shut down of the Hollywood, Universal/Studio City and Hollywood/Western stations. A "black backpack" was ultimately determined to not be a threat. The scare, according to Breitbart, "set off a commuting nightmare for those on the Metro Line as well as surrounding freeways."

WSJournal Analysis: In The Wake Of A Terror Attack In The US, Trump Should Not Round Up Muslims.

A Wall Street Journal (2/10, Benjamin, Subscription Publication, 6.37M) analysis reports that a terror attack will eventually take place against the US by jihadists and how the Trump Administration responds will affect not only national security but the national psyche. The Journal concedes that an attack may occur in the US, noting that while a 9/11 style attack is unlikely given aggressive counterterrorism efforts, it cannot be ruled out. Following any attack, the Journal says it is critical to avoid the post-9/11 round-up of Muslims as either suspects or witnesses.

Kristof: "Husbands Are More Deadly In America Than Jihadist Terrorists."

Nicholas Kristof writes in his New York Times (2/11, Kristof, Subscription Publication, 13.9M)

column that between the years 1975 and 2015, terrorists from the seven nations listed in President Trump's travel ban "killed zero people in America," according to the Cato Institute. However, the number of people killed by guns in the same period was 1.34 million, which he says "includ[es] murders, suicides, and accidents." Citing University of North Carolina professor Charles Kurzman, Kristof says Americans last year were more likely to be killed for being Muslim rather than to be killed by Muslim terrorists. Kristof also notes "Husbands are incomparably more deadly in America than jihadist terrorists," being more "deadly in part because in America they have ready access to firearms."

Slate Analysis: Career Intel Officials Killed Order To Bring Back Black Sites, Enhanced Interrogation.

In an analysis, Slate (2/10, Carter, 1.83M) reported the Trump Administration withdrew language in a draft executive order that "would have resurrected the torture regime that existed immediately after 9/11" after career officials within the CIA and Defense Department rejected the order "from the moment it left the White House." Slate says those officials didn't oppose the order because of their political views. They did so, the article says, because "torture...doesn't work, corrodes their integrity, makes it harder to work with allies, and carries enormous risk for strategic blowback."

Gitmo Commander: No Input Into Trump Policies.

The Miami Herald (2/12, Rosenberg, 856K) reports Rear Adm. Peter J. Clarke, the commander of the prison at Guantánamo Bay, said he has not been consulted President Trump's policy for the prison, adding, "I don't need to provide my input to policy decisions." While the New York Times obtained a draft executive order authorizing adding ISIL captives to Guantánamo Bay, Clarke said he has not been ordered to prepare to receive new captives. Defense lawyers warn that some detainees are fearful of ISIS. While the prison currently has no female prisoners, there is speculation that they may be among new detainees, and Clarke would not provide clear assurance "that male soldiers would not be supervising female detainee showers."

California Islamic School Marks Fourth Group To Reject CVE Grant Under Trump Administration.

The AP (2/11, Abdollah) reports the Bayan Claremont Islamic school in California has rejected an $800,000 federal grant awarded as part of the "Countering Violent Extremism" program. This marks the fourth organization to do so under the Trump Administration. The AP says the Bayan Claremont grant was the second largest "among the first 31 federal grants for CVE awarded to organizations," but that the schools president, Jihad Turk, said that to accept the money would ultimately "do more harm than good." Turk stated, "if we're compromised, even if only by perception in terms of our standing in the community, we ultimately can't achieve that goal."

French Authorities Arrest Four People Suspected Of Plotting "Imminent" Terror Attack.

The New York Times (2/10, Breeden, Subscription Publication, 13.9M) reports Paris prosecutors on Friday arrested three men and one 16-year-old girl in southern France. France's Interior Ministry explained that a two-week investigation led Paris prosecutors to believe that the suspects were preparing an "imminent" terror attack, although authorities "do not know where or how" it was to be implemented. Police officers discovered bomb-making materials in a raid of one of the suspect's homes.

The Wall Street Journal (2/10, Bisserbe, Subscription Publication, 6.37M) reports that in the raid, police discovered the same explosive that ISIS suicide bombers used in attacks in Paris and in Brussels. The arrests are the latest in a string of raids across Europe, including in Germany, Belgium, and Britain, against suspected ISIS operatives.

"No Evidence" Of Terrorism As Likely Pepper Spray Causes Closure Of Hamburg Airport.

The Washington Post (2/12, Kirchner, 11.43M) reports that in response to 68 people experiencing eye irritation and breathing difficulties from the likely dissemination of pepper spray through the

air-conditioning system, German authorities evacuated hundreds and closed Hamburg Airport between 11 a.m. and 2 p.m. Sunday. Hamburg police spokesman Rene Schönhardt insists there was "no evidence" the incident was part of a terror attack, but officials are investigating to determine how the spray from a lipstick-sized cartridge entered the ventilation system.

WPost A1: Children Targeted In ISIS' Latest Recruitment Strategy.

In a more than 2,000-word front-page article, the Washington Post (2/11, Faiola, Mekhennet, 11.43M) reports ISIS' threat "is taking on a new form: child terrorists either directly in contact with or inspired by the militant group." In Germany alone, at least 10 minors were involved in five terror plots within the last 12 months. Most of the minors were German-born homegrown threats, highlighting authorities' concerns "that the intelligence community is often blind to the threat posed by these teens and preteens." Furthermore, German authorities are prohibited from monitoring children to the extent that they track suspected adults. European intelligence officials also said ISIS' tactics to radicalize children now involve "propaganda tailor-made for youths" and meticulous scouting online. Many targeted children have psychological disorders or live in broken or violent households, enabling recruiters to "groom" them "through flattery and attention" and perceived friendship.

European Parents Of Foreign Fighters Worry Coalition Forces Will Kill Their Children. French and Belgian parents of children recruited by ISIS told USA Today (2/11, Vidon, 5.28M) that they want to see the militant group's destruction in Iraq and Syria, but worry that coalition forces will kill their radicalized children. A think tank in The Hague estimated that about 4,000 people have traveled from Europe to fight alongside ISIS in Iraq and Syria since 2012. Psychologist Patrick Amoyel, who founded the anti-extremism Entr'Autres Association in Nice, said many child recruits initially try to reconnect with their Arabic and North African heritages, and then reclaim Islamic identities as a means of redemption for the contempt and marginalization their ethnic communities face in European societies. Amoyel said many parents are also consumed with guilt and often deny that their children have been radicalized.

Suspect In Istanbul Nightclub Attack Formally Charged.

The AP (2/11) reports Turkish prosecutors formally arrested Abdulkadir Masharipov, accused of killing 39 people in an Istanbul nightclub on New Year's Day. Turkish authorities claimed Masharipov trained in Afghanistan and conducted the attack on behalf of ISIS.

The Turkish court charged Masharipov, an Uzbek citizen, with attempting to overthrow the constitutional order, multiple counts of murder and weapons possession, and for being a member of an armed terror group, Reuters (2/11, Tattersall, Dikmen) reports. Prior to his formal arrest, Masharipov was at large for 17 days before Turkish authorities apprehended him in a "massive operation," AFP (2/11) reports. He is believed to have entered the country in January last year.

COUNTER-INTELLIGENCE

Former US-Based KGB Agent To Release Book.

The Guardian (UK) (2/11, 4.07M) profiled Jack Barsky, a former US-based KGB agent who has authored a new book based upon his experiences. The book, which will be released on March 21, discusses Barsky's early life in East Germany, time in New York as a spy, and defection to the US in 1997. Barksky's book is titled: "Deep Undercover: My Secret Life And Tangled Allegiances As A KGB Spy in America."

CRIMINAL INVESTIGATIONS

Charleston Church Shooter Requests New Trial.

The AP (2/12, Kinnard) reports "Convicted Charleston church shooter Dylann Roof has asked for a new federal trial, saying prosecutors didn't have jurisdiction to bring their case against him." In a Friday motion, attorneys for Roof claimed the government failed to prove Roof's use of highways, a gun manufactured outside of South Carolina, and the Internet were sufficient links to bring federal religious obstruction charges. "Roof remains in custody in the Charleston County jail, where he

awaits a death penalty trial in state court," the AP says.

The Daily Beast (2/12, 1.11M) and Columbia (SC) State (2/12, Monk, 357K) also report on Roof. The Christian Science Monitor (2/12, 387K) posts the AP's coverage to its website.

South Carolina Black Community Seeks "To Come To Terms" With Church Shooting. The AP (2/11, Collins) reported "the holes in the fabric of life in Charleston remain" following the shooting of an African-American church in Charleston, South Carolina. The AP highlighted the difficulties faced by the black community in the city "to come to terms with the murders at Emanual," and that this is made all the harder by the still unresolved case of a white police charged in the death of unarmed black man Walter Scott. However, the piece said "there has been progress," noting that after 50 years, the Confederate Flag was removed from Statehouse grounds.

North Carolina Man Charged With Opening Fire In DC Restaurant To Remain Jailed.

McClatchy (2/10, Douglas, 74K) reported that Edgar Maddison Welch, a "North Carolina man charged with firing an assault rifle inside a Washington restaurant that conspiracy theorists falsely claimed harbored a child-sex ring remained jailed Friday as his attorney received more time to negotiate a possible plea deal with federal prosecutors." Welch appeared in DC federal court for a brief hearing in his case. Welch, who has pleaded not guilty to federal and DC firearms charges, has been jailed since December 4. He faces up to 35 years behind bars.

Amid Ethics Concerns, Philadelphia DA Announces He Will Not Seek Reelection.

Reuters (2/10, Ingram) reported that Philadelphia District Attorney Seth Williams announced Friday that he would not run for reelection, citing "regrettable mistakes" he made when he accepted gifts that resulted in his being fined $62,000 by Philadelphia's ethics board. The gifts, which Williams failed to disclose, "including NBA basketball tickets, cash and lodging," Reuters said. "The gifts prompted the FBI to interview members of the prosecutor's staff and at least one of the gift-givers, and the bureau is investigating a nonprofit Williams founded." Williams apologized for his actions during a televised news conference. The AP (2/10, Dale) reported that Williams "failed to disclose five sources of income and 89 gifts on 2010-2015 financial statements and omitted 10 items on an amended statement." Williams has served as district attorney for seven years. The Washington (DC) Times (2/10, Dale) posts the AP's coverage to its website.

Community Honors Three Muslims Students Killed In North Carolina.

NBC Nightly News (2/11, story 8, 2:10, Diaz-Balart, 16.61M) reported members of the Muslim community in Chapel Hill, North Carolina are coming together to honor the legacy of three Muslim students who were shot and killed, dental student Deah Barakat, his wife Yusor and her sister Razan. Correspondent Roger Allen said the s new facility called the Light House has been named in honor of the students, and that it "will be a hub for community groups." Deah Barakat's sister Suzanne said, "I hope it brings the community together."

Dossier Allegations Gaining Credibility After Details Corroborated By Intel.

The CBS News (2/11, Pegues, 4.4M) says the dossier is "gaining credibility among law enforcement," with one "U.S. official familiar with the document's origin say[ing] that even people who discounted it initially have begun to take it more seriously." Jim Sciutto reported on

CNN The Situation Room (2/10, 6:02 p.m. EDT, 02:15, Blitzer, 554K) that "For the first time, US investigators say they have corroborated some of the communications detailed in a

35-page dossier compiled by a former British intelligence agent." Sciutto said "until now, US officials have said none of the content or allegations had been verified, but now multiple current and former US law enforcement and intelligence officials tell CNN that intelligence intercepts of foreign nationals confirmed that some of the conversations described in the dossier took place between the same individuals on the same days and from the same locations as detailed in the dossier."

The Christian Science Monitor (2/12, 387K) says the dossier is "gaining legitimacy" amid an ongoing FBI-led probe into the document. Officials caution, though, that "the more salacious things" alleged in the document have not been corroborated, and "a few specific facts and claims listed in the document have already been proven to be incorrect." Still, CSM says that news of the corroborated details "could bolster many Trump critics who question the president's ethics in regard to his business ties as well as his controversial policies."

Spicer: White House "Disgusted" By "Fake News" From CNN On Dossier. The Hill (2/10, Hensch, 1.25M) reports White House press secretary Sean Spicer on Friday "blasted CNN (2/10, Sciutto, Perez, 29.79M) for its reporting on an unverified dossier alleging that the Russian government has compromising information about President Trump." Spicer said, "We continue to be disgusted by CNN's fake news reporting." He added, "It is about time CNN focused on the success the President has had bringing back jobs, protecting the nation, and strengthening relationships with Japan and other nations. ... The president won the [2016] election because of his vision and message for the nation. This is fake news."

Atlanta Releases Documents Related To Bribery Scandal.

WSB-TV Atlanta (2/9, 410K) reported online that "The city of Atlanta...produced more than a million documents" last week "it says are related to a bribery scandal." At a news conference about an ongoing federal investigation into kickbacks for city contracts, Atlanta Mayor Kasim Reed, presented boxes containing some 1.4 million pages of records. "What I'm going to say is the documents that are in this room are the documents we provided to the Justice Department," Reed said. Among the records was a federal grand jury subpoena seeking documents "related to Mitzi Bickers, a political operative who helped Reed get elected and a former business partner of the contractor who admitted paying more than $1 million in bribes," WSB noted. The mayor has not been questioned by the FBI. In a more than 2,000-word article, the Atlanta Journal-Constitution (2/11, 1.41M) discusses the bribery allegations in the context of previous Atlanta political scandals.

Man Charged With Abducting Couple From Illinois Bank.

The Chicago Sun-Times (2/10, Wilusz, 798K) reports that 40-year-old Chad C. Schipper has been charged with abducting a couple from an Illinois bank on Wednesday. "The abduction of Constance P. VanOosten of Erie, Illinois; and her husband, Larry D. VanOosten, may have been financially motivated, according to a statement issued late Wednesday by the FBI's Chicago office," the Sun-Times says. Schipper has been charged with "home invasion, kidnapping and two counts of aggravated kidnapping" the Sun-Times says

Chicago Woman Convicted Of Forcing Women Into Prostitution.

The Chicago Sun-Times (2/10, Mayes, 798K) reported that Chicago woman Rita Law has been found guilty of forcing women to work as prostitutes in multiple spas she operated in Indiana. "Law, 58, was found guilty by a federal jury of sex trafficking, involuntary servitude, transporting a woman across state lines to engage in prostitution, and using an interstate facility to promote prostitution, according to the U.S. Attorney's office for Northern Indiana," the newspaper reported. Law had initially flown to Hong Kong to avoid prosecution. "The case was investigated by the FBI and Homeland Security Investigations, with assistance from Indiana authorities."

CAIR Seeks FBI, State Investigation Of Vandalism Of Ohio Mosque.

WSYX-TV Columbus, OH (2/11, 50K) reported online that the Council on American-Islamic Relations has called upon the FBI and state law enforcement to investigate graffiti painted onto an Ohio mosque. "Officials at the Ahlul Bayt Center said a white man was seen on surveillance video painting messages on the door of the mosque that included 'Allah is a fraud,'" WSYX said. The

WCMH-TV Columbus, OH (2/11, 229K) website reported similarly.

FBI Issues Warning About Romance Scams.

Adrienne Bankert reported on ABC World News Tonight (2/12, story 7, 1:35, Llamas, 14.63M) that the FBI is warning of online romance scams ahead of Valentine's Day. The scams, in which fraudsters use romance to solicit money, "cost victims an average of $15,000 to $20,000," Bankert says, citing the FBI. Some scammers pretend to be US soldiers based overseas. WBBM-TV Chicago (2/10, 61K) quoted FBI Chicago spokesman Garrett Croon as saying, "In 2015 the average loss in Illinois was just over $4-million to romance scams. ... On a national average, the loss was just over $203-million." The numbers cited by Croon, WBBM notes, are based only on reported scams. Many scams go unreported.

Illinois Governor To Aid Chicago In Fight Against Street Violence.

In an exclusive, the Chicago Sun-Times (2/10, Sneed, 798K) reported that in his state budget address on Wednesday, Illinois Gov. Bruce Rauner plans to address the street violence problem in Chicago. According to the Sun-Times, Rauner plans to "add resources to help contain Chicago's violence," is proposing to fund the training of cadets, and will "supplement the surge in troopers he's already sent to the Chicago region to address this issue."

Suit Against Florida Sheriff's Office Over Fatal Shooting Goes To Trial.

The AP (2/12, Spencer) reports from Loxahatchee, FL that "the parents of Seth Adams are sure Sgt. Michael Custer is lying about why he fatally shot their unarmed son in the parking lot of the family's nursery business nearly five years ago, even though the sheriff's deputy was cleared by investigators." According to the AP, "the family will get a chance to prove its allegations when a federal civil rights trial against Custer and the sheriff's office begins Monday with jury selection." The family and their attorneys "say ballistics tests, contradictions in Custer's statements and observations by his Palm Beach County colleagues undermine his account of Adams as an immediate and persistent aggressor in the confrontation."

Criminal Justice Reform Advocates Facing "Hurdle" With Trump Administration.

The Wall Street Journal (2/10, O'Keeffe, Subscription Publication, 6.37M) reports the new president of Families Against Mandatory Minimums cleared an important hurdle in getting his probation officer to agree to allow him to interact with felons. However, the Journal says now the Trump Administration poses another significant hurdle. While President Obama sought to mitigate what he considered to be unfair sentences, the piece says that under Trump and Attorney General Jeff Sessions, there is a potentially more challenging road ahead. It additionally notes criminal justice reform was not explicitly discussed by Trump while on the campaign, but says that Sessions has been an opponent of shortening prisons sentences.

Miller Says Trump "Correct, 100 Percent" About Large-Scale Voter Fraud.

Presidential adviser Stephen Miller said on ABC's This Week (2/12, Stephanopoulos, 6.61M), "The White House has provided enormous evidence with respect to voter fraud, with respect to people being registered in more than one state. Dead people voting, non-citizens being registered to vote. ... That is a scandal! ... And I'm prepared to go on any show, anywhere, any time, and repeat it and say the President of the United States is correct, 100 percent."

The New York Post (2/12, Schultz, 3.82M) says Miller "doubled down on President Trump's

unsubstantiated claims. ... Asked repeatedly [for] proof, Miller said voter fraud is a serious issue and will be evaluated by [the] Justice Department once it's up and running." The Los Angeles Times (2/12, King, 4.52M) says the Administration "continued Sunday to assert a widely debunked claim that massive vote fraud helped deprive the president of a popular-vote victory" last fall. The Wall Street Journal (2/12, Ballhaus, Subscription Publication, 6.37M) headlines a report on the comments "Trump Adviser Repeats Unsubstantiated Vote Fraud Assertions."

In the Washington Post (2/12, 11.43M) Fact Checker, Glenn Kessler awards Miller "bushels of Pinocchios" over the assertion, writing that "the White House continues to provide zero evidence to back up its claims of voter fraud," instead returning repeatedly "to the same bogus talking points that have been repeatedly shown to be false." Kessler adds, "It's pretty shameless to cite research in a way that even the researcher says is inappropriate."

Sanders, Franken: Vote Fraud Claims Show Trump Is A Liar. On NBC's Meet The Press [redacted] (2/12, Todd, 157K), Sen. Bernie Sanders said, "We have a president who is delusional in many respects, a pathological liar. ... When somebody goes before you and the American people and say three million to five million people voted illegally in the last election, nobody believes that. There is not the scintilla of evidence. What would you call that remark? It's a lie. It's a delusion." The Washington Post (2/12, O'Keefe, 11.43M) characterizes the remarks as "strong words."

On CNN's State Of The Union, [redacted] (2/12, Tapper, 420K) Sen. Al Franken similarly said that President Trump "lies a lot. He says things that aren't true. ... You know, three million to five million people voted illegally. There was a new one about people going in from Massachusetts to New Hampshire. ... That is not the norm for a president of the United States or actually for a human being."

The New York Daily News (2/12, Edelman, 4.45M) reports Franken, in response to a question by CNN's Jake Tapper as to whether any Republican senators had "expressed concerns about President Trump's mental health," replied, "A few," commenting, "We all have this suspicion that he...that he lies a lot, that he says things that aren't true." Politico (2/12, Cohen, 2.46M) reports Franken also criticized the President's referring to Sen. Elizabeth Warren as "Pocahontas" as "racist." The AP (2/12) and The Hill (2/12, Balluck, 1.25M) similarly report Franken's comments.

WSJournal: Texas Voter Fraud Sentence Is Excessive. In an editorial, the Wall Street Journal (2/12, Subscription Publication, 6.37M) argues that while the media minimizes the extent of voter fraud, the eight-year and $5,000 fine sentence for Rosa Maria Ortegaon, a green card holder who voted in Texas, is excessive. While the jury didn't believe Ortegaon's explanation that she thought legal residents have the right to vote, this wasn't a violent felony or a fraud ring. The Journal calls on Gov. Greg Abbott to commute the sentence should the a judge not be able to intervene.

FINANCIAL CRIME & CORPORATE SCANDALS

SEC Accuses Chinese Investor Of Insider Trading In Animation Deal.

The Los Angeles Times (2/10, James, 4.52M) reported that the SEC has accused Chinese investor Shaohua "Michael" Yin and his family of participating in an insider trading scheme to illegally profit "from Comcast Corp.'s $3.8-billion acquisition last year of DreamWorks Animation." According to the SEC, during a three-week period prior to the sale, five brokerage accounts purportedly controlled by Yin, acquired more than 2 million shares of DreamWorks stock. Yin had never owned stock in the animation company before. According to the SEC, Yin "has made illegal trades of stock

of other companies, and the FBI executed a search warrant on Yin at the San Jose International Airport on Feb. 3, just before he boarded a flight to China," the Times said. Bloomberg News (2/10, Robinson, 2.41M) reported that Yin or his associates attempted to withdraw the illegal profits from the brokerage accounts after the FBI searched Yin, the SEC claims in its complaint.

Ex-Massey CEO Seeks En Banc Rehearing Of Appeal.

The Charleston (WV) Gazette-Mail (2/10, Ward, 9K) reports that attorneys for Don Blankenship "asked Friday that the full 4th U.S. Circuit Court of Appeals reconsider a previous decision in which a three-judge panel upheld the criminal conviction of the former Massey Energy Co. CEO." In a filing with the court, "Blankenship's defense team urged the full court to focus any re-examination of the case on two issues: Whether the trial jury was wrongly instructed on the definition of criminal willfulness and whether defense lawyers were improperly denied the chance for a second cross-examination of a key government witness." The Gazette-Mail notes that Blankenship "is serving a one-year sentence in a federal prison in California" after being "convicted in December 2015 of conspiring to violate federal mine safety standards at Massey's Upper Big Branch Mine, where 29 workers died in an April 2010 explosion."

Massachusetts Couple Sentenced For Tax Evasion.

The Boston Globe (2/11, Geanous, 1.08M) reported that Massachusetts couple Sergey and Anastasia Bulavchenko pleaded guilty Friday to tax evasion charges and were sentenced to two years probation. The couple was "charged with tax evasion and willful failure to file tax returns in connection to their business, UNEOL LLC, which provided a US shipping address for customers living in other countries," the Globe says. According to authorities, the Bulavchenko's business also facilitated identity theft and credit card fraud. The investigation of the couple and their business involved the FBI and Massachusetts State Police.

Former Arizona Sheriff's Deputy Pleads Guilty In Embezzlement Scheme.

The Arizona Republic (2/10, Wagner, Harris, 1.1M) reports that former Pima County, Arizona Sheriff's Deputy Christopher Radkte pleaded guilty Friday to misappropriating funds as part of an embezzlement scheme. "Radtke, 55, once second in command of the Sheriff's Department, was indicted on seven felony counts of money laundering and theft after investigators discovered deputies misappropriated roughly a half-million dollars seized from criminals over 18 years," the Republic says. As part of the plea deal, Radtke will receive no prison time and will retain his state pension.

WSJournal: Greenberg Prosecution Shows Abuse Of Law By Prosecutors.

In an editorial, the Wall Street Journal (2/12, Subscription Publication, 6.37M) uses former AIG CEO Hank Greenberg's $9 million settlement to blast the businessman's prosecution, calling the amount negligible for Greenberg, who the Journal says admitted only accounting errors. The Journal touts the outcome as a vindication for Greenberg and blasts prosecutors for the money spent on the case. The Journal argues that the prosecution was revenge by former state AG Eliot Spitzer for Greenberg's criticism of him, illustrating the lengths progressives go to punish capitalists. The Journal concludes the case shows the ease whereby prosecutors can abuse the law to seek fame instead of justice.

CYBER DIVISION

Privacy Groups Criticize FBI Methods In Playpen Probe.

CSO Magazine (2/11, Kan, 81K) reported that three privacy advocacy groups on Friday "filed briefs in a lawsuit involving the FBI's hacking operation against Playpen." Privacy International, the Electronic Frontier Foundation, and the ACLU of Massachusetts claimed that the FBI's take down of the child pornography website violated the constitution and international law because the "operation involved the FBI hacking 8,700 computers in 120 countries, based on a single warrant," the magazine said. The groups filed their briefs in the case of Alex Levin, a "suspect in the FBI's

Playpen investigation who's appealing the way the agency used malware to gather evidence against him," the magazine said. Slashdot (2/12, 46K) reported similarly.

UK Cyber Official: 188 "High-Level" Cyberattacks In Last Three Months.

BBC News (UK) (2/12, 2.39M) reports "Britain's security has been threatened by 188 high-level cyber attacks in the last three months, according to" National Cyber Security Centre chief executive Ciaran Martin, who "told the Sunday Times many of the attacks 'threatened national security.'" Martin "told the newspaper that attempts on government departments were designed to 'extract information on UK government policy on anything from energy to diplomacy to information on a particular sector.'"

The Guardian (UK) (2/12, 4.07M) reports that Martin "told the Sunday Times there had been a 'step change' in Russia's online aggression against the west." Martin is quoted saying, "Part of that step change has been a series of attacks on political institutions, political parties, parliamentary organisations and that's all very well evidenced by our international partners and widely accepted."

The Independent (UK) (2/12, Roberts, 1.28M) reports Martin "warn[ed] that Britain is being hit by 60 'significant' cyber-attacks each month." The Independent adds, "An attempt to disrupt the 2015 general election was thwarted by GCHQ in a cyber attack the security service said was the first of its kind."

British Schoolchildren To Receive Cybersecurity Lessons.

BBC News (UK) (2/11, Symonds, 2.39M) reports, "Schoolchildren in England will be offered lessons in cyber security" beginning in September "in a bid to find the experts of the future to defend the UK from attacks." BBC says, "Classroom and online teaching, 'real-world challenges' and work experience will be made available."

The Independent (UK) (2/11, Dearden, 1.28M) reports, "The new Cyber Schools Programme aims to teach pupils some of the skills they would need to help defend Britain's businesses and institutions against online threats." The Independent adds, "Ministers are making up to £20m available for extracurricular sessions that will see expert instructors drafted in to teach, test and train selected teenagers."

Cyber Experts: Recent Hacks Part Of International Effort, Resembling 2014 Sony Hack, To Target Global Banks.

The Wall Street Journal (2/12, McMillan, Subscription Publication, 6.37M) reports cybersecurity experts have found evidence which suggests recent attacks on Polish institutions form part of an international effort targeting global financial institutions in several countries, and that the effort shares traits with the 2014 Sony attack. Researchers say the attacks installed code on financial regulatory authorities' websites, then used them to attack the computers of certain financial institutions. The number of targeted banks and the extent of financial losses are unknown.

Defense Contractors Among "Vulnerability Hunters."

Under the headline "The secret world of vulnerability hunters," the Christian Science Monitor (2/10, Sternstein, 387K) reports on the market for network vulnerability exploitation – including the hackers who sell "bug bounty" programs to companies they've infiltrated, cybersecurity experts who "moonlight" for the agencies like FBI to infiltrate networks of criminal targets, and government contractors who also work to find vulnerabilities. According to the article, "defense contractors ManTech, Booz Allen Hamilton, Harris, and Raytheon have all landed formal US government contracts to infiltrate targeted software, say former employees there." The companies "have scooped up boutique firms that concentrate on spy technology, industry insiders say," with Mantech buying exploit researcher Oceans Edge and Raytheon purchasing bug developer SI Government Solutions.

Microsoft To Grade Commercial Customers' Security Settings.

The Wall Street Journal (2/10, Greene, Subscription Publication, 6.37M) reports Microsoft will

begin grading the Office 365 security settings of its commercial customers, in order to strengthen its software and services from frequent hacking attempts. The Journal says Hartford Financial Services Group Inc. plans to use the security score to determine cyberinsurance rates for its customers. Microsoft did not say whether other insurance companies were approached to use the service.

Florida County School Employees At Risk Of Becoming Data Breach Victims.

The South Florida Sun Sentinel (2/12, 581K) reports, "Authorities say as many as 7,700 Manatee County school employees are at risk of being victims of a data breach." County school officials "learned earlier this month that two payroll employees of the school district along Florida's Gulf Coast had fallen for an email phishing scam" from a hacker "posing as Superintendent Diana Greene" requesting "all W-2 forms for district employees."

Senate Armed Services Cyber Subcommittee Chairman Wants To Learn About Current State Of US Cybersecurity.

Politico (2/10, 2.46M) "Morning Cybersecurity" reports that the "immediate priority" for US Sen. Mike Rounds, the "newly appointed chairman of a freshly created Armed Services cybersecurity-focused subcommittee," is to "figur[e] out the state of play." Rounds is quoted as saying that includes asking the Defense Department for an assessment of "where they see the need for either manpower or additional resources," as well as "assessing where the United States stands in its capabilities compared with 'both bad actors and peer competitors.'"

House Homeland Security Committee To Hold Hearing On Cyber Threats.

The Hill (2/10, Chalfant, 1.25M) reports, "The House Homeland Security Committee is planning a hearing on cybersecurity threats early next month." The committee "is expected to hold a full hearing on the Department of Homeland Security's (DHS) cyber defenses and threats to the U.S. on March 1, according to a committee aide." The Hill adds the hearing "will be the committee's first focusing on cybersecurity since the intelligence community concluded that Russia engaged in a cyber and disinformation campaign aimed at influencing the 2016 U.S. presidential election," though it "will not focus on the Russian election hacks but will instead cover the full scope of the threat landscape."

Russia Suspected In Italian Foreign Ministry Hack.

The Guardian (UK) (2/10, 4.07M) reports, "Russia is suspected by Italian officials of being behind a sustained hacking attack against the Italian foreign ministry last year that compromised email communications and lasted for many months before it was detected, according to people familiar with the matter." The Guardian says an Italian government official "confirmed that the attack took place last spring and lasted for more than four months but did not infiltrate an encrypted system used for classified communications." While then-foreign minister Paolo Gentiloni "was not affected by the hack, according to the official," the foreign ministry's "field offices" were affected, though "the government official said sensitive information had not been compromised because it would also have been encrypted."

"Prolific" Hacker Sentenced In "Rare Win" For Law Enforcement.

The AP (2/10) reports that "prolific foreign hacker" Ercan Findikoglu, who was "behind sophisticated cyberattacks that netted an estimated $55 million," was sentenced to eight years in prison Friday in a "rare win for law enforcement officials who have identified, but failed to arrest, hundreds of others like him." The AP describes Findikoglu as "a Russian-speaking Turkish national so skilled with computers that he tracked the sprawling international heist in real-time to make sure a small army of thieves wouldn't cheat him out of his share of the proceeds."

Cybersecurity Exercise Takes Place In Colorado.

The Denver Post (2/12, 778K) reports on a cybersecurity training exercise "conducted by Regis University, the state, and the Colorado Army and Air Force National Guard" involving the virtual

disabling of a dam. The Post says, "This particular exercise was based on a real cyberattack against a small dam in upstate New York that was conducted by Iran, said Jeremy Lammon, master sergeant in the Air National Guard." DHS representatives were among the attendees, the Post adds.

CSMonitor Analysis: Cyber System Flaws Trigger Efforts To Identify Vulnerabilities.

A more than 2,100-word Christian Science Monitor (2/10, Sternstein, 387K) analysis examines how "flawed" and "vulnerable" cyber systems, including "the websites we all use, the apps on our smartphones, the software on our laptops, and industrial systems running critical infrastructure," has lead a push in the hiring of cybersecurity professionals to detect these vulnerabilities. The Monitor says that such flaws have become "increasingly valuable to both the people trying to break into digital networks and those trying to defend them." It has driven efforts by companies to launch "so-called bug bounty programs" that pay researchers to locate system and product vulnerabilities.

House Democrats Call For Probe Of White House Cybersecurity.

FedScoop (2/10) reports, "Democratic members of the House Committee on Science, Space and Technology are calling for a probe into the White House's cybersecurity practices." US Reps. Eddie Bernice Johnson, Dan Lipinski, and Don Beyer "signed and sent a letter to the committee's Republican leadership requesting a hearing on the matter." Their letter is quoted saying, "Given your previous investigations of cybersecurity practices at multiple federal agencies, including the Federal Deposit Insurance Corporation (FDIC) and Federal Reserve Board, and with respect to former Secretary Clinton's private email server, we trust you will be equally concerned with any and all careless cybersecurity practices of the Trump Administration."

Senators Demand Answers From Yahoo CEO On Data Breaches.

The Washington Times (2/10, Blake, 272K) reports Sens. John Thune and Jerry Moran sent a letter to outgoing Yahoo CEO Marissa Mayer on Friday raising questions about "a pair of high-profile data breaches that resulted in more than a billion accounts being compromised by hackers." In the letter, the Senators said, "Despite several inquiries by Committee staff seeking information about the security of Yahoo! user accounts, company officials have thus far been unable to provide answers to many basic questions about the reported breaches." The Times says they are requesting a response by February 23.

Representatives Urge Flynn To Change Export Agreement To Address Cybersecurity Concerns.

The Hill (2/10, Uchill, 1.25M) reports that bipartisan group of representatives "with cybersecurity chops" are urging National Security Adviser Flynn "to change an export agreement many believe weakens international cybersecurity." The Wassenaar Arrangement, the Hill says, is a non-binding agreement between 40 nations, which "creates export policies for civilian technologies with military uses." According to The Hill, the accord does not account for the "subtleties of cybersecurity" and "some of its restrictions can prevent the sharing of cybersecurity research and information about threats."

LAW ENFORCEMENT SERVICES

California, US Saw Surge In Gun Sales Last Year.

NBC Nightly News (2/12, story 6, 2:15, Snow, 16.61M) reported that last year, "more guns were sold" in California "than ever before," and the state "was not alone with the surge of gun sales as the fight over guns is heating up." NBC (Beck) added that one reason for the surge

is "California's bullet button ban," in which "the state made it illegal to sell rifles that have a button shooters can use to reload faster." The ban was passed in July 2016 "but took a few months to go into effect." According to NBC, "gun store owner Vince Torrez says the ban helped make 2016 his busiest year in decades." California gun sales "surged last year, selling over a million firearms for the first time ever," which mirrored a nationwide trend. NBC added that "the gun industry is bracing for a slowdown in sales because of solid Republican control in Washington."

New York Planning To Have 23,000 Body Cams On Officers BY 2019.

The AP (2/11, Long) reports that New York City is planning to "put body cameras on all 23,000 of its patrol officers by 2019," which it notes is an "ambitious effort that would dwarf all others across the country," but that the department is still "lagging behind other cities, with only limited experience with the cameras and zero currently on the streets." Mayor Bill de Blasio's body camera plan, the AP says, "is crucial to restoring trust between officers and the communities they serve."

OTHER FBI NEWS

Podesta: Some "Forces" Within FBI Wanted Clinton "To Lose."

The Huffington Post (2/12, Bobic, 237K) reports that Hillary Clinton campaign chairman John Podesta on Wednesday criticized the FBI for its response to Russia's purported hacking of the DNC. "I think to this day it's inexplicable that they were so casual about the investigation of the Russian penetration of the DNC emails," Podesta said during a panel discussion in San Francisco. "They didn't even bother to send an agent to the DNC. ... They left a couple of messages at the IT help desk saying, 'You might want to be careful.'" Podesta added, "There are at least forces within the FBI that wanted her to lose."

Wyden Asks FBI To Explain Changes To FOIA Rules.

CNN Money (2/10, Larson, 3.59M) reports that Sen. Ron Wyden (D-OR) is asking the FBI for an explanation of the bureau's announcement last week that it "would stop accepting email requests for Freedom of Information Act (FOIA) data," and instead require the submission of FOIA requests "through an online portal called eFOIA – or via fax or snail mail." In a letter to the FBI on Thursday, Wyden, a member of the Senate Select Committee on Intelligence, "said there are limitations to the online portal," including "a 3,000 character limit on requests, unclear rules about what people can request, and technical barriers that prevent people 'engaged in the innovative use of technology' from automating their requests. 'These limitations may become serious problems if this system is to be the sole method through which the agency can receive digital FOIA requests,' Wyden said in his letter."

The Daily Dot (2/10, 287K) reports that Wyden "urged the FBI to revise its new policy, which he interpreted as potentially placing an 'unnecessary burden' on requesters, citing limitations of the FBI's new online submission platform. 'While it is admirable that the FBI has sought to make it easier to receive and process FOIA requests,' wrote Wyden, 'there are a number of limitations with the online portal. These limitations may become serious problems if this system is to be the sole method through which the agency can receive digital FOIA requests.'"

Sanctuary City Debate May Influence Decision On Building FBI's New Headquarters.

The Washington Times (2/12, Miller, 272K) reports the decision over where to build a new FBI headquarters may be influenced by the sanctuary city debate as the two finalist cities are Prince George's County, Maryland and Fairfax County, Virginia. In Prince George's County, "local officials resist helping deport illegal immigrants," while police cooperate with ICE in Fairfax County. The Times says it is unknown whether the executive order that bars federal funds from sanctuary jurisdictions will impact construction projects.

FBI Creates "Wanted" App For Smartphones.

Bloomberg Government (2/10, 1K)reported on the "FBI Wanted App" for Apple and Android devices. The app "allows users to join in the search for fugitives and suspects, as well as crime

victims and missing children," Bloomberg said. According to FBI spokesman Christopher Allen, "Thousands of cases have been solved over the years thanks to the watchful eyes of concerned citizens. ... The FBI Wanted App will help carry on this tradition." The FBI has also created the Child ID App and the Bank Robbers App.

OTHER WASHINGTON NEWS

Miller: Administration Considering Options On Travel Ban.

Coverage of presidential adviser Stephen Miller's comments on four Sunday morning shows about the White House's next steps on the travel ban now frozen by a federal court is widespread but essentially straightforward. Reports cover Miller's defense of President Trump's policy as constitutional and examine the Administration's options with little additional analysis or comment – though several Democratic senators also appeared to rebut Miller's arguments and reiterated their opposition to the policy.

NBC Nightly News (2/12, lead story, 2:30, Snow, 16.61M) said in its lead story that "the White House is considering how to move forward on its immigration policy after losing in court last week." NBC's Kelly O'Donnell said, "Defending that travel ban across morning television [Sunday]...Miller lashed out at the courts." Miller: "We have a judiciary that has taken far too much power and become in many cases a supreme branch of government." ABC World News Tonight (2/12, story 3, 2:05, Wright, 14.63M) reported, "The Administration is now turning its attention back to the targeted travel ban, intent on rescuing the policy one way or another, even if that means writing a new, more limited order. ... The Administration doesn't want the courts to have the last word." Miller: "We can pursue further executive actions. All options are on the table. We have equal branches of government in this country. The judiciary is not supreme."

On ABC's This Week (2/12, Stephanopoulos, 6.61M), Miller said, "A district judge in Seattle cannot force the President of the United States to change the laws and our Constitution because of their own personal views. … And we will do whatever we need to do, consistent with the law, to keep this country safe." On CBS' Face The Nation (2/12, Dickerson, 4.61M), Miller said, "I think it has been an important reminder to all Americans we have a judiciary that has taken far too much power and become in many case as supreme branch of government. One unelected judge in Seattle cannot remake laws for the entire country."

On NBC's Meet The Press (2/12, Todd, 157K), Miller said, "The bottom line is

we are pursuing every single possible action to keep our country safe from terrorism." On Fox News Sunday (2/12, Wallace), Miller said the Administration's options include "the possibility of new executive actions designed to prevent terrorist in perpetration of our country. And I want to say something very clearly, this will be very disappointing to the people protesting the President and the people in Congress like Sen. Schumer, who has attacked the President for his lawful and necessary action. The President's powers here are beyond question."

The Washington Post (2/12, Rucker, 11.43M) reports Miller said the Administration is considering appealing "and having an emergency hearing 'en banc,' or before all judges on the court; seeking an emergency stay at the Supreme Court; taking the case to trial at the district level; or writing a new executive order for Trump to sign that would withstand legal scrutiny." The Post calls Miller's Sunday interviews "unusually combative."

Bloomberg Politics (2/12, Niquette, 201K) reports that Miller said the Ninth Circuit Court of Appeals "took power that belongs 'squarely in the hands of the president' in a 'judicial usurpation.'" The Wall Street Journal (2/12, Ballhaus, Subscription Publication, 6.37M) also reports Miller said several options are under consideration, and notes Miller's defense of Trump's actions as constitutional, while the New York Daily News (2/12, Edelman, 4.45M) says Miller's comments "indicated that the administration was actively looking at ways to keep the measure alive."

Newsweek (2/12, Loffredo, 862K) reports on its website that Miller "continued Donald Trump's attacks on the judiciary over his suspended travel ban while declining to indicate what legal strategy the administration will pursue." Reuters (2/12, Chiacu, Harte) says Miller "attacked" the court ruling, and the Los Angeles Times (2/12, King, 4.52M) reports he "renewed the White House attack on what the president and senior aides have characterized as overreach by the courts."

USA Today (2/12, Jackson, 5.28M) says the 31-year-old Miller's "influence and public profile appear to be on the rise," and the Washington Times (2/12, Howell, 272K) reports that the President, "who is known to keep tabs on his aides' TV performances, said he was pleased with Mr. Miller's defense." Trump tweeted, "Congratulations Stephen Miller – on representing me this morning on the various Sunday morning shows. Great job!" The Huffington Post (2/12, Fang, 237K), however, says Miller's appearances went "disastrously," on the travel ban and on other issues. Voice of America (2/12, Bredemeier, 57K) also covers Miller's appearances on its website.

Schumer: Trump Should Throw Travel Ban "In The Trash." On CBS' Face The Nation (2/12, Dickerson, 4.61M), Senate Minority Leader Schumer said Trump should not revise the travel ban executive order, but "he ought to throw it in the trash. I think this executive order is so bad and so poisoned and its genesis is so bad and terrible that he ought to just throw it in the trash can." Politico (2/12, Strauss, 2.46M) says the comment "came in response to a question about the Trump administration looking to introduce a new executive order similar to a travel ban for seven majority-Muslim countries" blocked by the Ninth Circuit.

The New York Post (2/12, Moore, 3.82M) reports that Schumer "went on to call the order 'un-American and unconstitutional.'" Schumer said, "A religious ban just goes against the American brain. We believe in immigrants in this country and we don't believe in a religious test." The Washington Times (2/12, Howell, 272K) also reports on Schumer's remarks.

Other senators were also critical. On NBC's Meet The Press (2/12, Todd, 157K), Sen. Bernie Sanders called Miller's remarks "a shell game," saying, "While there is a whole lot of discussion about the racist, in my view, immigration policies of the Trump Administration which are based on anti-Muslim ideology, which are doing us enormous harm all over the world, something else is going on at the exact same moment is that President Trump is backtracking on every economic promise that he made to the American people when he told workers and senior citizens he was not going to cut Social Security, Medicare, and Medicaid."

On Fox News Sunday (2/12, Wallace), Sen. Ben Cardin said, "I've talked to leaders from around the world that tell us that" the travel ban executive order "will be used as a recruitment for terrorist organizations it will put Americans at greater risk traveling abroad, that it adds to self-radicalization." On CNN's State Of The Union (2/12, Tapper, 420K), Sen. Al Franken similarly said, "I agree with Sen. McCain and Sen. Graham that actually this kind of ban makes us less safe and it gives a recruiting tool to ISIS and to other jihadists saying America is anti-Muslim. ... I think that Trump and his group are trying to make Americans more afraid. I think that's part of how they got elected is make more people afraid."

However, Sen. Jeff Flake, a Republican who is frequently critical of Trump, said on CBS' Face The Nation (2/12, Dickerson, 4.61M), "I do think it is constitutional. It is not a Muslim ban. ... I think that the message that it sends to our allies abroad and the countries that we need to work with is not a good one."

WPost Analysis: 9th Circuit Cites 1993 Case About Ritual Sacrifices In Blocking Travel Ban. The Washington Post (2/12, Guerra, 11.43M) reported on its "Post Nation" blog that in 1993, the Supreme Court "granted constitutional protections to an Afro-Cuban religious group that sacrifices animals, such goats, chickens, ducks and turtles, as a form of ritual," and "more than two decades later, specifically Thursday, three federal appeals court judges relied partly on that ruling when they declined to reinstate President Trump's controversial entry ban on refugees and citizens from seven predominantly Muslim countries." The Post noted that "the states of Washington and Minnesota, which sued to block Trump's executive order, cited the president's fiery rhetoric and a previous statement about a 'total and complete shutdown' of Muslims entering the country to prove that his directive was meant to discriminate against one religion," and the 9th Circuit Court of Appeals "agreed, citing the 23-year-old Supreme Court ruling on animal sacrifices as precedent."

Page: Trump Running Up Against Realities Of Presidential Power. Susan Page of USA Today (2/12, 5.28M) writes under the headline "Reality Check: After Three Weeks, Trump Hits A Washington Wall" that after "a dizzying flurry of actions" in his first weeks in office, Trump "has begun running smack into constraints mandated by the Constitution and imposed by political reality. Without acknowledging he's being forced to trim his sails, the president is moving to delay some campaign promises and downsize others, steps that sometimes have been overshadowed by

a continued stream of the defiant tweets that marked his political rise." Page writes that Trump is "discovering how the Constitution's structure, federal laws and rival power centers...make leadership in the Oval Office a more complicated calculation than in the corporate suite."

Washington State AG Ferguson Profiled. The AP (2/12, Johnson) profiles Washington State Attorney General Bob Ferguson, who is in "the vanguard of resistance" against Trump's travel ban. Ferguson said on ABC's This Week, "The Administration, the President, simply refused to recognize what everybody else can recognize. Four federal judges have looked at this case. ... All four have completely and utterly rejected the President's arguments in this case, and we anticipate winning as the case moves forward."

Some Employees Of Long-Established Tech Firms Join Critics Of Ban. The New York Times (2/12, Streitfeld, Subscription Publication, 13.9M) reports that though "the older, stodgier, less glamorous part of the tech universe" has been generally quiet about the ban, not joining in the legal filings or public criticism of its peers, some employees of firms like Cisco, Hewlett Packard Enterprise, and IBM are showing "defiance" and "agitating for an explicit corporate morality."

Policy Puts Hospitals' Selections Of Residents In Turmoil. The Wall Street Journal (2/12, Evans, Subscription Publication, 6.37M) looks at the difficulties hospitals are having in selecting applicants for residencies, noting that in recent years, about 14 percent of residents have come from abroad.

Syrian Refugee Family Now In US. The Los Angeles Times (2/12, King, 4.52M) has a feature on a refugee family who had "survived war's bloody ruination of their Syrian hometown, Homs, endured years of hardscrabble life in Jordan and undergone an exhaustive US vetting process that had lasted more than two years," and are now in the US after the refugee ban initially froze their plans.

WPost: Trump Should Back Abolition Of EB-5 Visa Program. In an editorial, the Washington Post (2/12, 11.43M) says that if President Trump really wants "to show that his immigration policies reflect consistent principles, not his and his family's involvement in the real estate business," he should back a bill sponsored by Sens. Charles Grassley and Dianne Feinstein, the chair and ranking Democrat on the Senate Judiciary Committee, that would abolish the EB-5 visa program, "which began a quarter-century ago as a well-intentioned plan to attract international capital to the United States, but has morphed into a scandal-ridden embarrassment."

Law Professors: Trump Should Be Judicious In Criticism Of Judiciary. In an op-ed for the Wall Street Journal (2/12, Subscription Publication, 6.37M), University of Virginia law professor Sai Prakash and University of California, Berkeley law professor John Yoo write that while it is legitimate to criticize the federal judiciary, it is unwise when such criticism is unfounded. The professors defend President Trump's right to lodge reasonable protests about important decisions, as his predecessors have done, but warn that such criticism should be reserved for issues and decisions of importance, not a legal setback in a minor procedural test of a temporary executive order.

Miller Says Blumenthal Misrepresented Gorsuch's Comments.

On Fox News Sunday (2/12, Wallace), Chris Wallace said Judge James Robart "has received death threats" since President Trump tweeted criticism of the judge in the wake of his decision to issue a temporary restraining order against the travel ban. Asked if Trump should be blamed if "something happens" to Robart, presidential adviser Stephen Miller said, "This is one of the most ludicrous things that the media does, where when any crazy person in this country issues a death threat, that they then blame a politician or a public official. That is reckless and

irresponsible and should never be done." Asked about Supreme Court nominee Neil Gorsuch's comment that Trump's criticism of the judiciary was "disheartening and demoralizing," Miller said, "I have my opinions, and Judge Gorsuch has had his comments, as you know, misinterpreted and misrepresented by Senator Bluementhal, who as we all know has profound credibility issues."

Schumer Questions Gorsuch's Independence For Not Publicly Criticizing Trump. On CBS' Face the Nation, Senate Minority Leader Schumer said he asked Judge Gorsuch if he would "publicly condemn what President Trump did with the existing judge, which any judge worth his salt should do. He refused. He said to me, 'I'm disheartened.' Now, his handlers were sitting there and he whispered, 'You can make that public.' So this was not – you can't behind closed doors whisper to a senator and then not say anything. And then when President Trump attacked and said 'he didn't mean me,' they all said yeah, he didn't mean President Trump. That was a further indication of his lack of independence."

AP Analysis: Gorsuch Has Defended Freedom Of Speech, Religion. The AP (2/12, Donn, Mulvihill) reports that Gorsuch "has been a defender of free speech and a skeptic of libel claims, an Associated Press review of his rulings shows," a record that "puts him at odds with President Donald Trump's disdain for journalists and tendency to lash out at critics." However, the AP analysis found, "on other First Amendment cases involving freedom of religion," Judge Gorsuch's rulings "in his decade on the 10th US Circuit Court of Appeals in Denver reflect views more in line with the president and conservatives." Judge Gorsuch "repeatedly has sided with religious groups when they butt up against the secular state," according to the AP.

Gorsuch Scales Back Description Of Harvard Pro Bono Work. The Wall Street Journal (2/12, Reinhard, Subscription Publication, 6.37M) reports that Judge Gorsuch has scaled back a description of his pro bono work at Harvard Law School after questions were raised over his involvement in two volunteer criminal justice programs. In a questionnaire released on Saturday by the Senate Judiciary Committee, Gorsuch said he "participated" in the two programs. He had said in a 2006 Senate form, as a federal appeals court nominee, that he had represented "defendants in criminal proceedings in Massachusetts state courts" and helped represent inmates, the Journal notes.

DC Area Prepares For Economic Woes Due To Trump's Effect On Federal Workforce, Spending.

The Washington Post (2/12, McCartney, 11.43M) reports that while "the administration and congressional leaders have sent mixed signals about their intentions," the Washington, DC region "is bracing for shock" to its economy due to decreased federal spending. "The region is widely expected to fare worse" than others due to efforts "to restrict the size and cost of the federal workforce." Predicted "sharp cuts in federal nondefense spending...would strain local budgets nationwide and pose a particular threat to economic growth," and while President Trump has called for infrastructure investment, detailed plans appear to involve tax credits, not spending. Meanwhile, business leaders say "Trump's demonization of the capital...has hurt the region's reputation as a good place to work." On top of all this, GOP proposals to convert domestic spending programs into block grants would "shift costs and responsibilities to state and local governments," as well as, according to critics, serve "to mask cuts."

INTERNATIONAL NEWS

Report Disputes Russia's Claims Of Restraint In Syria.

The New York Times (2/12, Gordon, Subscription Publication, 13.9M) reports that while Russian military officials have "vociferously denied that their airstrikes have killed civilians in Syria," but a "new analysis that draws on satellite images, security camera videos, social media and even footage from the Kremlin-backed Russian television network has challenged Moscow's claims." The

analysis by the Atlantic Council also "concludes that Syrian forces used chlorine gas on a far greater scale than is commonly believed."

Hezbollah Supports Syrian Ceasefire, Peace Talks.

Reuters (2/12, Francis) reports Hezbollah said Sunday it "strongly supports the Syrian ceasefire agreed on in Kazakhstan and any truce that could lead to a political solution." Leader Hassan Nasrallah said Sunday, "Hezbollah strongly supports, not just the Astana ceasefire, any ceasefire agreed upon in Syria," in order "to prevent bloodshed and pave the way for political solutions."

Opposition Selects Delegation For Geneva Talks.

Another Reuters (2/12, Al-Khalidi, Perry) report says Syria's main opposition body, the High Negotiation Committee (HNC), on Sunday approved a delegation to take part in Geneva peace talks later this month. The group said in a statement after two-days of meetings in Riyadh, the "21-member negotiating team included members of two dissident alliances with which it has previously been at odds."

Tension Mounts Among Shiites In Baghdad After Clashes.

Reuters (2/12, Majeed, Rasheed) reports tensions between Iraq's Shi'ite leaders "mounted on Sunday as the toll from protests in central Baghdad on Saturday increased to six killed." At least 174 other protesters were injured in clashes that pitted police and followers of cleric Moqtada al-Sadr demanding "an overhaul of a commission that supervises elections, ahead of a provincial poll due in September."

Baghdad Protesters, Police Clash Outside Baghdad's Green Zone.

Reuters (2/11, Chmaytelli, Hameed) reports thousands of protesters loyal to Moqtada al-Sadr, a prominent Shi'ite cleric, gathered in Baghdad on Saturday to press for election commission reforms. Police attempted to disperse some protesters who tried to cross a bridge into the Green Zone, and the protest escalated into clashes that killed as many as five demonstrators and at least one officer. The Interior Ministry said up to 320 people were wounded. Prime Minister Haider al-Abadi issued an investigation into the casualty claims. Al-Sadr, in a statement, accused the police of using excessive force on peaceful demonstrators and called on protesters to "withdraw until further notice."

The Wall Street Journal (2/11, Kesling, Adnan, Subscription Publication, 6.37M) reported Abadi did not address the demonstrators' demands and reiterated that any electoral commission overhauls must be achieved through parliament. Separately, four Katyusha rockets were fired from the eastern side of the city at the Green Zone; no known casualties resulted.

Turkish-Backed Syrian Opposition Forces Stall In Al-Bab.

The Syrian Observatory for Human Rights told the AP (2/11, Issa) that ISIS still controls nine-tenths of the northern Syrian town al-Bab, even though Turkish and allied Syrian opposition troops reached the outskirts of the city seven weeks ago. The operation is a part of Turkey's broader "Euphrates Shield" mission, in which Turkey hopes to clear both ISIS and US-backed Kurdish forces in Syria away from its border, and Syrian opposition forces hope to secure territory. Meanwhile, Kazakhstan's Foreign Ministry announced on Saturday that it is inviting Syrian government and opposition forces as well as Russian, Turkish, and Iranian delegates for preparatory ceasefire talks on Feb. 16 and 17.

WPost Urges Administration To Support Assad's Removal.

The Washington Post (2/11, 11.43M) editorializes the Saydnaya military prison outside of Damascus "deserves attention, if only because it shows the regime's calculated sadism and cold determination to exterminate all who oppose it." Citing an Amnesty International report, the Post says up to 13,000 civilians were systematically executed at Saydnaya, dubbed the "human slaughterhouse," under Syrian President Bashar al-Assad's rule, "and there is no reason to believe the killings have stopped since then." The Post urges "all those who believe that the Syrian civil

war" can conclude with Assad still in power to consider the report, and calls on the Administration to avoid decisions that "tolerate or even support the butchers of Damascus."

Iraqis Battling Oil Well Fires Set By Retreating ISIS Militants.

The Washington Post (2/12, Holley, 11.43M) reports on the challenges faced by Iraqi oil workers. Outside of Mosul, retreating ISIS militants set fire to oil wells, and "at least five of the 25 oil well fires left in the militants' wake still rage...forming a second front in the battle for Iraq that is no less dangerous for the proud men involved."

Amnesty International Urges UN To Investigate 13,000 Hangings In Syria.

The Los Angeles Times (2/10, Agrawal, 4.52M) reports Amnesty International urged the United Nations to independently investigate and take action against Syrian government and military prison officials allegedly responsible for as many as 13,000 executions by hanging since 2011. Even though the UN and US have repeatedly denounced the Syrian government's use of chemical weapons, barrel bombs, and airstrikes against civilians, "inaction has been the norm." According to analysts, former President Obama could not convince Congress or any other world leader to move forward with a military operation, in part because Russian President Vladimir Putin is an ally of Syrian President Bashar Assad. Furthermore, any action on behalf of the UN Security Council would require unanimous approval, which China and Russia have vetoed in the past.

Afghan Official: Joint US-Afghan Raid Killed 22 Civilians.

The AP (2/12, Khan) reports Helmand presidential envoy Jabar Qahraman and residents of the Sangin district claimed that a joint US-Afghan operation last week led to 22 civilian deaths. A statement by American spokesman CAPT Bill Salvin indicates American forces have "not reached any conclusions" about civilian casualties. According to Reuters (2/12, Smith), a UN statement on Sunday indicated the strikes killed 18 civilians, primarily women and children, and the UN's most recent report shows civilian deaths from American and Afghan airstrikes "dramatically" increasing in 2016.

Media Analyses: Netanyahu Will Seek To Reset US Ties During Talks With Trump.

Bloomberg Politics (2/12, Wainer, 201K) reports that when he visits the White House this week, Israeli Prime Minister Benjamin Netanyahu will try to "recalibrate ties" with the US "after eight years of high-profile clashes" with President Obama. Netanyahu "sees a chance for a warmer relationship" with President Trump. "The overriding goal will be to restore the relationship so that there are no surprises and no daylight," said former Ambassador Michael Oren, now a deputy minister in Netanyahu's office. The New York Times (2/12, Fisher, Subscription Publication, 13.9M) reports Netanyahu "suggested on Sunday that it was unrealistic to expect their two countries to agree completely on all issues," but insisted that "he was the strongest leader to navigate the relationship – the nation's most important, yet often its trickiest." The Times says Wednesday's meeting is "expected to set the tone for the American-Israeli relationship."

According to Reuters (2/12, Heller), Netanyahu said Sunday he would present "responsible policies" in talks with Trump, "signaling to the Israeli far-right to curb its territorial demands in the occupied West Bank." Said the Israeli leader, "I understand there's great excitement about this meeting (with Trump). But...my primary concern is Israel's security (and) strengthening our solid alliance with the United States." That, he added, "requires responsible policies," without elaborating. The Washington Post (2/12, Booth, 11.43M) reports that during his visit, Israeli Education Minister Naftali Bennett, leader of the pro-settlement Jewish Home party, pressed Netanyahu "to abandon his tentative commitment to the two-state solution," and not to use the words "Palestinian state."

The Los Angeles Times (2/12, Wilkinson, 4.52M), however, notes that on Friday, Trump told Israel Today that "going forward with settlements" is not a "good thing for peace," a position the Times says "puts him far closer to traditional US policy, and to Obama, than before." Settlements "don't help the [peace] process. I can say that. There is [only] so much land left. And every time you take land for settlements, there is less land left." The Times says the President's remarks "put him at odds with Netanyahu."

Feinstein, Heinrich Call For Continued US Efforts Towards Two-State Solution. In an op-ed in USA Today (2/12, 5.28M), Sens. Dianne Feinstein and Martin Heinrich call for the Administration to "help create the conditions necessary for resuming direct talks between" Israel and the Palestinians, including "a halt to Israeli settlement construction and an end to Palestinian incitement of terror." The senators warn that a two-state solution, which both Democratic and Republican administrations have worked towards, is the only way to stem the violence, provide "true security for Israel," and keep Israel "both majority Jewish and democratic." With "the incitement of violence and terror by Palestinians," Israel expanding settlements, and Trump's nominee to be the ambassador to Israel, David Friedman, expressing "an openly hostile attitude to a two-state solution," Feinstein and Heinrich call for the United States to "continue to play a constructive role, rather than turning a blind eye to actions by either party that undermine the prospects for peace."

Media Analysis: Trump-Trudeau Meeting Comes Amid Questions About Relationship.

The AP (2/12, Gillies) reports the first in-person meeting between President Trump and Canadian Prime Minister Justin Trudeau "could be the most important meeting for Canada" with a US leader "in decades." The meeting comes, according to the AP, as "many Canadians fear Trump will enact protectionist measures that could hurt their economy" and are worried that Trump "could be as combative as he was with the leaders of Mexico and Australia." The Wall Street Journal (2/12, Vieira, Mauldin, Subscription Publication, 6.37M) says the meeting likely will provide indications of how Washington intends to proceed with changes to the economic framework of the continent. Trudeau said last week that both Trump and he were "elected on commitments to strengthen the middle class and support those working hard to join it, and that's what we are going to focus on in these meetings."

NYTimes Analysis: Canada's Conservatives Looking For a Way Forward. The New York Times (2/12, Austen, Subscription Publication, 13.9M) reports that while in many countries the "political right" has "been on the rise lately," Canada's Conservatives "are in the political wilderness" following their 2015 defeat to the Liberals and Trudeau. The Conservatives, according to the Times, also are "lacking a permanent leader to replace" former Prime Minister Stephen Harper. The Times says the Conservatives "are asking" who "can take up our standard, cross swords with a charismatic and popular opponent, and lead us back to power in Parliament?"

Media Analyses: North Korean Missile Launch A Challenge To Trump.

Media reports on North Korea's test early Sunday of a mid-range ballistic missile cast the move as a test of the Trump Administration. On NBC Nightly News (2/12, story 2, 0:55, Snow, 16.61M), for example, Kier Simmons said the launch "was a direct and deliberate challenge to the new Administration," and the AP (2/12, Talmadge) too says it was "an implicit challenge" to President Trump.

ABC World News Tonight (2/12, story 2, 1:50, Llamas, 14.63M) noted the test came as Trump hosted Japanese Prime Minister Shinzo Abe at Mar-a-Lago. The leaders responded "with a swift joint statement, calling the test launch intolerable and Trump assuring that the US has Japan's back 100 percent." ABC's David Wright noted Sunday's launch was Pyongyang's first missile test since Trump took office, and while it "posed no threat to the US...it was a crucial test of Trump's commitment to the US-Japan security alliance."

The Washington Post (2/12, Wagner, 11.43M) reported early Sunday that Trump's "hastily called news conference" Saturday evening with Abe ended with a "pledge...to stand by Japan '100

percent' in the wake of North Korea's latest ballistic missile launch." The Post noted that the press conference "lasted barely two minutes" and neither leader took questions from reporters. The AP (2/12, Talmadge) said Abe "read a brief statement," and "Trump followed Abe with even fewer words," saying in part: "I just want everybody to understand and fully know that the United States of America stands behind Japan, its great ally, 100 percent."

The New York Times (2/12, Baker, Subscription Publication, 13.9M) reports that in response to North Korea, Trump "reacted with surprising restraint" in "sharp contrast to his response after Iran tested a ballistic missile." The Times says if Pyongyang "was testing the new president, as many analysts believe, then Mr. Trump seemed intent on showing that he would not be baited into a confrontation."

USA Today (2/12, Madhani, 5.28M) reports Trump adviser Stephen Miller told Fox News Sunday (2/12, Wallace) that Trump is sending an "unmistakable signal to North Korea and to the entire world," and is determined to "reinforce and strengthen our vital alliances in the Pacific region as part of our strategy to deter and prevent the increasing hostility that we've seen in recent years from the North Korean regime." On CBS' Face the Nation, Miller said, "Last night was a show of strength. Saying that we stand with our ally, having the two men appear on camera worldwide to all of planet earth was a statement that will be understood very well by North Korea." Reuters (2/12, Chiacu) also reports Miller's comments.

The Wall Street Journal (2/12, A1, Nicholas, Lee, Cheng, Subscription Publication, 6.37M) reports on its front page that in the wake of Sunday's test, Trump is facing calls for a show of strength toward North Korea. Sen. Cory Gardner urged Trump to "immediately pursue a series of tough measures," including sanctions, military exercises with US allies in the region, and the accelerated deployment of an advanced missile system in South Korea. Sen. Tom Cotton similarly said, "It's time the regime had to face consequences for its behavior."

For its part, Reuters (2/12, Park) reports North Korea hailed the test of a new type medium-to-long-range ballistic missile as successful. State-run media said leader Kim Jong Un supervised the test of the Pukguksong-2. AFP (2/12) reports the missile flew for "about 500 kilometers (310 miles) before falling into the Sea of Japan," according to South Korea's defense ministry. The New York Times (2/13, Choe, Subscription Publication, 13.9M) reports North Korea said the missile "used a high-thrust, solid fuel-powered engine and was fired from a self-propelled missile launching truck," which is "an important stride."

The AP (2/12) reports the US, Japan, and South Korea have requested an urgent meeting of the UN Security Council, which "is expected to take place Monday."

Trump Urged To Pursue Tougher Sanctions. On CNN's Fareed Zakaria GPS (2/12, Zakaria, 410K), Richard Haass, president of the Council on Foreign Relations, said, "We're moving towards the situation where either...we get the Chinese on board and we increase the pressure on [North Korea] through sanctions, and the Chinese are in the unique position to do it ,or Mr. Trump is going to have to face a truly fateful decision about whether we're prepared to live with a North Korea with the capability against us or we're going to use military force one way or another to destroy their nuclear missile capabilities."

Also CNN's Fareed Zakaria GPS (2/12, Zakaria, 410K), former Director of Policy Planning at the State Department, Anne-Marie Slaughter, said, "There is a tougher policy. We can impose much more personal sanctions that strike at the heart of the actual North Korean regime. China doesn't want us to do that, but it has been effective. The question is whether Trump will use this to get a tougher policy."

CNN's Stelter Criticizes Trump For Tweets About CNN In Wake Of Missile Test. Brian Stelter said on CNN's Reliable Sources (2/12, 301K), "Donald Trump's Twitter feed matters, not because it gives us on TV something to talk about, but because foreign leaders are all monitoring it, all paying very close attention, foreign leaders like Kim Jong-un. On a weekend when the President faces his first real international test with North Korea, on a weekend when he's hosting the Japanese prime minister at Mar-a-Lago, on a weekend when he's supposedly working on his response to the Ninth Circuit, Trump is tweeting about all this: 'While he's on Fake News CNN, Bernie Sanders was cut off for using the term fake news to describe the network. They said technical difficulties.'"

Steinmeier, A "Critic" Of Trump, Elected Germany's President.

A special assembly on Sunday elected former German Foreign Minister Frank-Walter Steinmeier the country's new president. Steinmeier received 931 of the 1,260 votes that came from the lower house of parliament and representatives of Germany's states. Media coverage highlights that Steinmeier has been a critic of President Trump. The New York Times (2/12, Smale, Subscription Publication, 13.9M) reports – in a story discussing Chancellor Angela Merkel's precarious political situation caused by the rising popularity of the country's right – says Steinmeier's new position "provides stature and an important platform" despite its largely ceremonial role.

Bloomberg News (2/12, Donahue, 2.41M) says Steinmeier – who is a "vocal critic" of Trump and once called him a "hate preacher" – "predicted 'difficulties' in relations with the US" amid a "complete re-ordering of international relations." Steinmeier told broadcaster ZDF after his election, "In the past we were always certain that we would have more difficult negotiating partners in the east." He continued, "Suddenly we're confronted with a situation in which we'll at the very least deal with uncertainty and also difficulties in trans-Atlantic relations." The Washington Post (2/12, 11.43M) reports Steinmeier "shunned political tension or any mention of Trump" in his acceptance speech. However, the Post adds that Steinmeier characterized Germany as an "anchor of hope" in an increasingly uncertain world. Steinmeier said, "We're living in tumultuous times; many in our country feel insecure."

The Wall Street Journal (2/12, Geiger, Subscription Publication, 6.37M) reports Steinmeier's election was expected as, according to the AP (2/12, Press), the Social Democrat "had the backing" of German Chancellor Angela Merkel's "grand coalition" of center-right and center-left parties. The AP says Steinmeier "has long been one of Germany's most popular politicians." He was the chief of staff of former Chancellor Gerhard Schroeder and "was a main architect" of Schroeder's economic reforms. The Los Angeles Times (2/12, Kirschbaum, 4.52M) reports Merkel's Christian Democrats "had failed to agree on their own candidate" and "reluctantly threw their weight behind" Steinmeier "after criticizing his uncharacteristically sharp comments about Trump." Reuters (2/12, Rinke) quotes Merkel as saying she has "faith" in Steinmeier "to lead our country in these difficult times."

UK Defense Minister Praises Trump's Efforts To Strengthen NATO.

The Wall Street Journal (2/12, Kesling, Subscription Publication, 6.37M) reports British Defense

Minister Michael Fallon said Saturday that US-British defense ties have never been stronger and welcomed President Trump's efforts to strengthen NATO by pushing allies to contribute more to their mutual defense. "The British-American defense partnership is the deepest, strongest defense partnership anywhere in the world," Fallon said.

Iran Arrests Eight Foreigners Suspected Of Plotting Attacks.

Reuters (2/11) reports Iranian Intelligence Minister Mahmoud Alavi announced on Saturday that security forces arrested eight armed Sunni Islamist foreigners, or "Takfiri." The state news agency IRNA wrote, "Initial information indicates that Kalashnikovs and other equipment were obtained to carry out terrorist operations" in Tehran and other cities "under the direct guidance" of militants in neighboring nations. Alavi did not indicate from what nation the alleged organizers resided, but Iranian officials have accused Saudi Arabia in the past of supporting ISIS.

Thousands Protest Against Trump, Pena Nieto In Mexico.

Thousands of Mexicans protested against President Trump on Sunday on the streets of Mexico City and other cities. Media coverage says that while protest organizers intended for the demonstrations to focus on Trump, many attendees chose to use the events to speak out against their own president – Enrique Pena Nieto. The Los Angeles Times (2/12, McDonnell, 4.52M) reports the protesters "wav[ed] Mexican flags and signs denouncing" Trump as they marched through Mexico City in "the largest mobilization in the capital to date against" the American President's policies. Protest organizers, according to the Times, "dubbed the march 'Vibra Mexico' (roughly, Mexican vibe) and mounted an aggressive social media campaign encouraging people to attend."

However, the Washington Post (2/12, Agren, 11.43M) says organizers "envisaged a protest that would condemn Trump's treatment of Mexico, but also demand more of Mexican politicians." The Post says the "balance was proving difficult to maintain" as "hashtags criticizing the Vibra México protest were trending on Twitter" and organizers "were pleading with protesters" to focus on Trump. Many protesters, according to Reuters (2/12, Garcia), "also heaped scorn on their own president" as they criticized him for being "a weak leader who has presided over rampant corruption and violence at home."

WSJournal Analysis: Trump Moves Toward Center On Foreign Policy.

The Wall Street Journal (2/12, Nicholas, Lee, Subscription Publication, 6.37M) under the headline "Donald Trump's Diplomatic Moderation" reports that President Trump seems to be moving towards following a more traditional US foreign policy than was suggested by some of his campaign statements. As an example, the Journal cites Trump's appearance with Japanese Prime Minister Shinzo Abe following the North Korean missile launch in which he said the "United States of America stands behind Japan, its great ally, 100%." That is contrasted to campaign suggestions that Japan benefits more than the US from the alliance. Similar shifts towards established policy are described with respect to the "one-China" policy, NATO, and sanctions against Russia over Ukraine. The moves are credited to advice from Defense Secretary Mattis and Secretary of State Tillerson, as well as Trump's meetings with other leaders.

CSMonitor Analysis: With Similarities To FDR, Trump Moving To Reverse His International Legacy. The Christian Science Monitor (2/12, Jonsson, 387K) reports that, among Americans who feel "a mix of Christian apocalyptic thought peppered with a sense of humiliation at the hands of foreigners," there is a "broader sentiment taking root" that looks to President Trump to revise President Franklin Delano Roosevelt's "legacy of fearless optimism and world leadership." The Monitor uses examples of those who agree with Trump in Warm Springs, Georgia, where Roosevelt built his "Little White House." The Monitor says that despite their different philosophies, Trump and Roosevelt are similar in how "both took on the courts, both pushed the boundaries executive authority in the name of national security, and both showed an ability to take advantage of emerging media," as well as how much of their bases are "self-described 'commoners; who feel they have a handshake deal with the president."

WSJournal Lauds Trump's Handling Of China, Japan. In an editorial, the Wall Street Journal (2/12, Subscription Publication, 6.37M) lauds President Trump's phone call with China's Xi Jinping and summit with Japan's Shinzo Abe, contrasting the planning and respect with Trump's

previous dealing with foreign leaders. The Journal defends Trump's affirmation of the "One China policy," which he previously said was under negotiation, as not capitulating to China's stance on the issue but setting the stage for expanding support for Taiwan. The Journal also welcomes Trump's reversal from casting Japan as a freeloader to expressing support for the country's defense and praise for Abe.

NYTimes Analysis: Foreign Diplomats Hope Haley Speaks For Administration.

The New York Times (2/12, Sengupta, Subscription Publication, 13.9M) reports that world diplomats are "figuring out how to deal with President Trump." To do that, "they're counting on his United Nations envoy, Nikki R. Haley." They are, however, said to wonder whether Haley is "speaking for herself, or for the administration?" Still they are "queuing up to see her," and "nearly all described" her "as a natural politician and a refreshing contrast to the president."

Peruvian President Asks Trump To Consider Deporting Former Leader.

Reuters (2/12, Taj) reports Peruvian President Pedro Pablo Kuczynski said in a statement that he asked President Trump, by phone, to "consider deporting" ex-president Alejandro Toledo, who is "wanted in connection with a far-reaching graft probe." The issue "is threatening to strain tensions between the United States and Peru." Trump said that they spoke to "reinforce the strong bilateral ties that exist between the United States and Peru," the White House said, but it "did not mention Toledo in a read-out of the conversation."

IMF Head: Trump Policies Likely To Be Good For American Economy In The Short Term.

The AP (2/12, Gambrell) reports International Monetary Fund head Christine Lagarde, during an event at the World Government Summit, predicted President Trump's planned infrastructure investment and tax changes would produce short-term gains for the American economy, but warned of "a tightening that is going to be difficult on the global economy and for which economies have to prepare."

Hezbollah Leader Calls Trump An "Idiot."

The AP (2/12) reports Hezbollah leader Hassan Nasrallah said Sunday that "the world will benefit from having an 'idiot' in the White House." Referring to President Trump, Nasrallah said, "We are very optimistic that when an idiot settles in the White House and boasts about his idiocy, this is the beginning of relief for the oppressed around the world."

Moscow Supporting Europe's Far Right Populists.

NBC Nightly News (2/12, story 3, 2:15, Snow, 16.61M) reported, "Moscow is exerting more and more political influence in Europe." NBC (Bradley) added that Russia is providing "loans, cooperation, and propaganda" to Europe's increasing vocal far right populists, "even as the US reels from Russian political interference in its own presidential election." In response, the EU "created an agency to counter anti-Europe propaganda."

WPost Touts Russian News Network, Warns Against Political Interference. In an editorial, the Washington Post (2/12, 11.43M), touts Current Time television as a response to Russia's "dark mastery" of soft power in the form of "propaganda, news, social media, cybermischief, deception, leaks and other means to influence hearts and minds." The 24/7 Russian-language television network provides fair reporting without disinformation in Russia and countries. Arguing that "key" to the venture's success is being "deemed credible by audiences that have been fed a steady diet of anti-Americanism in recent years," the Post warns the Administration against making it a propaganda machine. The Post also calls for Congress to make sure this response to Russia's information war, "using real news and straight programming and reflecting the highest and best values of our open society," remains "properly financed and politically unhindered."

Bolton Lauds Reports Trump Seeks To Cast Aside New START Treaty.

Former Ambassador John Bolton, in an op-ed in the Wall Street Journal (2/12, Subscription Publication, 6.37M), welcomes reports of President Trump's disdain for the 2010 New START arms-control treaty. Bolton argues that the treaty has been bad for the US and Trump's position indicates a refusal to accede to Vladimir Putin's wishes. Acknowledging concerns that Trump will weaken the sanctions on Russia, Bolton warns this would embolden Russia in its dealings in the Middle East, particularly with Iran, weaken Western Europe's resolve on sanctions, and alarm Central and Eastern Europe. Bolton concludes that Trump has to realize that countries' foreign policies are driven by national interests, not personal chemistry.

Romanians Continue To Protest Government Corruption.

Bloomberg Politics (2/12, Timu, 201K) reports that 70,000 people demonstrated throughout Romania on Sunday to demand the cabinet step down, according to local media. Bloomberg Politics notes this 13-day protest is the largest show of unrest since the 1989 ousting of dictator Nicolae Ceausescu. According to the Wall Street Journal (2/12, Hinshaw, Subscription Publication, 6.37M), many protesters see National Anticorruption Directorate chief prosecutor Laura Codruta Kövesi as a symbol of change in Romania. The NAD has reportedly increased in authority in recent years, with 2,100 abuse-of-office cases currently under investigation, among them many high-profile politicians. The Journal says that older generations resist the anticorruption measures as reminiscent of communist era rule. The New York Times (2/12, Gillet, Subscription Publication, 13.9M) also reports on the story.

Kashmir Clash Between Indian Troops, Militants Leads To Violent Protests.

The New York Times (2/12, Kumar, Subscription Publication, 13.9M) reports that four militants, two soldiers, and one civilian died in a gun battle between Indian security forces and Hizbul Mujahedeen militants lasting 12 hours into Sunday morning in a Kashmir village. Young people who gathered to grieve the deaths of the militants threw stones at security forces. The troops responded with gunshots and tear gas, resulting in one death and 21 injuries, according to the local hospital superintendent.

Somaliland To Allow UAE To Establish Naval Base.

Somaliland's parliament on Sunday approved the United Arab Emirates' formal application to establish a naval base in the territory's Berbera port town, the AP (2/12, Guled) reports. An official with the Somali breakaway territory explained the UAE intends to use the base to attack Shia Houthi fighters in Yemen and Somaliland President Ahmed Silanyo claimed the measure would create jobs and benefit the territory. Nine parliamentary lawmakers vehemently opposed the "controversial" plan, as did neighboring Ethiopia and Djibouti.

WSJournal Analysis: Despite European Unhappiness, IMF Won't Budge On Greece Bailout.

In an analysis, the Wall Street Journal (2/12, Nixon, Subscription Publication, 6.37M) reports that the window for a with the window for a Greek Debt deal quickly closing, European governments and institutions sorely want to resolve the standoff over the next phase of the country's bailout program, but the International Monetary Fund is standing firm against political pressure, refusing to participate because it believes the numbers don't add up. Many Europeans criticize the IMF as being overly pessimistic in its forecasts and assessment of the country's prospects for reform. The Journal concludes that should Europe seek to postpone the Greek bailout issue until after this year's elections, the IMF will not be part of it.

Egyptian Cost Of Living Soars.

The Wall Street Journal (2/12, Lohade, Kholaif, Subscription Publication, 6.37M) reports Egypt's largely working- and middle-class people are seeing jumps in the cost of living due to high inflation, a weaker currency, falling government subsidies, a new value-added tax, and increased

tariffs. However, the government has had to take tough measures on the economy to get International Monetary Fund money that will support an economy hurt by years of political unrest and pay for importing necessities such as wheat and medicine.

Cambodian Opposition Party Leader Resigns.

The New York Times (2/12, Wallace, Subscription Publication, 13.9M) reports Cambodia's "embattled" opposition party leader, Sam Rainsy, abruptly resigned on Saturday in what he described as a "pre-emptive defense move" to save the Cambodia National Rescue Party ahead of June's local elections. Earlier this month, Prime Minister Hun Sen proposed a series of moves through which he could dissolve any party, including the CNRP, headed by someone with a criminal conviction. A number of criminal defamation lawsuits have been filed against Rainsy, a long-lasting, "internationally visible opposition figure," who leads the Cambodian People's Party.

Swiss Voters Approve Simplified Citizenship Process For Third-Generation Immigrants.

The New York Times (2/12, Cumming-Bruce, Subscription Publication, 13.9M) reports Swiss voters, in a national referendum on Sunday, approved a government-sponsored measure to simplify and expedite the citizenship approval process for third-generation immigrants under 25-years-old. The measure will not grant automatic citizenship to children of non-citizens born in the nation, but nearly 25,000 people who are the descendants of foreigners with permanent residency status are no longer subjected to the "lengthy and expensive procedure to obtain citizenship." The Times says Sunday's vote "went against the recent tide of right-wing populism and anti-immigrant sentiment in much of Western Europe." The result also, according to the Times, came despite a campaign by the right-wing People's Party "to stoke fears of Muslims infiltrating the country."

Spain's Far-Left Podemos Party Head Defeats Leadership Challenge.

The New York Times (2/12, Minder, Subscription Publication, 13.9M) reports Spain's Podemos Party leader Pablo Iglesias "won an unexpectedly clear victory" in a leadership challenge vote on Sunday. The Times says Iglesias' win is expected to bolster his far-left party's "radical" and "anti-institutional hard-line policies." The Times adds the result will also "likely" increase "pressure on the Socialists," which is in the throes of its own "bitter leadership dispute."

Voeten: Public Recognizes Friendly, Hostile Countries Well.

Erik Voeten, in the "Monkey Cage" blog of the Washington Post (2/12, 11.43M) writes, "The public does pretty well" in recognizing which countries are friendly and hostile to the United States in international affair. A YouGov survey of 7,150 Americans between Jan. 28 and Feb. 1 found a "quite high" correlation between public opinion of 144 countries and their alignment with US interests, as measure by voting with "the United States in the United Nations General Assembly on contentious issues during the 71st session (fall of 2016)." Voeten concludes, "In the aggregate, the public does have a pretty clear sense of who the United States' foes and friends are." However, Trump's hostility towards such countries may not hurt him politically, as academic research indicates "the public doesn't lead but follows messages by political leaders when forming opinions about foreign policy."

THE BIG PICTURE

Headlines From Today's Front Pages.

Wall Street Journal:
Flynn's Position Grows Tenuous
Trump Faces Test Over North Korea Missile
Speed Limits On Trump's Infrastructure Drive: Federal Laws, Rare Species And Nimbys
Will Snap Pop? Investors Seem Skeptical

New York Times:

Turmoil At The National Security Council, From The Top Down
Trump Sons Forge Ahead Without Father, Expanding And Navigating Conflicts
As Japan Ages, Menus Adapt To Finding The Gourmet In Purées
Subway's Slide In Performance Leaves Straphangers Fuming
"Hamilton" And "Harry Potter" Productions Try To Outwit Scalpers
Adele Dominates Grammys; Beyoncé Gives Showstopping Performance

Washington Post:
Protesters Breaking Camp, But Not With Broken Spirits
Bannon's Navy Experience Shaped His Worldview
Doubts Swirl On Flynn's Standing
GOP Moves Quickly To Curtail Regulations
Chaffetz Unfazed By Detractors In Utah And The District

Financial Times:
Swiss Voters Reject Corporate Tax Reforms
North Korea Tests Trump With Missile Launch
Navainy Determined To Run For Presidency Of Russia
ArcelorMittal Calls For Carbon Levy On EU Imports
Washington Times:
72 Convicted In US Terror Cases Came From Nations Targeted For Vetting
Liberals Commandeering Obamacare Town Halls, Blasting GOP Plan For Repeal
Academic Feud Over Noncitizen Voters Resurfaces With Fraud Probe
Trump Cautious In Response To North Korean Missile Launch
By Backing Trump's Interior Pick, Democrat Tester Thins Republican Field In Montana

Story Lineup From Last Night's Network News:
ABC: Severe Weather; North Korea Missile Test; Immigration Order-Legal Challenge; Immigration Crackdown; Chicago Weekend Gun Violence; Severe Weather-West Coast; Online Romance Scam; Oklahoma City Fire; Oregon Hiker Rescue; Womens University Basketball; Al Jarreau Dies; Firefighter Adaption.
NBC: Immigration Order; North Korea Missile Test; Russia-EU Political Influences; Germany Airport Air Contamination; Severe Weather; Gun Control; College Hall Name Changes; Al Jarreau Dies; General Moore Dies; Cuban Immigrants; Sex-Trafficking Documentary; Jewish Muslim Protester Families.

Network TV At A Glance:
Weather – 5 minutes, 15 seconds
Immigration Order – 4 minutes, 35 seconds
North Korea Missile Test – 2 minutes, 45 seconds

Story Lineup From This Morning's Radio News Broadcasts:
ABC: Oroville Dam Evacuation; Severe Weather; North Korea Missile Test; Grammy Award.
CBS: Oroville Dam Evacuation; Grammy Award; Immigration Order; Michael Flynn Controversy; North Korea Missile Test; Severe Weather.
FOX: Oroville Dam Evacuation; Severe Weather; Missing Fishing Boat; Grammy Award.
NPR: Oroville Dam Evacuation; Immigration Crackdown; Retailers Drop Trump Brand; Grammy Award; Al Jarreau Dies; US Gasoline Price.

WASHINGTON'S SCHEDULE

Today's Events In Washington.

White House:
PRESIDENT TRUMP — Speaks with President Muhammadu Buhari of Nigeria by phone; speaks with President Jacob Zuma of South Africa by phone; meets with Prime Minister Justin Trudeau of Canada; meets with the Republican National Committee Chairwoman and Co-Chairman;

participates in a pinning ceremony for Major Ricardo (Rick) Turner; speaks with Maureen Scalia by phone.
VICE PRESIDENT PENCE — Joins the President to participate in a bilateral meeting with Canadian Prime Minister Justin Trudeau; holds a series of meetings with lawmakers.
US Senate: Senate votes on Treasury Secretary-nominee Steven Mnuchin – Senate convenes with agenda including vote on the nomination of Steven Mnuchin to be Secretary of the Treasury * Then-President-elect Donald Trump announced the nomination of the former Goldman Sachs partner in November Location: Washington, DC http://www.senate.gov/
US House: 2:00 PM House of Representatives meets for legislative business Location: Washington, DC http://www.house.gov/

5:00 PM House Rules Committee hearing – Hearing on 'H.J. Res. 66 – Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees' and 'H.J. Res. 67 – Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees' Location: H-313, U.S. Capitol, Washington, DC http://www.rules.house.gov/ https://twitter.com/RulesReps

5:30 PM House Oversight and Government Reform Committee Business Meeting – Business Meeting, with agenda including 'H.J. Res. 27, Disapproving the action of the District of Columbia Council in approving the Death with Dignity Act of 2016' * Democratic Rep. Eleanor Holmes Norton has criticized the decision to mark up the resolution regarding the Death with Dignity Act without a hearing on it with witnesses, calling it 'an abuse of Congressional authority over the District' which 'violates the spirit of the Home Rule Act' Location: Rm 2154 Rayburn House Office Bldg., Washington, DC http://oversight.house.gov/ https://twitter.com/GOPoversight
Other: 7:30 AM National Congress of American Indians Executive Council Winter Session – National Congress of American Indians 2017 Executive Council Winter Session (aka Tribal Nations Legislative Summit). Speakers include House Minority Leader Nancy Pelosi, White House Deputy Director of Intergovernmental Affairs William Kirkland, Sens. Tom Udall, Al Franken, Steve Daines, James Lankford and Lisa Murkowski, and Reps. Tom Cole, Raul Grijalva, Frank Pallone and Norma Torres Location: Capital Hilton, 1001 16th St NW, Washington, DC http://www.ncai.org/ https://twitter.com/NCAI1944

12:15 PM 'Afghanistan: Prospects for 2017 and Beyond' New America discussion – 'Afghanistan: Prospects for 2017 and Beyond' New America discussion, with keynote from Afghanistan Ambassador to the U.S. Amb. Dr Hamdulla Mohib, and Hoplite Group CEO Ioannis Koskinas discussing the prospects for the Afghan Govt and people and how President Donald Trump can shape U.S. policy towards Afghanistan Location: New America, 740 15th St., NW, Washington, DC http://www.newamerica.org/ https://twitter.com/NewAmericaISP #AfghanProspects

2:00 PM National ABLE Alliance promote program on Capitol Hill with GOP Sen. Richard Burr – National ABLE Alliance – a multi-state partnership to help individuals with a disability or blindness save for a better future without jeopardizing their federal benefits – promote their program at Capitol Hill event, with Republican Sen. Richard Burr, State Treasurers Michael Frerichs (Illinois), Dale Folwell (North Carolina), Joe Torsella (Pennsylvania), Seth Magaziner (Rhode Island), and Michael Fitzgerald (Kansas), National Down Syndrome Society's Heather Sachs, Autism Speaks' Stuart Spielman, ABLE Administrator Jeff Howkins, ABLE Fellow Daniel Elkus, and ABLE National Resource Center's Chris Rodriguez Location: SVC 209, U.S. Capitol, Washington, DC savewithable.com

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James B. Comey

From:	James B. Comey
Sent:	Wednesday, February 15, 2017 7:42 AM
To:	Rybicki, James E. (DO) (FBI)
Subject:	RE: Tweet

Yup. Wanna talk to small group about the NY times story before The Meeting Formally Know as SIOC (TMFKASIOC)

I don't recall being told that was coming and surely they tried to get us to comment?

--

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted]> b7E
Date: 2/15/17 7:25 AM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Tweet

Donald J. Trump @realDonaldTrump 5m5 minutes ago
Information is being illegally given to the failing @nytimes & @washingtonpost by the intelligence community (NSA and FBI?).Just like Russia

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Thursday, February 16, 2017 11:27 AM
To:	James B. Comey
Subject:	Fwd: ODNI STATEMENT: Response to Wall Street Journal Allegations of Withholding Intelligence from White House

-

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" [redacted] b6
Date: 2/16/17 11:26 AM (GMT-05:00) b7C
To: "McCabe, Andrew G. (DO) (FBI)" [redacted], "Rybicki, James E. (DO) (FBI)" [redacted], b7E
"Priestap, E. W. (CD) (FBI)" [redacted], "Strzok, Peter P. (CD) (FBI)" [redacted],
(OGC) (FBI)" [redacted]
Subject: ODNI STATEMENT: Response to Wall Street Journal Allegations of Withholding Intelligence from White House

DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

February 15, 2017

Response to Wall Street Journal Allegations of Withholding Intelligence from the White House

"Any suggestion that the U.S. Intelligence Community is withholding information and not providing the best possible intelligence to the President and his national security team is not true."

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James B. Comey

From:	James B. Comey
Sent:	Friday, February 17, 2017 6:22 PM
To:	Rybicki, James E. (DO) (FBI)
Subject:	RE: Proposed Quote

Your quote looks good.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" < [redacted] > b7E
Date: 2/17/17 9:48 AM (GMT-05:00)
To: "James B. Comey" < [redacted] >
Subject: Proposed Quote

DOJ would like to issue a press release announce the AG's Crime Reduction and Public Safety TF. They would like a quote from each of the 4 LE agency heads.

Suggested Quote: "For more than a hundred years the women and men of the FBI have worked to address threats to the American people. I look forward to continuing and building upon the great partnerships with our federal, state, local and tribal counterparts on this initiative to combat violent crimes, gang activities, and drug trafficking - all of which exact a high toll on our country.

[redacted] b5

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-

ATTORNEY GENERAL ANNOUNCES
CRIME REDUCTION AND PUBLIC SAFETY TASK FORCE

WASHINGTON – Attorney General Jeff Sessions today announced the formation of the U.S. Department of Justice Intra-Agency Task Force on Crime Reduction and Public Safety.

The Task Force was formed pursuant to the President's Executive Order on a Task Force on Crime Reduction and Public Safety and will be chaired by the Deputy Attorney General. Task Force members will be drawn from relevant Department components, and will include the Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the Administrator of the Drug Enforcement Administration (DEA), the Director of the FBI and the Director of the U.S. Marshals Service (USMS).

"The President issued an executive order, and I feel strongly about it," said Attorney General Sessions. "On my first day in office, I called in the heads of the four major law enforcement agencies to discuss this plan. Violent crime is on the rise, and we must always remember that crimes are committed against real people. The creation of this task force is a critical step toward confronting this crisis vigorously, effectively and immediately."

The task force is central to the Attorney General's commitment to combatting illegal immigration and violent crime, such as drug trafficking and gun crimes, and to restoring public safety to all of the nation's communities.

The task force is charged with developing strategies to reduce crime; identifying deficiencies in existing laws that have made them less effective in reducing crime and proposing new legislation to improve public safety and reduce crime; evaluating the availability and adequacy of crime-related data and identifying measures to improve it; and conducting any other relevant studies. In conducting its work, the task force will consult with federal, state, tribal, and local law enforcement, law enforcement organizations and victims' and community advocacy organizations, among others, to learn about successful local efforts and how they can best be supported at the federal level.

In addition, the task force will promote respect for law enforcement – in support of the President's Executive Order on Preventing Violence Against Federal, State, Tribal and Local Law Enforcement Officers – by seeking ways to enhance protection and safety of federal officers and evaluate grants to ensure that they adequately support and protect law enforcement officials and their mission.

[FBI DIRECTOR QUOTE]

"The safety and well-being of our communities and our citizens is a vital part of our mission," said Acting DEA Administrator Chuck Rosenberg. "I look forward to our continued close work on the task force with our law enforcement partners on these crucial issues."

"The men and women of the United States Marshals Service stand ready to work with our federal, state, local and tribal law enforcement partners to remove the underlying criminal element from our communities," said USMS Acting Director David L. Harlow. "In 2016, working with our task force partners, the USMS arrested over 106,000 violent fugitives. We look forward to finding innovative methods to further reduce violent crime across our nation."

"ATF's top priority is reducing violent crime," said ATF Acting Director Thomas Brandon. "Across the nation, ATF focuses its resources on arresting and prosecuting violent criminals who use firearms to terrorize communities. ATF's Crime Gun Intelligence Centers provide timely, actionable leads to our agents and our partner agencies so they can identify, investigate and apprehend trigger-pullers and those who illegally supply them with firearms. ATF looks forward to working with Attorney General Sessions and our federal, state, tribal and local law enforcement counterparts to further enhance our violent crime reduction strategies through the Task Force on Crime Reduction and Public Safety."

###

James B. Comey

From: James B. Comey
Sent: Friday, February 24, 2017 7:16 AM
To: Rybicki, James E. (DO) (FBI)
Subject: RE: FBI Public Affairs News Briefing Friday, February 24, 2017

Thanks. Got em today. And let's do interview in my conference room. Better for them to write.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 2/24/17 7:07 AM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: FW: FBI Public Affairs News Briefing Friday, February 24, 2017

From: Bulletin Intelligence [mailto:[redacted] b7E
Sent: Friday, February 24, 2017 7:05 AM
To [redacted]
Subject: FBI Public Affairs News Briefing Friday, February 24, 2017

Mobile version and searchable archives available at [redacted]

FBI News Briefing

TO: THE DIRECTOR AND SENIOR STAFF

DATE: FRIDAY, FEBRUARY 24, 2017 7:00 AM EST

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- US Army Veteran Charged With Attempting To Support ISIL.
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- European Welfare Benefits "Accidentally" Fund ISIS Militants.
- Benghazi Mood Optimistic As Authorities Near Defeat Of Militants.
- Pakistani Army's "Reject Disorder" Operation To "Indiscriminately" Target Terrorists.
- Officials Say Trump's Efforts To Accelerate Fight Against ISIS May Include More Troops.
- Dunford: US Must Address Flow Of ISIS Foreign Fighters.
- Senators Urge Tillerson To Hold Assad Accountable For War Crimes.
- Al Qaeda-Linked Groups Control "Key Swaths" Of Syria's Idlib Province.
- Turkish-Backed Rebels Seize Syrian Town Of Al-Bab From ISIS.
- The Hill: Gorka Made "Angry Phone Call" To Author Of Twitter Criticism.

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- Police Receive More Than 1,900 Tips In Delphi Murder Investigation.
- Former USA Gymnastics Coach Pleads Not Guilty In Michigan Criminal Proceedings.
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- FBI Arrests 13 In South Carolina Drug And Guns Investigation.
- Prosecution Drops Some Charges In Former Utah AG's Public Corruption Case.
- Man Admits To Lying To FBI About Healthcare Contract For Alabama Jail.
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- FBI Finds Virginia Girl Safe After Traveling With Estonian Man.
- Suspect In Possible Hate Crime In Kansas Charged With Murder.
- FBI Arrests Man Wanted For 2005 Homicide In California.
- Feds Charge Alleged Cleveland Bank Robber Who Posed As Twin Brother.
- Report: Jacksonville Psychiatrist Raided By FBI Was Involved In Fatal Love Triangle.
- Sentencing Postponed For Man Convicted Of 1979 Killing Of NYC Boy.
- Police Arrest 24 In Protests Against Video Of Off-Duty Police Officer's Altercation With Teens.
- Authorities Arrest Nearly Three Dozen To Clear Out Dakota Access Protest Camp.
- Federal Judge Discloses Five Years' Worth Of Surveillance Requests In Washington.
- Texas Man Sentenced To Life In Prison For Dealing Meth.
- US Charges Third LAX Baggage Handler With Drug Trafficking.
- US Charges 13 From Missouri, Illinois With Drug Conspiracy.
- Deaths Of Two Alaskans Found In SUV Ruled Accidental.
- US Charges Pennsylvania Man With Gun Theft.
- Fugitive Shot By US Marshals Team In Michigan Expected To Survive.
- Alaska AG: US Cannot Overturn State's Marijuana Law.
- DOJ Reaches Settlement With Former Prosecutor Who Alleged Sex Discrimination.
- Two Greek Tanker Engineers Convicted Of Pollution Cover-Up In South Carolina.
- US Charges Washington Jail Guard With Tipping Off Drug Traffickers.
- US Charges Florida Man For Role In Jamaican Lottery Scam.

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- Michigan Ponzi Schemer Sentenced to Five Years Incarceration.
- Former PA Governor's Aide Disbarred After Guilty Plea In FBI Sting.
- Former Comverse CEO Sentenced To 30 Months In Options Backdating Case.

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- Florida Man Pleads Guilty In Attempted Hack Of Clinton Foundation.
- Cellebrite Announces Ability To Crack Apple Devices Running iOS.
- Nevada Public Safety Director Argues For Creation Of Cyber Defense Office.
- Cyber Experts Warn That "Global Action Must Be Taken" On Cybersecurity Issues.
- Senator Calls For "Retro Approach" To Protecting Power Grid.
- Google Cracks SHA-1 Cryptographic Algorithm.
- Report: Majority Of Hackers Claim To Be Able To Break Cyberdefenses Within Hours.
- Bitcoin Hits "All-Time High."
- UK National Arrested In Connection With Deutsche Telekom Cyberattack.
- Coast Guard Admiral: Cyberwarfare Rules Of Engagement Poorly Defined.

- House Intelligence Staff Director: 2017 To Be A "Banner Year" For Congressional Cybersecurity Debates.
- Russian Hacking Group APT 28 Profiled.
- Continuing Coverage: States Oppose Critical Infrastructure Designation For Elections Systems.

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- Hacked Texts Suggest Manafort Faced Blackmail Attempt From Ukrainian Official.

OTHER FBI NEWS

- De Blasio To Meet With Prosecutors, FBI Friday.
- Local Leaders Comment On Possible Plans For FBI Expansion At Redstone Arsenal.
- FBI Director's Community Leadership Award Honors North Dakota Children's Advocacy Center.

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- DOJ Reverses Obama Order Phasing Out Private Contractors To Run Prisons.
- White House Says DOJ Will Crack Down On Recreational Marijuana.
- Media: Trump Calls Deportations "A Military Operation"; Kelly Quickly "Contradicts" Him.
- Trump Tweets "Chicago Needs Help" After Seven Homicides On Wednesday.
- Administration Reportedly Broadens Search For Fed Vice Chair For Bank Oversight.
- CNN: IC Concerned White House Wants Report Tailored To Justify Immigration Order.
- Illinois, Connecticut Officials Push Back On Trump's Immigration Enforcement Plans.
- Deportation Plan Dominates US Officials' Visit To Mexico.
- DeVos: Obama's Transgender Bathroom Guidance Was An "Overreach."
- Trump, Trudeau Discuss Border Cooperation.
- Southwest States May Hinder Trump's Border Wall.
- Former SOCOM Commander: Trump's Comments About Media A Threat To Democracy.
- O'Keefe Offering $10,000 For Evidence Of Wrongdoing By Media.
- Strassel: Conflict Over Pentagon Staff Hurting Efforts To Improve Pentagon.
- WPost: World Leaders Should Treat Public Health Issues Like National Security Threats.
- Republicans Expected To Use Congressional Review Act To Repeal Obama Agency Rules.
- Bannon Rips Media, Vows Trump Will Push Forward With Agenda.
- Law Professors File Misconduct Complaint Against Conway.
- Spencer Asked To Leave CPAC.
- Chamber of Commerce: Trump Should Halt, Evaluate Fiduciary Rule.
- Stocks "Wobbled" As Dow Rises For 10th Straight Day.
- State Department Says Press Briefings Will Resume "Soon."
- Under Fire At Town Halls, Republicans Hedge Their Support For Trump Agenda.
- Study: Anti-Muslim, Anti-Immigrant Hate Groups Thrive On Twitter.
- WSJournal: Gorsuch Confirmation Will Buttress Second Amendment Rights.
- WPost: Bowser's Experienced Police Chief Choice Newsham "Makes Sense."
- Arkansas Supreme Court Strikes Down City's LGBT Protections.
- SCOTUS Will Not Hear Ohio Man's Amish Hair-Cutting Case.
- Cruz Predicts Another SCOTUS Vacancy Later This Year.

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- Military Leaders Want Higher Level Talks With Russia About Air Operations Over Iraq, Syria.
- Treasury Department Sanctions Two Nusra Front In Syria Leaders.
- Syrian Peace Talks Resume.
- Iraqi Forces Seize Most Of Mosul Airport.
- Trump Wants US Nuclear Capabilities To Be At "Top Of The Pack."
- Trump Likes Two-State Solution, But Will Leave It Up To Israelis, Palestinians.
- Trump "Not Liking" Chinese And North Korean Military Moves.
- Kushner, Ivanka Trump Pushed To Remove Climate Deal Criticism From Executive Order.
- Swedish Minister Hits Back At Trump Criticism.
- Lebanon Fearful Being Caught Up In Trump's Iran Push.
- Duterte Critic Arrested On Corruption Charges.
- France's Le Pen Endorses Trump With "Nothing But Praise."
- Juncker: EU Will Work With Ireland To Prevent Hard Border Post-Brexit.
- NYTimes Analysis: European Governments, Like America, Less Welcoming To Migrants.
- Danish Man Who Burned Quran Charged With Blasphemy.
- Congress Urged To Withhold UN Funding.
- Krauthammer: Trump's "Two-Track" Foreign Policy May Work.
- Zakaria: US Can Help Save The Center.

- Super PAC Begins Ads Urging Flake, Heller To Back Investigation Into Trump's Russia Ties.
- Trump Says China "Grand Champions" Of Currency Manipulation.
- Trump Convenes Meeting Of Executives To Shape Economic Policies.

THE BIG PICTURE

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LEADING THE NEWS

FBI Rejected Priebus' Request To Contest Stories On Russia Contacts, Sources Say.

CNN (2/23, Sciutto, Perez, Prokupecz, Raju, Brown, 29.79M) reports online that "multiple" anonymous "US officials briefed on the matter" indicated "the FBI rejected a recent White House request to publicly knock down media reports about communications between Donald Trump's associates and Russians known to US intelligence during the 2016 presidential campaign." Sources indicated FBI Director James "Comey rejected the request for the FBI to comment on the stories...because the alleged communications between Trump associates and Russians known to US intelligence are the subject of an ongoing investigation." A White House official commented late Thursday that White House Chief of Staff Reince Priebus made the request only "after the FBI indicated to the White House it did not believe the reporting to be accurate."

USA Today (2/23, Cummings, 5.28M), the AP (2/24, Pace), the Huffington Post (2/23, 237K), the New York Daily News (2/24, Slattery, 4.45M), The Hill (2/23, Bolton, 1.25M), the International Business Times (2/23, Kreiter, 814K), the Daily Beast (2/23, 1.11M), and the New York Post (2/23, Perez, 3.82M) summarize the CNN report.

Jim Sciutto said on CNN's Situation Room (2/23, 554K) that the White House "sought the help of the Bureau and other agencies investigating the Russian matter to say that the reports were wrong and that there had been no contacts." Evan Perez reported on CNN's Situation Room (2/23, 554K) that US law enforcement officials said the White House request began when White House Chief of Staff Reince Priebus met with FBI Deputy Director Andrew McCabe the day after those media reports broke. However, White House officials disputed that account, "saying that McCabe called Priebus that morning" and said a New York Times story on the matter "vastly overstated what the FBI knows about these Russia contacts."

Perez later said on CNN's Situation Room that communication between the White House and the FBI is "unusual because of a decade-old restriction on such contacts." Perez added, "the request from the White House is a violation of those procedures to limit communications with FBI on pending investigations."

Politico (2/23, Lima, 2.46M) says Democrats have "ripped" the White House over the reports. Rep. Andre Carson (D-IN) said on CNN's Situation Room (2/23, 554K), "The fact that the Administration is using its authority to impose on the FBI in a way that is unlawful and unethical, quite frankly, disturbs me." Carson was later asked if the White House contact with the FBI should be investigated, to which he replied, "Without a question. I think it goes along the lines of other questionable acts not only the violation of the emolument clause and other violations and general Flynn speaking to Russian diplomats." Sciutto said on CNN's Anderson Cooper 360 (2/23, 686K) that the FBI is still investigating the communications between Trump associates and Russian officials, as are the House and Senate Intelligence Committees, according to several members of those panels.

Ignatius: US, Allies Must Resist Russia Influence Efforts Or "Post-West Era" May "Be Next." In his Washington Post (2/23, 11.43M) column, David Ignatius says "we may be missing the forest for the trees" in the story about Russia allegedly attempting to influence the US election as the effort "is part of a much bigger tale of Russian covert action" that used Trump's campaign as a "witting" or "unwitting" "tool." Ignatius urges Americans to "pay attention" because "this is how the Russians try to subvert politics – boldly, secretly and often corruptly." Ignatius

adds that if the US and its allies "don't resist, a post-West era may indeed be next."

COUNTER-TERRORISM

New Orleans Jewish Community Center Evacuated After False Bomb Threat.

The New Orleans Times-Picayune (2/23, 656K) reports that on Thursday morning, the Jewish Community Center in New Orleans was evacuated "following a bomb threat, according to the New Orleans Police Department." However, "Mayor Mitch Landrieu tweeted just before 11 a.m. that the threat had been deemed 'non-credible,'" adding, "FBI is investigating. Be clear, anti-semitism will not be tolerated in NOLA." New Orleans JCC Executive Director Leslie Fischman "said they were outside for roughly 55 minutes before law enforcement cleared the building and allowed them to go back in," and that "this is the first threat the facility has received in her 21 years with the organization."

Analysis Highlights Difficulty Of Investigating Anti-Semitic Threats. TIME (2/23, 6.98M) contributor Katie Reilly provides an analysis of the challenges associated with investigating anti-Semitic threats. John Jay College of Criminal Justice adjunct professor James Mulvaney said, "Statistically, most of [the threats] are hoaxes. Realistically, you have to handle every one as if it's the real deal." The article highlights the increased level of threats since the election of President Trump. Reilly notes that the FBI has said it is investigating "possible civil rights violations in connection with threats to Jewish Community Centers across the country."

Jewish Americans Reportedly Concerned Trump Is Not Taking Threats Seriously. Vox (2/23, 1.15M) contributor Sarah Wildman provides an 1,800-word analysis of "the epidemic of bomb threats against Jewish organizations," saying there is a "genuine fear that the country has entered into a new era where anti-Semitism has left the shadows, and taken a new, louder, bolder place on the center stage of American society." Wildman says "Trump is in denial about the dangers of white supremacists and neo-Nazis," citing Anti-Defamation League (ADL) Co-Director Oren Segal as asserting "not monitoring white supremacists...creates a feeling among Jewish Americans that their concerns are not being taken seriously."

Ecoterrorist Admits To Firebombing MSU In 1992.

The Detroit Free Press (2/23, Wolcott, 1.01M) reports that twenty-five years after a firebombing at Michigan State University, Rodney Coronado "admits he was solely responsible," and that he intended to destroy the research of Richard Aulerich because he thought it was "funded by the commercial fur industry." The morning of the bombing, the Animal Liberation Front (ALF) – which has been designated a domestic terrorist organization by the FBI – "claimed responsibility in a press release" that Coronado said he wrote. In 1993, Coronado was indicted "on seven counts, ranging from conspiracy to commit crimes against the United States to malicious destruction and arson." However, "in exchange for pleading guilty for arson" at MSU, charges for "attacks in other states were dropped." Coronado now runs "Great Lakes Wolf Patrol, a nonprofit organization dedicated to ensuring people followed the rules when it comes to hunting wolves."

US Army Veteran Charged With Attempting To Support ISIL.

The Washington Post (2/23, Wootson, 11.43M) reports US Army veteran Robert Hester "was charged last week with trying to support the Islamic State as part of what he thought was a coordinated attack against civilian targets and military installations." According to an affidavit in US District Court in Missouri, "agents swooped in during a meeting with a man Hester believed was an Islamic State contact. ... But the man was actually an undercover FBI agent who had been building a case against the 25-year-old father of two." The Post highlights the uptick in arrests of people suspected to be connected to ISIL, noting that "at one point, the FBI made an arrest almost every week in connection with the group."

"Radicalized" Georgia Man Charged With Possession Of Ricin.

The AP (2/23) reports an indictment filed Wednesday alleges north Georgia man William Christopher Gibbs had ricin, a "biological agent and toxin" without registration required by law.

The AP adds, "Federal prosecutors said after the arrest that the FBI had 'identified no evidence that any poisonous or toxic substances have been dispersed or that the public is at risk' in the case."

The Atlanta Journal-Constitution (2/23, Habersham, 1.41M) reports that Gibbs had become radicalized online, saying, "Based on his social media profiles, Gibbs had recently become an adherent of the Church of Creativity, a largely internet-based holdover of the defunct Church of the Creator, a white supremacist, deeply anti-Semitic 'religion' that preaches racial warfare." US Attorney John Horn's office "charged Gibbs with one count of possession of a biological agent, a federal charge that carries a prison sentence of up to five years." The article notes the FBI's arrest last week "of Benjamin McDowell in South Carolina after he allegedly bought a gun and ammunition off a federal agent posing as a member of the Aryan Nations."

Sudanese Immigrant To Be Sentenced For Aiding Bombing Plot.

The Washington Post (2/23, Weiner, 11.43M) reports ahead of Friday's sentencing of Sudanese immigrant Mahmoud Elhassan, who admitted he drove Joseph "Farrokh to the Richmond Airport and then lied to agents about his friend's plans." Farrokh was "convicted in a bombing plot." The Post says, "At first" Elhassan "appeared to be an accessory to Farrokh's plans. But prosecutors now say Elhassan was the instigator, having been radicalized long before the two met." However, "Elhassan's attorneys say he...was shaped by trauma," a victim of a hostile upbringing. Elhassan faces up to 28 years in prison.

Boy, 14, Receives Extra TSA Screening, Told He's On Watch List.

The AP (2/23) reports 14-year-old New Hampshire boy Peter Haas said he received "extra screening and a pat down" from the TSA "at Logan International Airport last week" after agents told him he was on a US government watch list. The TSA responded that "it vets all airline passenger names against the watch lists, and that it uses a variety of screenings, including random selection." However, "Haas' mother, Pam Jaquith, said a supervisor said the screening wasn't random and she needed to contact the Homeland Security Department." The AP adds, "The FBI said it couldn't comment as to how his name ended up on the list."

FBI Agents Testify In Malheur National Wildlife Refuge Case.

The Oregonian (2/23, Bernstein, 894K) reports on Thursday's testimony in the Malheur National Wildlife Refuge case. FBI Agent Matthew Yeager testified regarding "a slew of photos and messages that he found on defendant Darryl Thorn's Facebook page, including Thorn's stated plan of 'sneaking back' onto the Malheur National Wildlife Refuge a year ago." FBI agent Ben Jones testified Jason "Patrick had various roles during the occupation, according to a Jan. 7, 2016, breakdown of responsibilities found on [Ammon] Bundy's cellphone. He was to be in charge of 'organization,' 'morale'...and 'Speakers Flyers.'" A US "Bureau of Land Management special agent and several refuge employees testified earlier in the day about how the occupation hindered their work."

Continuing Coverage: FBI Interviews Reveal Bomb Plot Role Of Al-Qaeda Chief.

Newsweek (2/23, Moore, 862K) continues coverage of FBI interviews with American Al-Qaeda chief and young Nigerian national Umar Farouk Abdulmutallab, revealed in documents obtained by the New York Times under FOIA, which show that Anwar al-Awlaki "directed the young Al-Qaeda member from the militant group's safe houses in Yemen." Awlaki had "told the Nigerian the attack must 'occur on board a U.S. airliner,' and even planned his journey." However, "the Nigerian's explosives, hidden in his underwear, failed to explode as the plane approached Detroit." The article adds, "The FBI flew Abdulmutallab's relatives to the U.S. to speak to him and increase the chances of him opening up about the plot...a technique which proved a success," which Newsweek speculates "is likely to add weight to claims that torture is an unnecessary--and ultimately ineffective--means of extracting information from suspects."

Analysis: Police Concerned Administration Is Ignoring Threats Of Far-Right Extremists.

The Washington Post (2/23, Holley, 11.43M) profiles the 2010 killings of West Memphis Police Department officer Brandon Paudert and his partner, Bill Evanswere, calling the shootings "a wake-up call for law enforcement, raising awareness about the threat far-right extremists pose to officers." The Post says "Paudert and other experts in homegrown extremist movements fear that the Trump administration is ignoring that threat as officials shift federal resources to root out Islamic extremism." The article cites reports of Administration "plans to rename 'Countering Violent Extremism' (CVE) – a Department of Homeland Security program that funds local terrorism prevention efforts – to 'Countering Islamic Extremism' or 'Countering Radical Islamic Extremism.'" The Post adds, "Even now, with the sovereign citizen movement classified as a domestic terrorist threat, Paudert said, too many law enforcement agencies across the country remain ignorant about the threat."

Fact Check Analysis: Gorka "Botched Facts" About Former Gitmo Detainee.

An analysis from Fact Check (2/23, Farley, 59K) reports that in a Feb. 22 appearance on "Fox & Friends," deputy assistant to President Trump Sebastian Gorka "botched two facts...about a released Guantanamo Bay detainee responsible for a recent suicide bombing in Iraq." In a discussion about former Gitmo detainee Jamal al-Harith, "who perpetrated a recent suicide bombing in Iraq" for ISIS, Gorka claimed that when President Obama "released lots and lots of people that were there for a very good reason," almost "half the time, they returned to the battlefield." However, "current statistics don't back up Gorka's claim of a re-engagement rate of almost 50%." In addition, while "Gorka suggests that al-Harith was released from Gitmo by Obama," he "was not. Al-Harith was transferred out of Gitmo to Britain on March 9, 2004, under [President George W.] Bush."

Harith Spoke Of Hatred He Felt For American Military At Gitmo. The New York Post (2/23, Moore, 3.82M) reports that after being released from Guantanamo Bay in 2004, the British suicide bomber who recently blew himself up in Iraq told BBC that he hated the US military personnel he encountered. Jamal al-Harith said he "wanted to spit" in the face of an "American soldier" who "was taking off my chains," but "you have to hold yourself inside."

Terror Victims To Receive Compensation Checks From French Bank Settlements.

The Wall Street Journal (2/23, Barrett, Subscription Publication, 6.37M) reports victims of terror attacks against Americans, domestically and overseas, before 2001 will receive compensatory checks in the coming weeks from a $1.1 billion fund generated by settlements between the US government and French banks BNP Paribas SA and Crédit Agricole SA for admitted criminal wrongdoing by evading sanctions. The Journal says this constitutes a novel approach, linking wrongdoing to the issue of terrorism, and advocates hope it will become a model for the compensation of terror victims and their families.

European Welfare Benefits "Accidentally" Fund ISIS Militants.

USA Today (2/23, Hjelmgaard, 5.28M) reports welfare benefits from Denmark, Sweden, Belgium, France, and the UK have "accidentally" funded citizens who used the funds toward ISIS militancy. The Danish labor minister calls the $100,000 spent toward 29 citizens who went to fight in Syria a "huge scandal," and Belgium has reformed its system so that those convicted of terrorism can no longer receive benefits while in jail, preventing future funding of attacks like those in 2015 and 2016 in Brussels and Paris. USA Today reports that radical Islamic cleric Anjem Choudary encouraged UK terrorists to seek "jihadiseeker's allowance."

Benghazi Mood Optimistic As Authorities Near Defeat Of Militants.

According to the Washington Times (2/23, Gaitier, 272K), Benghazi is all but conflict-free, although the fragility of the UN-backed Government of National Accord may lead to a renewal of violence due to opposing Tobruk and Tripoli governments. The Times says citizens move freely with a mood of optimism in the soon-to-be Islamic militant-free city, and it describes artistic expression flourishing and an teenager's aspirations of becoming an aeronautical engineer instead of dying by terror violence like his cousins. Officials warn that though Salafist fundamentalists have helped

fight terrorists, they will likely maintain a presence in the city by trying to "control" peoples' "way of thinking."

Pakistani Army's "Reject Disorder" Operation To "Indiscriminately" Target Terrorists.

The Washington Post (2/23, Constable, 11.43M) reports the Pakistani army's nationwide military operation to "indiscriminately" eliminate terrorism is the first time the government "has reluctantly agreed to allow the armed forces to enter Punjab province" with "special powers to hunt down, arrest and shoot suspected militants." The Post says the move comes "after years of appeasing certain Islamist militant groups for political and religious reasons" as Punjab is the "home of a variety of Islamist groups, including mainstream religious parties, sectarian movements officially banned for their violent methods, and anti-India militants who have been accused of a 2008 terrorist siege in Mumbai." According to the Post, army officials indicated the "Reject Disorder" operation includes sending 2,000 rangers into Punjab for the next 60-90 days.

Officials Say Trump's Efforts To Accelerate Fight Against ISIS May Include More Troops.

The Wall Street Journal (2/23, Lubold, Nissenbaum, Barnes, Subscription Publication, 6.37M) reports that US officials indicate that President Trump's strategy of accelerating the fight against ISIS will at least initially include more troops. The Journal says Trump will consider a range of options that are anticipated to include sending additional forces to Syria and Iraq, according to officials. The Journal adds that additional steps could include loosening battlefield restrictions, possibly by giving commanders more decision-making power on the use of forces in the field.

Dunford: US Must Address Flow Of ISIS Foreign Fighters.

Joint Chiefs Chairman Gen. Joseph Dunford on Thursday said that "the US and its allies must cut off ISIS terrorists from their pipeline of foreign fighters," according to Fox News' Special Report  (2/23, 1.53M). Dunford was shown saying, "We estimate probably over 100, 120 countries have provided 45,000 foreign fighters to just Syria and Iraq alone." He added that the US is "working in combination with local forces and coalition forces [to] drive the threat down."

Senators Urge Tillerson To Hold Assad Accountable For War Crimes.

The Washington Times (2/23, Howell, 272K) reports a bipartisan group of senators on Thursday called on Secretary of State Tillerson to hold Syrian President Bashar al-Assad and his allies accountable for war crimes, amid reports that 13,000 detainees were executed at a Damascus prison because they opposed the government. The 14 senators, who included Bob Corker and Ben Cardin, condemned the acts referenced in an Amnesty International Report and said that it combined with other reports to provide "sufficient documentation" to "charge Bashar al-Assad with war crimes and crimes against humanity." The Senators also asked Tillerson to explain how the US is working to document crimes against humanity and consider them in negotiations to end the Syrian conflict.

Al Qaeda-Linked Groups Control "Key Swaths" Of Syria's Idlib Province.

The Washington Post (2/23, A1, Sly, Zakaria, 11.43M) reports the Syrian province of Idlib "is falling under the control" of al Qaeda-linked groups "amid a surge of rebel infighting" that could lead to the end of the "moderate rebellion." The Post says the extremists "have closed ranks and turned against the US-backed rebels," placing them "in charge of key swaths of territory" in Idlib. The Post adds that moderates losing Idlib "has the potential to prolong – or at least divert – the trajectory of the war" as peace talks restart.

Turkish-Backed Rebels Seize Syrian Town Of Al-Bab From ISIS.

The Washington Post (2/23, Loveluck, Sly, 11.43M) reports the Turkish-backed Free Syrian Army seized the town of al-Bab from ISIS on Thursday. The capture of the town, the Post says, ends "a grinding offensive" that began in August with the intent of "push[ing] the extremist group from one of its final strongholds." The Post says that "victory in the Islamic State's final stronghold along

the Turkish border would deepen Ankara's influence in an area" and allow Turkish-backed forces "to press on toward Raqqa." The AP (2/23, Abdul-Zahra Sinan Salaheddin) reports officials indicated that coalition troops accompanied the Iraqi forces, but "they didn't specify the nationalities" of the international forces.

The Hill: Gorka Made "Angry Phone Call" To Author Of Twitter Criticism.

The Hill (2/23, Beavers, 1.25M) reports White House adviser Sebastian Gorka, according to Newsweek, "made an angry phone call and threatened a lawsuit" over counterterrorism expert Michael Smith's critical tweets about him. The Hill says Newsweek's story includes "a recording of the lengthy phone call" that came after Smith "questioned Gorka's qualifications to be a national security adviser." The Hill says Gorka asked Smith "why this vitriol" was coming from him. Gorka said, "I look at your Twitter feed once or twice a day, and it's half a dozen tweets about me, and I've never even met you." Smith said that Gorka "asserted my tweets about him merited examination by the White House legal counsel."

CRIMINAL INVESTIGATIONS

Police Receive More Than 1,900 Tips In Delphi Murder Investigation.

ABC World News Tonight (2/23, story 7, 1:35, Muir, 14.63M) reported there were "more than 1,900 tips" from authorities' request for information on a recording of a man saying "down the hill," which was found on the cell phone of murder victim Libby German, who was reported missing along with Abby Williams after the girls went on a hike last week in Delphi, Indiana. The CBS Evening News (2/23, story 10, 2:00, Pelley, 11.17M) reported, "Over 100 local, state, and federal agents are working the case." The Indianapolis Star (2/23, Wilkins, 550K) reports similarly.

The AP (2/23) reports FBI SSA Robert Ramsey said "the FBI is using electronic billboards across Indiana to seek information in the killings." Ramsey "said the billboards are displaying photos of the teens, an image of a man considered the main suspect in the killings, and a telephone tip line to enable authorities to spread 'the widest blanket possible' in generating tips." According to the AP, "police said Thursday they've received about 3,900 tips in the killings."

On its website, WIMS-AM South Shore, IN (2/23) quotes FBI Assistant SAC Gregory Massa asking the public for assistance. Massa said, "Just think if you had an interaction with an individual who inexplicably canceled an appointment that you had together. Or an individual called into work sick and canceled a social engagement. At the time, they gave what would have been a plausible explanation. Did [an] individual travel unexpectedly? Did they change their appearance? Did they shave their beard, cut their hair or change the color of their hair? Did they change the way they dress?"

Former USA Gymnastics Coach Pleads Not Guilty In Michigan Criminal Proceedings.

The CBS Evening News (2/23, story 8, 0:20, Pelley, 11.17M) reported former team doctor for USA gymnastics Larry Nassar "pleaded not guilty to 22 criminal counts" relating to allegations of sexual abuse of nine young gymnasts who he treated at his home and medical facilities around Lancing, Michigan. CBS added, "Dozens of former athletes are suing him in civil court."

Man Arrested In 11-Year-Old Investigation Of Georgia Teacher's Disappearance.

The CBS Evening News (2/23, story 9, 0:25, Pelley, 11.17M) reported, "33-year-old Ryan Alexander Duke was arrested and charged with murder after investigators received a tip linking him to a former high school teacher and beauty queen, Tara Grinstead," who "disappeared 11 years ago" in Georgia and whose "remains have never been found." CBS noted, "Duke a student at the school where Grinstead taught."

FBI Arrests 13 In South Carolina Drug And Guns Investigation.

The AP (2/23) reports US Attorney Beth Drake announced "on Thursday that 13 people had been arrested on federal drug and gun charges" in Horry, Florence, and Charleston counties in South

Carolina. The FBI and DEA "started investigating a large drug trafficking organization operating in the Myrtle Beach, Florence, and Charleston areas" in 2014, and "authorities say the group distributed heroin, fentanyl, cocaine and marijuana in South Carolina and also trafficked in firearms."

Prosecution Drops Some Charges In Former Utah AG's Public Corruption Case.

The Deseret (UT) News (2/23, Romboy, 362K) outlines Thursday's testimony in the trial over alleged public corruption by former Utah attorney general John Swallow, reporting that "the Salt Lake County District Attorney's Office dismissed three criminal charges against Swallow as it turned the case over to the defense." The article says the FBI provided an "elaborate...forensic accounts chart showing how the money flowed...to Swallow." FBI SA Jon Isakson "acknowledged that he spoke outside the scope of his authority when he talked about the Department of Justice Public Integrity Section's decision to not file federal criminal charges against Swallow and Shurtleff." FBI lawyer Doug Davis said "before the jury came in that Isakson said things he wasn't supposed to, but the Department of Justice wasn't willing to grant a waiver for him or other agents to testify about the declination letter."

Man Admits To Lying To FBI About Healthcare Contract For Alabama Jail.

The AP (2/23, Amy) reports Michael P. Goddard of Alabama admitted in a plea agreement filed Tuesday in federal court "to lying to FBI agents about a health care contract at a county jail in Alabama, signaling that a Mississippi prison bribery probe has spilled across state lines." Goddard admitted "that he received money from Mississippi-based Health Assurance in connection with a contract that the company had from 2007 to 2011 to care for inmates at the Jefferson County Jail in Birmingham." Goddard will "appear on March 16 in federal court in Birmingham."

Dallas County Commissioner's Public Corruption Trial Delayed On Day One.

The Dallas Morning News (2/23, Krause, 1.12M) reports that "after a speedy one-day jury selection, the federal corruption trial of" Dallas County Commissioner "John Wiley Price slowed to a crawl Thursday due to the hospitalization of a juror and the reading of a 107-page indictment. The trial will resume Monday morning." KTVT-TV Dallas (2/23, 72K) reports online that "the trial is expected to be very in-depth, with prosecutors presenting FBI evidence spanning more than a decade." The Dallas Business Journal (2/23, Subscription Publication, 43K) reports similarly.

Purported Whistleblower Says FBI Questioned Her Over Alleged Contracting Misconduct In Atlanta.

The Atlanta Journal-Constitution (2/23, Kass, 1.41M) reports former Jackson Equal Business Opportunity Manager Stephanie Coleman and her lawyer said "she was interviewed by the FBI months after she said she was fired by the city for blowing the whistle on contracting misconduct." Coleman "said the FBI also questioned her about Mitzi Bickers, an Atlanta political operative and former city employee who has emerged as a subject of the federal cash-for-contracts investigation in Atlanta that occurred from 2010 to 2015."

FBI Investigates Reported Death Threats Against Muslims By NC Conservative Activists.

The Charlotte (NC) Observer (2/23, Marusakj, 656K) reports spokeswoman Shelley Lynch of the FBI's Charlotte office said Thursday the agency "is investigating reported death threats against Muslims made at a meeting of conservative activists in Kernersville," North Carolina. The FBI said in a statement, "The FBI is aware of news media stories about a recent meeting in North Carolina where comments were reportedly made against the Muslim community. We are working with our local law enforcement partners to determine if a federal violation involving threats of violence that is not speech protected under the First Amendment has occurred. The safety and security of our citizens is a priority for the FBI, and we have been in contact with local community leaders to assure them we take potential threats of violence very seriously." Lynch said "The FBI began investigating the threats before [the Council on American-Islamic Relations] called on the agency to look into the remarks."

The Guardian (UK) (2/23, Green, 4.07M) also covers this story.

FBI Investigates Allegations Former WV Jail Guard Assaulted Detainees.

The AP (2/23) reports, "An indictment unsealed Wednesday charges 26-year-old Adam Joseph Neal Graham, of Elkins, with two counts of violating the detainees' rights" after the former jail guard allegedly assaulted and injured "two suspects who were awaiting trial in 2015 at Tygart Valley Regional Jail in Barbour County," West Virginia. Graham was also charged with "submitting a fake incident report that one of the detainees attempted to spit on him." The AP mentions that the FBI investigated this case.

FBI Finds Virginia Girl Safe After Traveling With Estonian Man.

WJLA-TV Washington (2/23, 147K) reports online that spokespeople from the FBI and the Prince William County Police Department in Virginia indicated 15-year-old Makayla Phyllis Mattei "from Prince William County who was missing and was believed to be in danger has been found safe and unharmed in Virginia with" 21-year-old Meiti Metsla, "a man from Estonia with whom she had an 'online relationship.'" Authorities "said they are making arrangements to reunite the girl with her family in Dumfries." Officials added that Metsla "has been arrested on a felony charge of 'using a communication device to solicit certain offenses involving children.'"

Suspect In Possible Hate Crime In Kansas Charged With Murder.

The AP (2/23, Suhr) reports that on Thursday, Adam Purinton, who is "accused of opening fire in a crowded suburban Kansas City bar, killing one man and injuring two others in an attack that some witnesses said was racially motivated, was charged...with murder and attempted murder." Authorities "declined at a news conference to say whether the shooting was a hate crime although local police said they were working with the FBI to investigate the case." FBI SA Eric Jackson "said it was too early to determine" whether the shooting would be considered a hate crime. Jackson said, "This was a violent crime and we want the best prosecution that relates to this because there are victims of this crime and we want the community to know that...we're looking to make sure that the individual involved in this is held accountable for his actions."

FBI Arrests Man Wanted For 2005 Homicide In California.

The AP (2/23) reports that on Wednesday, the FBI "arrested a man on the top of Santa Rosa's list of most wanted criminals after a 12-year search." The AP explains, "The man was wanted for the Jan. 15, 2005 shooting death of 27-year-old Semere Girmai, of Santa Rosa," California. The killing "was allegedly motivated by a cocaine and methamphetamine distribution feud between the men, who had gang ties."

Feds Charge Alleged Cleveland Bank Robber Who Posed As Twin Brother.

The Cleveland Plain Dealer (2/23, 976K) reports the FBI said Thursday that suspected bank robber Mark Lloyd, who was "arrested at Cleveland City Hall last week while posing as his estranged twin brother was charged in federal court for sticking up two Ohio City banks." The FBI affidavit states that agents "ran his fingerprints and figured out his true identity, and he was arrested." In an interview with FBI agents, "Mark Lloyd admitted to using his brother Michael's ID since 2015, though his brother does not know that and that he has not spoken to his brother in some time." The suspect will appear in court this afternoon.

Report: Jacksonville Psychiatrist Raided By FBI Was Involved In Fatal Love Triangle.

WJAX-TV Jacksonville, FL (2/23, Bourne, 30K) reports online that a day after Wednesday's FBI raid of the office of Jacksonville psychiatrist Dr. Nikhil Nihalani, "an Action News Jax investigation uncovered a love triangle that ended in suicide, reportedly using the doctor's gun." A 2015 St. Johns County Sheriff's Office report said "Nihalani had an affair with his married employee Amanda Carlson," who "told deputies she took a gun from Nihalani's home because he'd been making suicidal threats." Then, "on Oct. 13, 2015, her husband shot and killed himself with that gun."

Sentencing Postponed For Man Convicted Of 1979 Killing Of NYC Boy.

The AP (2/23) reports that on Thursday, a NY judge postponed the sentencing of Pedro Hernandez, who was "convicted in a second trial of killing 6-year-old Etan Patz in 1979." The AP notes, "An earlier trial ended in a hung jury when a single juror did not want to convict." The defense "requested the delay to investigate whether a juror may have known during proceedings that members of the first jury were in the audience."

The New York Daily News (2/23, Jacobs, 4.45M) says Hernandez's attorney Harvey Fishbein had asked for a one-week postponement. The New York Post (2/23, Saul, 3.82M) reports, "Prosecutors filed a letter strongly objecting, saying, 'The Patz family has waited almost 40 years for an answer to one of the most heart-wrenching questions a parent can ever be faced with: What happened to their child who disappeared.'" Hernandez faces life in prison. Newsday (NY) (2/23, Riley, 1.3M) reports similarly.

Police Arrest 24 In Protests Against Video Of Off-Duty Police Officer's Altercation With Teens.

In its lead story, NBC Nightly News  (2/23, lead story, 2:35, Holt, 16.61M) showed clips from two videos by witnesses that show an altercation Wednesday between an off-duty LAPD officer and a 13-year-old, who along with others who joined and watched the conflict walked across his lawn against the officer's wishes. The situation escalated when the officer interpreted the juvenile's threat of a lawsuit as "I'm going to shoot you," and the officer shot a warning shot. According to ABC World News Tonight  (2/23, story 6, 1:45, Muir, 14.63M), the teenager, who was arrested and released with another, said in an interview, "I thought I was going to die right there." Parents have sued the LAPD and Anaheim Police Department because the off-duty officer shot his gun too close to the teenagers. The Los Angeles Times (2/23, Etehad, Mather, 4.52M) reports police arrested 24 for failing to disperse, resisting arrest, and battery of a peace officer Wednesday night following demonstrations by more than 300 people in Anaheim over the videos. The city, which has received many concerned phone calls, has put the officer on administrative leave, and Mayor Tom Tait indicated in a statement that the city "is committed to a full and impartial investigation."

Authorities Arrest Nearly Three Dozen To Clear Out Dakota Access Protest Camp.

The AP (2/23) reports authorities cleared out and raze remaining buildings from the Dakota Access Pipeline protest camp in an operation that took about 3.5 hours. "Nearly three dozen" were arrested, though the CBS Evening News  (2/23, story 11, 0:25, Pelley, 11.17M) puts the tally closer to two dozen. The New York Times (2/23, Smith, Subscription Publication, 13.9M) says North Dakota State Highway Patrol Lt. Tom Iverson expressed dismay at having authorities enforce the deadline because it "puts us in harm's way. It puts others in harm's way," though there were no reports of injured parties. The Indigenous Environmental Network Executive Director Tom Goldtooth called the evacuation a "violent and unnecessary infringement" on protesters' constitutional rights. According to the Wall Street Journal (2/23, Connors, Subscription Publication, 6.37M), police in riot gear with weapons drawn entered the federal land on Humvees with a Customs and border Protection helicopter overhead Thursday morning to clear out remaining the camp.

Federal Judge Discloses Five Years' Worth Of Surveillance Requests In Washington.

The Washington Post (2/23, Hsu, 11.43M) reports Beryl A. Howell, chief judge of the US District Court in Washington, has released a list of all requests that US prosecutors made in Washington "to secretly collect certain data about Americans' telephone, email and Internet activity from 2011 to 2016." Of the 1,444 cases, only 15 have been unsealed, "even in part, years after the monitoring began." Still, journalist Jason Leopold who sued to unseal "unseal a much larger collection of information about court-ordered electronic surveillance in closed criminal investigations in the nation's capital," said he was "very pleased" with the release. Leopold and Katie Townsend, litigation director of Reporters Committee for Freedom of the Press, which has joined the case, said the released information "will aid researchers, lawmakers and the public in

tracking the scope, evolution and expansion of government conduct."

Texas Man Sentenced To Life In Prison For Dealing Meth.

The San Angelo (TX) Standard-Times (2/23, 2K) reports that a San Angelo man "convicted of meth dealing was sentenced to life in prison without parole by a federal judge Thursday, Feb. 23." Richard Jasso, 39, "was charged with one count of distribution and possession with intent to distribute 50 grams or more of methamphetamine and aiding and abetting." Jasso "was convicted at trial in November and has been in custody since his arrest on July 13, 2016, according to a news release from the U.S. Department of Justice." According to the Standard-Times, "the charge was enhanced because Jasso had two previous felony drug offenses." Jasso "was among a dozen people arrested by Drug Enforcement Administration, Texas Department of Public Safety and San Angelo Police Department officers during a July 2016 sweep in San Angelo."

US Charges Third LAX Baggage Handler With Drug Trafficking.

My News LA (CA) (2/23) reports that "a third former baggage handler at Los Angeles International Airport has been arrested and is facing federal charges of using his employee credentials to breach airport security for the purpose of smuggling cocaine on airplanes, it was announced Thursday." Alberto H. Botello, 23, of South Gate, CA "was arrested late Tuesday without incident by law enforcement officers from the Drug Enforcement Administration and the Los Angeles World Airports Police Department, according to the U.S. Attorney's Office." Botello "is charged in a federal indictment with conspiracy to possess with intent to distribute cocaine and to distribute cocaine, along with two co- defendants who are scheduled for trial next month." My News LA notes that Adrian Ponce, 28, and Alberto Gutierrez, 27, both of South Gate, "were also baggage handlers when they were arrested last April."

US Charges 13 From Missouri, Illinois With Drug Conspiracy.

The AP (2/23) reports from Hannibal, MO that 13 people from Missouri and Illinois "face federal charges for allegedly conspiring to distribute cocaine and other drugs in Hannibal and elsewhere in northeast Missouri." Federal prosecutors in St. Louis announced the arrests on Thursday, "a day after raids were conducted in Hannibal and the St. Louis area." The AP adds that "suspects include six people from Hannibal, four from St. Louis, and one each from Mexico, Missouri, Quincy, Illinois, and Swansea, Illinois." A federal indictment "accuses two men of obtaining cocaine from a source in Austin, Texas, and using couriers, often women, to transport the drug to Hannibal, where it was converted into crack cocaine for distribution."

Deaths Of Two Alaskans Found In SUV Ruled Accidental.

The AP (2/23) reports from Anchorage, AK that "state public safety officials have concluded that the deaths of two people near Soldotna in November were accidental." The bodies of Daniel Duck, 39, and Joni Pearcy, 52, "were found in a burned sport utility vehicle." The pair, from Soldotna, "were last seen Nov. 14 and reported missing Nov. 20." Officials announced on Wednesday "that impairment and the inhalation of carbon monoxide were factors in the deaths." The AP notes that the Bureau of Alcohol Tobacco Firearms and Explosives took part in the investigation.

US Charges Pennsylvania Man With Gun Theft.

The Harrisburg (PA) Patriot-News (2/23, 523K) reports from Williamsport, PA that "a man who had been accused of burglarizing a Lycoming County gun shop hours after he pleaded guilty in an unrelated case has been indicted on federal weapons charges." A federal grand jury on Thursday indicted Samuel Bozochovic, 35, of Williamsport, "on charges of theft of firearms, possession of a stolen firearms and possession of a firearm by a convicted felon," and with "possession with intent to distribute heroin." Bozochovic "is accused of breaking into R&J Welch gun store in the Muncy area on Feb. 8 and stealing 11 handguns."

Fugitive Shot By US Marshals Team In Michigan Expected To Survive.

MLive (MI) (2/23, 878K) reports that "a 31-year-old man wanted on a parole violation was shot

during an attempted arrest by the U.S. Marshals Fugitive Task Force in Detroit Tuesday." Michigan State Police Lt. Michael Shaw "said the suspect, who hasn't yet been charged with any crimes, is recovering and expected to survive his injuries." Deputy Robert Watson of the US Marshals Service "told the Detroit News a member of the multi-agency task force shot the suspect after he rammed into a police vehicle about 9 a.m. Tuesday near Tuxedo and Linwood in west Detroit."

Alaska AG: US Cannot Overturn State's Marijuana Law.

The AP (2/23) reports from Anchorage, AK that "a representative for the Alaska attorney general's office said a change in how the federal government enforces its own marijuana laws would not affect state marijuana laws." The AP adds that Alaska's law "legalizing recreational marijuana wouldn't be overturned, Department of Law spokeswoman Cori Mills said Thursday after White House spokesman Sean Spicer suggested during a press briefing that President Donald Trump's administration might crack down on states that have legalized marijuana for recreational use. 'The federal law is one thing and the state has the right to enact laws in this area and those are perfectly constitutional,' Mills said. 'Our law wouldn't be overturned. But there is a different federal law, and how they want to enforce the federal law is up to the federal government. We'll just wait and see what sort of actions they take.'"

DOJ Reaches Settlement With Former Prosecutor Who Alleged Sex Discrimination.

The AP (2/23) reports from Spokane, WA that the Justice Department "will pay $225,000 to settle a sex discrimination lawsuit brought by a former prosecutor who alleged women were not treated equally in the U.S. Attorney's office in Spokane." The settlement, reached on Wednesday, "ends a lawsuit filed in 2015 by Katherine J. Bolton, who previously worked as a federal prosecutor in Spokane." Eastern Washington US Attorney Mike Ormsby "says he cannot comment on any aspect of the case." The AP notes that Bolton "worked for Ormsby," and that "she resigned in October 2015 following a controversy in which both Bolton and her co-workers blamed each other for a hostile work environment."

Two Greek Tanker Engineers Convicted Of Pollution Cover-Up In South Carolina.

The Charleston (SC) Post and Courier (2/23, Wren, 300K) reports that "the chief engineer of a chemical tanker that docked in North Charleston in 2015 has been found guilty in a jury trial of falsifying the ship's oil record book to cover up illegal pollution discharges." Panagiotis Koutoukakis, "a Greek national, faces up to 25 years in prison for two felony charges," and Herbert Julian, "who succeeded Koutoukakis as the ship's chief engineer, was found guilty of an obstruction charge that carries a maximum sentence of five years." The verdict on Wednesday "followed a three-week trial in federal court in Charleston," and "sentencing for both men will be scheduled after the federal government prepares a pre-sentencing report, probably in the next two or three months."

US Charges Washington Jail Guard With Tipping Off Drug Traffickers.

The AP (2/23) reports from Tacoma, WA that "a guard at the Aberdeen city jail has been arrested on allegations that he tipped off drug traffickers about police activities." Charles Andrew Stocker "was due to make an initial appearance in U.S. District Court in Tacoma following his arrest Thursday." Federal prosecutors "have charged him with three criminal counts, including aiding and abetting drug trafficking." According to the AP, "prosecutors say Stocker warned a drug dealer about someone who was working as a police informant, alerted two other dealers that police were listening in on calls at the jail, and agreed to hold money for one of the investigation's targets."

US Charges Florida Man For Role In Jamaican Lottery Scam.

The Jamaica Observer (2/23, 139K) reports that "a 49-year-old Florida man was arrested in Miramar, Florida, on mail and wire fraud charges in connection with the fraudulent lottery scheme tied to Jamaica." The arrest "follows the return of a 12-count indictment against him by a grand jury in the Southern District of Florida." The Justice Department announced on Thursday "that Claude Shaw aka Mac and Claude Mac, a US citizen residing in Florida, was charged with two counts of mail fraud and 10-counts of wire fraud in connection with a fraudulent lottery scheme

tied to Jamaica." The indictment alleges that "the victims in the scam were instructed on how, and to whom, to send their money," and that "Shaw discussed plans to receive victims' money via text messages then send a portion to accomplices in Jamaica."

FINANCIAL CRIME & CORPORATE SCANDALS

Michigan Ponzi Schemer Sentenced to Five Years Incarceration.

The Traverse City (MI) Record-Eagle (2/23, Troutman, 84K) reports a US District Court Judge sentenced Michigan woman Sarah Frances Bolhuis to five years in prison for wire fraud and money laundering. The woman was "accused of running a 'Ponzi scheme' that bilked investors out of millions of dollars," and "more than 50 investors lost their savings, abandoned retirement plans and experienced financial stress thanks to Bolhuis, authorities contended." FBI agents said "the scheme lasted from 2006 to 2015."

Former PA Governor's Aide Disbarred After Guilty Plea In FBI Sting.

The Philadelphia Inquirer (2/23, Shaw, 586K) reports Pennsylvania's Supreme Court's disciplinary board said Thursday that "one of former Gov. Ed Rendell's top aides," John H. Estey, "who pleaded guilty last May to one count of wire fraud after being caught up in an FBI sting, has agreed to be disbarred." Court filings indicate "the FBI set up a phony business in 2009 to 'investigate allegations of public corruption in Pennsylvania'" and "the fake firm hired Estey and a top Harrisburg lobbying firm to help it obtain legislation to benefit its business, and made campaign contributions to further its goals." The undercover agents then "gave Estey $20,000 that he promised he would pass along as campaign contributions in his name, circumventing state laws that ban corporate gifts and the use of lobbyists as 'pass-throughs.'"

Former Comverse CEO Sentenced To 30 Months In Options Backdating Case.

Newsday (NY) (2/23, Riley, 1.3M) reports that Jacob "Kobi" Alexander, "the former CEO of Long Island software firm Comverse Technology who fled to Africa to avoid fraud charges, was sentenced Thursday in Brooklyn federal court to 30 months in prison." Alexander, 64, "an Israeli citizen who founded digital voicemail pioneer Comverse in 1982, returned last year to plead guilty to securities fraud after fleeing to Namibia in 2006 to evade prosecution for backdating stock options and trying to bribe an underling to take the fall. 'I really don't understand how someone as brilliant and accomplished and focused and respected as you could be so incredibly, abjectly foolish as to make some of the decisions you made,' said U.S. District Judge Nicholas Garaufis." Newsday adds that Alexander "claimed in a letter to the judge that he fled out of fear of a draconian sentence for a white-collar crime and fought extradition for a decade because he was 'terrified' by seeing his name on a Most Wanted list with Osama bin Laden."

Reuters (2/23) reports that Alexander's attorneys "had sought a prison term of no more than two years for the Israeli citizen, who has spent six months in custody after Garaufis rejected his request for release on a $25 million bond." Reuters notes that Alexander "is likely to be credited for the time he was held." Reuters adds that "the case was one of the last open U.S. prosecutions arising from government or internal investigations of backdating of stock options at over 200 companies, including Comverse, which was acquired in 2013 by former unit Verint Systems Inc."

CBS News (2/23, 4.4M) reports that in 2006, federal prosecutors "charged Alexander and other Comverse executives with a scheme to manipulate stock options." CBS adds that "the options' grant dates were allegedly falsified to coincide with a low point in the stock's value, thereby boosting the value of the stock option." Alexander "turned up in Namibia after having transferred tens of millions of dollars overseas," and "he lived comfortably there until last year, when he gave up an extradition fight and agreed to plead guilty in the U.S."

Bloomberg News (2/23, Hurtado, 2.41M) reports that "Alexander's decision to flee exacerbated the case and warranted imposing a prison term longer than the 24-month sentence, which to date had been the longest imposed for options backdating, the judge said. 'Corporate executives must know if they commit this type of crime, they will be punished swiftly and appropriately,' Garaufis said. 'They must know they cannot flee the jurisdiction to escape the criminal process, to buy a new life and evade the law.'" The New York Daily News (2/23, Moynihan,

4.45M) and the Wall Street Journal (2/23, Orden, Subscription Publication, 6.37M) also report.

CYBER DIVISION

Florida Man Pleads Guilty In Attempted Hack Of Clinton Foundation.

Reuters (2/23, Raymond, Layne) reports that a Florida man pleaded guilty on Thursday "pleaded guilty in a case stemming from an attempted hacking of the Clinton Foundation," months after he was sentenced to 42 years in prison "in the wake of child pornography discovered on his computers during the probe." Timothy Sedlak, 43, pleaded guilty in a Manhattan federal court "to attempting to access protected computers without authorization," and federal prosecutors "accused him of trying to gain access to an unnamed New York-based charitable organization's network." In a court filing obtained by Reuters "that summarized a US Secret Service interview in 2015 with Sedlak, an agent said he was questioned about notes they found referencing former Democratic presidential candidate Hillary Clinton and her daughter, Chelsea Clinton."

Cellebrite Announces Ability To Crack Apple Devices Running iOS.

The International Business Times (2/23, Dellinger, 814K) reports that on Thursday, Israel-based cybersecurity firm Cellebrite announced "it has added the capability to crack a number of locked Apple devices running iOS, including the iPhone 6 and iPhone 6 Plus." Cellebrite's Director of Forensics Research Shahar Tal "suggested Cellebrite has had the ability to crack iPhones for some time but was just announcing it publicly now." The IBT mentions that "it is believed that Cellebrite is the company the United States FBI tapped to help unlock the iPhone 5C that belonged to one of the killers involved in the San Bernardino, Calif. shooting in December 2015."

Nevada Public Safety Director Argues For Creation Of Cyber Defense Office.

Nevada Appeal (2/23, Dornan, 86K) reports that on Thursday, Nevada Public Safety Director Jim Wright argued for the "creation of a Cyber Defense Office that would bring together not only public safety agencies but other agency efforts in the war against hacking." According to Wright, "the office would treat cyber attacks in much the same way the Department of Public Services currently treats terrorism, natural disasters and other emergencies." He added that "the office would be located within" the Department of Public Safety, partly because it "has access to the FBI and national criminal information data." Wright said, "Most of these attacks have a criminal background so it's a natural fit for us."

Cyber Experts Warn That "Global Action Must Be Taken" On Cybersecurity Issues.

McClatchy (2/23, 74K) reports that "alarms over the state of the internet appear with greater frequency" due to malware, data theft, and digital weapons wielded by nation-states. McClatchy says, "Once a platform for enlightenment, the internet flirts with a dark age, industry leaders warn, and global action must be taken." McClatchy goes on to discuss Microsoft President Brad Smith's proposal for a "Digital Geneva Convention, an international agreement to protect civilians from the destructive uses by states of the digital sphere," adding, "Whether an international treaty or convention could slow the destructive currents that make the internet increasingly hazardous is subject of intense debate." Former cybersecurity czar J. Michael Daniel "said he worries that some authoritarian nations would distort such an accord" to control content, and "a better first step...would be further agreements of the sort that Obama reached with China's President Xi Jinping...which barred purely commercial hacking between the two nations, but not digital espionage."

Senator Calls For "Retro Approach" To Protecting Power Grid.

McClatchy (2/23, Hotakainen, 74K) reports, "Idaho Republican Sen. Jim Risch says it's time for a retro approach to protect the nation's power grid, relying more on humans and less on sophisticated technology as a way to thwart hackers." Risch "said the U.S. should heed the lesson of the 2015 cyberattack on Ukraine's power grid," namely that more damage was prevented because hackers couldn't gain physical access to all of the power grids' controls as some were

manually operated. Risch and fellow Senate intelligence committee member Angus King "want Congress to pass a $10 million bill that would create a two-year pilot program to investigate more low-tech approaches that might frustrate hackers."

Google Cracks SHA-1 Cryptographic Algorithm.

Forbes (2/23, 15.17M) reports that Google "cracked an old cryptographic algorithm called SHA-1," a "significant" occurrence "because SHA-1 has been in use across the web for some time, largely to check the authenticity of digital artefacts flying around the internet." Forbes says Google had SHA-1 create the same hash for two different files, something that "shouldn't be possible." Forbes goes on to explain that the "second file" could be malware or a forgery. Nonetheless, Forbes says, "For some time now, major web companies have downgraded SHA-1 and won't use it to carry out those verification processes." Google "thinks its research should get all companies still using the algorithm to move away from SHA-1, which has long been deemed vulnerable."

Report: Majority Of Hackers Claim To Be Able To Break Cyberdefenses Within Hours.

ZDNet (2/23, 151K) reports, "The majority of hackers claim they can break through cybersecurity defenses and infiltrate their target's systems within hours, according to new research." A report from Nuix Black "says that more than three-quarters of hackers – 88 percent in total – who responded to the Nuix survey believe most network defenses can be breached within 12 hours." Furthermore, "roughly a third said that their activities were never noticed by their victims – and 17 percent of hackers claimed it would take them no longer than two hours to breach a target."

Bitcoin Hits "All-Time High."

According to USA Today (2/23, Weise, 5.28M), bitcoin "hit an all-time high of $1,163.59" on Thursday. USA Today reports on a "couple of factors" that "seem to be pushing the digital currency upwards," including the confirmation of Mike Mulvaney, "a long-time supporter of bitcoin," as OMB director. Furthermore, "There's also anticipation that the Securities and Exchange Commission will allow the first of three exchange-traded funds to launch."

UK National Arrested In Connection With Deutsche Telekom Cyberattack.

Yahoo! Tech (2/23, 1K) reports, "A 29-year old Brit has been arrested in connection with a cyber-attack that affected nearly a million Deutsche Telekom customers back in November." The suspect was arrested "at one of London's airports on Wednesday."

Coast Guard Admiral: Cyberwarfare Rules Of Engagement Poorly Defined.

Business Insider (2/23, 3.42M) reports, "Coast Guard Vice Adm. Marshall Lytle gave the perfect analogy that demonstrates how unique, and difficult it can be, for the US military to operate in the cyber realm." Lytle is quoted saying at the AFCEA West 2017 conference, "Cyberwarfare is like a soccer game with all the fans on the field with you and no one is wearing uniforms." BI adds, "Lytle's remark highlights the 'wild west' nature of the cyberwarfare," and "as Lytle explained, cyberwarfare doesn't have clear battle lines."

House Intelligence Staff Director: 2017 To Be A "Banner Year" For Congressional Cybersecurity Debates.

CyberScoop (2/23) reports House Intelligence Committee staff director Michael Bahar says, "It will be a banner year for cybersecurity debates in Congress – and that isn't necessarily a good thing." According to CyberScoop, "retrospective" efforts to investigate alleged Russian influence on the 2016 US election "are just a portion of the task ahead for lawmakers who handle cybersecurity issues." Bahar is quoted saying in a panel discussion, "For far too many industries, we are in a pre-Enron phase. If you think about Enron, what led to that was board members and senior executives at companies saying it looks fine and if it's an accounting issue, then take it to accounting. And I think that's where we are in many industries for cyber. ... And what I think that means is that a lot of it will be driven by what the courts do. And how Congress will respond to that."

Russian Hacking Group APT 28 Profiled.

The Financial Times (2/23, Jones, Subscription Publication, 1.39M) profiles the Russian hacking group APT 28, which western officials believe is connected to the country's military intelligence arm. Analysts said the group hacked the DNC and released information to undermine the US democratic system.

Continuing Coverage: States Oppose Critical Infrastructure Designation For Elections Systems.

In continuing coverage, eWeek (2/23, 668K) reports the National Association of Secretaries of State "adopted a resolution opposing the 'critical infrastructure' designation by the U.S. Department of Homeland Security." Their reasoning "was partly due to concerns of overreaching by the federal government and because the agency had refused to provide adequate information on the impact that the designation would have on the states, according to Kay Stimson, spokeswoman for the National Association of Secretaries of State (NASS)."

INTERNATIONAL RELATIONS

Hacked Texts Suggest Manafort Faced Blackmail Attempt From Ukrainian Official.

Politico (2/23, Vogel, Stern, Meyer, 2.46M) reports "undated communications, which are allegedly from the iPhone of" political consultant Paul Manafort's daughter suggest that Manafort "was the victim of a blackmail attempt while he was serving as Donald Trump's presidential campaign chairman last summer." One text "appears to come from a Ukrainian parliamentarian named Serhiy Leshchenko," in which he attaches "a note to Paul Manafort referring to 'bulletproof' evidence related to Manafort's financial arrangement with Ukraine's former president, the pro-Russian strongman Viktor Yanukovych, as well as an alleged 2012 meeting between Trump and a close Yanukovych associate named Serhiy Tulub." Leshchenko disavowed the texts in question and "Manafort denied brokering a 2012 meeting between Trump and Tulub and also point[e]d out that he wasn't working for Trump at the time." However, Manafort confirmed the authenticity of the texts as coming from his daughter's phone, saying he contacted a lawyer at the time they were received.

The Hill (2/23, Savransky, 1.25M) and Vanity Fair (2/22, Tracy, 6.22M) also cover Politico's report.

OTHER FBI NEWS

De Blasio To Meet With Prosecutors, FBI Friday.

The New York Times (2/23, Rashbaum, Subscription Publication, 13.9M) reports the "expansive criminal inquiry" on Mayor Bill de Blasio's 2013 campaign trading beneficial city action for donations "is most likely in its final stages" as the mayor is set to meet with FBI agents and federal prosecutors Friday to discuss more than a dozen topics in a session estimated to last four hours. The inquiry will focus on businessman and rabbi Moishe Indig, Harendara Singh, Gina Argento, and other donors under scrutiny. De Blasio spokesman Eric Phillips emphasized in a Thursday statement, "We are absolutely confident that the mayor and our City Hall staff have acted appropriately and well within the law at all times."

Local Leaders Comment On Possible Plans For FBI Expansion At Redstone Arsenal.

A 1,200-word report by Alabama Live (2/23, Gattis, 804K) says the FBI "is considering bringing hundreds, if not thousands, of jobs to Redstone Arsenal in what could possibly be a landmark economic development for Huntsville." Although "the plan exists on paper...it's not clear how close it is to becoming a reality or if the plan, conceived during the Obama administration, will change under President Trump. But some construction is already under way on Redstone." Huntsville/Madison County Chamber of Commerce Senior VP Mike Ward said, "I think the master plan that the FBI discussed at the Redstone Update is still notional and it remains so until the plan is funde[d]. Some parts of the plan have been funded and are being executed. We're hopeful that

we will be able to advance this plan to make it a reality." US Rep. Mo Brooks (R-AL) "said he has heard many different estimates on potential jobs that could be associated with the FBI's growth in his hometown." The article notes, "FBI Director James Comey, in a visit to Redstone last year to formally open" the Terrorist Explosive Devices Analytical Center (TEDAC), "described Huntsville as a possible new 'center of gravity' for the bureau."

On its website, WAAY-TV Huntsville, AL (2/23, Martin, 2K) similarly quotes Ward's comments on the possible FBI expansion in Huntsville.

FBI Director's Community Leadership Award Honors North Dakota Children's Advocacy Center.

KXMC-TV Minot, ND (2/23, 1K) reports online that the FBI Director's Community Leadership Award was presented to Shannon Hilfer and Jessica Ahmann of the Sanford Health community in North Dakota, who were honored for going "above and beyond" in their work with child abuse victims. Ahmann said, "The recognition just really shows that we do make a difference to these kids, and that's truly, like Shannon said, what it's all about. It's helping them get through this tough time."

OTHER WASHINGTON NEWS

DOJ Reverses Obama Order Phasing Out Private Contractors To Run Prisons.

Reuters (2/23, Beech) and the New York Times (2/23, Lichtblau, Subscription Publication, 13.9M) report the Justice Department has reversed an Obama Administration order that called for the phasing out of using private contractors to run federal prisons. Reuters says that Attorney General Sessions wrote in a memo made public Thursday that former President Obama's policy harmed the government's ability to meet possible needs of the prison system. Sessions said, according to Bloomberg News (2/23, Strohm, 2.41M), "The memorandum changed long-standing policy and practice, and impaired the Bureau's ability to meet the future needs of the federal correctional system." Politico (2/23, Ocasio, 2.46M) reports a Justice Department spokesman indicated that the new memo provides the Federal Bureau Of Prisons with more flexibility. The spokesman said in a statement, "This will restore BOP's flexibility to manage the federal prison inmate population based on capacity needs."

The Washington Post (2/23, Zapotosky, 11.43M) says that while the change is "a significant policy shift" from the Obama Administration, "the practical impact might be somewhat muted." The Post indicates that "most inmates are housed in state prisons, rather than federal ones" and the Obama Administration's decision to no longer use private facilities "only affected 13,000 prisons" that "hous[ed] a little more than 22,000 inmates." The Post adds that the original order "also did not apply to Immigration and Customs Enforcement and US Marshals Service detainees."

Media: Private Prison Sector Supported Trump During Election. Eamon Javers said on CNBC's Closing Bell (2/23, 142K) that the private prison sector has been "very close" to Trump and "saw something they very much liked in Donald Trump's administration." USA Today (2/23, Schouten, 5.28M) reports private prison companies "have contributed big sums to pro-Trump groups" and now "stand to make big gains under President Trump's new immigration orders." USA Today says private prison companies "see the potential for significant growth" with Trump and some GOP lawmakers "pushing to toughen penalties for undocumented immigrants who are deported and then re-enter the country illegally." USA Today highlights that GEO Group donated $250,000 to support Trump's inauguration and a subsidiary of the company gave $225,000 to a super PAC that spent about $22 million to help Trump. CoreCivic provided $250,000 to support Trump's inauguration.

White House Says DOJ Will Crack Down On Recreational Marijuana.

The Washington Times (2/23, Boyer, 272K) reports White House press secretary Sean Spicer indicated Thursday that the Justice Department will increase enforcement of the federal ban on the recreational use of marijuana, and he "compared recreational marijuana loosely with the opioid epidemic." According to McClatchy (2/23, Kumar, Hotakainen, 74K), a 2014 John Hopkins School of

Public Health report shows "there's little evidence to connect marijuana to opioid addiction." Washington Gov. Jay Inslee vowed to defend his voters' pro-pot preferences earlier this month, and Nevada Senate Majority Leader Aaron Ford called on the state's attorney general to "vigorously defend" its laws.

The AP (2/23, Gurman) says Spicer's announcement is "a departure from the Trump administration's statements in favor of states' rights." According to the Los Angeles Times (2/23, Halper, McGreevy, 4.52M), the Administration's options for enforcement could range from "largely symbolic gestures" to "filing injunctions seeking to nullify state legalization laws." The Washington Post (2/23, Wagner, Zapotosky, 11.43M) reports pro-cannabis organization and industry leaders' concern with Spicer's statement, with one noting, "Many of the states who helped elect President Trump just voted to also support recreational marijuana."

Media: Trump Calls Deportations "A Military Operation"; Kelly Quickly "Contradicts" Him.

President Trump's comment at a White House meeting of business executives that under his immigration policy, "we're getting really bad dudes out of this country at a rate that nobody's ever seen before" in "a military operation" draws considerable critical media attention, with every major story on the comment stating that DHS Secretary Kelly quickly followed by saying that no military force is being used. While the White House said the President was using the term figuratively, several sources use the contradiction between Trump and Kelly to highlight the difficulties the Administration has had with immigration policy.

ABC World News Tonight (2/23, lead story, 3:40, Muir, 14.63M) reported that the President called his "immigration crackdown...'a military operation' at the border." But "his own Homeland Security secretary had very different words about the operation." ABC's Matt Gutman: "At the White House today, President Trump declaring his new immigration crackdown" a success. Trump: "We're getting really bad dudes out of this country, and at a rate that nobody's ever seen before, and they are the bad ones, and it's a military operation." Gutman: "A military operation? Not according to Homeland Security Secretary John Kelly." Kelly: "No. Repeat, no use of military force in immigration operations. None." The CBS Evening News (2/23, story 2, 1:00, Pelley, 11.17M) said "there was some confusion today on immigration." CBS' Margaret Brennan: "The White House later tried to clarify, saying the President meant 'military operation' as an adjective to describe what they say is an efficient rate of deportation."

NBC Nightly News (2/23, story 4, 1:35, Alexander, 16.61M) reported that Trump was "contradicted quickly" by Kelly, who is in Mexico with Secretary of State Tillerson. USA Today (2/23, Agren, 5.28M) reports that Kelly "addressed an anxious audience of Mexican migrants living in the USA and Mexican officials preparing to receive an influx of deportees." Kelly said, "Everything that we do will be done in a legal way and with respect for human rights and the US justice system." The Wall Street Journal (2/23, Schwartz, Whelan, De Córdoba, Subscription Publication, 6.37M) reports that Kelly also said there would be "no mass deportations." The AP (2/23, Lederman) reports that while Kelly and Tillerson "tried to alleviate Mexico's concerns, Trump was fanning them further," offering "an altogether different message from Kelly and Tillerson, who traveled here to meet with top Mexican officials at a time of intense turbulence for US-Mexico relations."

The Washington Post (2/23, Rucker, 11.43M) says the President "celebrated what he called 'a military operation' to round up and deport undocumented immigrants who have committed crimes or caused violence." The Post says the phrasing "could raise eyebrows among immigrant rights advocates and even within" DHS. The Post says "a leaked DHS proposal last week to deploy Army National Guard troops to help apprehend undocumented immigrants was quickly denied by DHS leadership and the White House as being under consideration."

The Los Angeles Times (2/23, Memoli, 4.52M) writes that while Trump "speaks in terms of unadulterated success" on immigration policy, "few others in the administration go so far," and "a muddled picture has emerged on where the Trump administration is headed. Thursday offered a clear example of the problems that arise when Trump and his top aides send different messages." The Hill (2/23, Fabian, 1.25M) reports that White House press secretary Sean Spicer said Trump

"wasn't speaking literally." Spicer said, "The President was using that as an adjective. It is happening with precision."

The New York Times (2/23, A1, Ahmed, Harris, Nixon, Subscription Publication, 13.9M) writes that Trump "has a penchant for dropping unwelcome surprises during visits between the United States and Mexico. Last month, on the first day of a trip to Washington by Mexico's foreign minister, Mr. Trump signed an executive order to build a wall between the two countries," and earlier this week, just before the trip by the two secretaries, the Administration "released policies that vastly expanded the potential for deportation of undocumented immigrants." The Washington Post (2/23, Olivo, 11.43M) says "the visit by Tillerson and Kelly comes a month after a heated volley of tweets between President Trump and Mexico's president, Enrique Peña Nieto, over who should pay for a wall on the southern US border prompted Peña Nieto to cancel a White House visit."

The Washington Times (2/23, Boyer, 272K) says Trump "praised" DHS efforts "to arrest and deport more illegal immigrants Thursday, calling it 'a military operation' that is getting 'really bad dudes' out of the US." The New York Post (2/23, Halper, 3.82M) also reports that Trump "likened the removal of illegal immigrants in the US to a 'military operation.'" Politico (2/23, Nussbaum, 2.46M) says "the comment was surprising given that ICE and the border patrol are civilian, not military, organizations." Business Insider (2/23, Woody, 3.42M) says the comments "appear to contradict some White House efforts to downplay the scope and scale of his deportation plans."

The TIME (2/23, Beckwith, 6.98M) and Vanity Fair (2/22, Nguyen, 6.22M) websites also highlight the President's use of the term "military operation," while the Washington Times (2/23, Dinan, 272K) and Politico (2/23, McCaskill, 2.46M) have brief items focused on Kelly's remarks.

CBS Fact-Checks Trump's Deportation "Boasting." The CBS Evening News (2/23, story 3, 0:40, Pelley, 11.17M) reported, "The President's boasting go the better of him today. He said the US is deporting drug dealers and gang members 'for the first time.' And as you heard, he said they're being deported at a rate nobody has ever seen before. For the record, our research department spoke to an official at the Immigration and Customs Enforcement agency. In January of last year, there were 17,649 deportations. Last month, it was one thousand fewer. And last year, 58 percent had been convicted of serious crimes, such as drug dealing."

The Intercept (2/23, Devereaux) headlines a report "Donald Trump Plans To Bypass The Courts To Deport As Many People As Possible." Tennessee-based immigration attorney Greg Siskind said, "I see now what the plan is. Their plan is basically to have everybody thrown out of the country without ever going to court."

Newsweek Analysis: Trump's Deportation Policies Could Cost "Billions." Newsweek (2/23, Cadei, 862K) under the headline "Trump's Deportation Plans Would Cost Billions" that Trump's "plans to dramatically increase deportations are causing panic in immigrant communities across the country" and are also "likely to add billions of dollars to the tab for Trump's immigration crackdown, on top of the $21 billion that DHS officials have estimated it could cost to build the president's desired wall on the border with Mexico." Last year, Ben Gitis of the "center-right" American Action Forum estimated that it would cost $400 billion to $600 billion to deport all of those in the US illegally within two years. While Trump has not called for that, Newsweek says the additional staffing needs for increased enforcement could cost more than $1.5 billion.

Trump Tweets "Chicago Needs Help" After Seven Homicides On Wednesday.

The Chicago Sun-Times (2/23, Charles, 798K) reports seven homicides occurred in Chicago Wednesday, making it "the deadliest day of 2017 so far," and President Trump responded in a tweet that the situation is "totally out of control. Chicago needs help!" Six people were shot on the South Side and one was killed in Little Village. Among those killed were a young pregnant woman and a sexagenarian. Five of the shootings occurred in a two-hour span. According to the Chicago Tribune (2/23, Williams-Harris, Crepeau, Malagon, 2.54M), at least 495 people have been shot in Chicago so far this year, 60 more people than were shot over the same period a year ago. The Tribune provides details of the seven homicides Wednesday and notes that the West Side experienced the most violence last year. ABC World News Tonight (2/23, story 8, 0:15, Muir, 14.63M) also briefly reported on the story.

Administration Reportedly Broadens Search For Fed Vice Chair For Bank Oversight.

The Wall Street Journal (2/23, Tracy, Ackerman, Subscription Publication, 6.37M) reports that people familiar with the matter indicated the Administration has widened its search for the next Fed Vice Chair in charge of bank oversight. The Journal says the Administration is still considering David Nason, an executive in General Electric's financing arm, and met with US Bancorp chief executive Richard Davis and Harvard Law School professor Hal Scott.

CNN: IC Concerned White House Wants Report Tailored To Justify Immigration Order.

Anderson Cooper said on CNN's Anderson Cooper 360  (2/23, 686K) that as the White House works "to provide a factual basis" for Trump's immigration order, there is "pushback of some in the intelligence community who have been given the job of evaluating the evidence information and who are worried that they're being asked to tailor the facts to fit a preordained conclusion." Jake Tapper added that "sources" told CNN's Pamela Brown "that there are those within the Department of Homeland Security who have concerns that intelligence at the department might be becoming politicized." A New York Times (2/23, Qiu, Subscription Publication, 13.9M) analysis examines "some of the more misleading claims Mr. Trump and his administration have made about the first iteration of the travel ban."

Also on CNN's Anderson Cooper 360  (2/23, 686K), Tapper cited a "senior White House official" who said that "the Department of Homeland Security and the Justice Department, quote, 'are working on an intelligence report that will demonstrate that the security threat for these seven countries [covered by President Trump's immigration order] is substantial, and that these seven countries have all been exporters of terrorism into the United States.'" However, "sources tell the CNN" that DHS' Office of Intelligence and Analysis "filed a report that disagrees with the view that blocking immigration from the seven countries strategically make nice sense. Some DHS officials have said they do not think nationality is the best indicator of potential terrorism." Tapper added that when it was asked about the matter, DHS "essentially disparage[d] its own intelligence division's report saying, quote, the Ina report does not include data from other intelligence community sources. It is incomplete."

Rep. Dan Donovan said on CNN's The Lead  (2/23, 320K) that the Administration "looked at the decision by the Ninth Circuit" and is "taking into account where the failures were in the first roll out of the first executive order and trying to make sure that they do the next executive order within the constitutional boundaries."

Illinois, Connecticut Officials Push Back On Trump's Immigration Enforcement Plans.

The Chicago Sun-Times (2/23, Grimm, 798K) reports that President Trump is "not going to get much help from Illinois" with his "ambitious plans to step up immigration enforcement and arrest and deport undocumented people at a record pace." Cook County Sheriff Tom Dart "said he had 'no interest' in devoting his deputies' time to arresting undocumented county residents, and Mayor Rahm Emanuel has consistently said Chicago will remain a 'sanctuary city.'" Meanwhile, state Attorney General Lisa Madigan "said her office is looking into ways to offer legal backup to smaller towns that want to continue their resistance to immigration laws," and Gov. Bruce Rauner "said he had no plans to deputize the Illinois State Police to enforce immigration laws."

The Washington Times (2/23, Ernst, 272K) says a memo to Chicago Public Schools principals from Chicago Chief Education Officer Janice Jackson "positioned CPS as a roadblock to ICE's mission to enforce federal laws governing border control, customs, trade and immigration." The memo, which was issued Tuesday, reads, "To be very clear, CPS does not provide assistance to US Immigration and Customs Enforcement (ICE) in the enforcement of federal civil immigration law. ... Therefore, ICE should not be permitted access to CPS facilities or personnel except in the rare instance in which we are provided with a criminal warrant."

Connecticut Gov. Dannel Malloy was asked on Fox News Tucker Carlson Tonight  (2/23) about his order to state law enforcement not to enforce federal immigration law. Malloy said, "There are federal laws that the federal authorities should enforce and there are state laws that the state authorities should enforce. We want the bad guys off the street, we want bad guys sent

home. That's not the disagreement. The disagreement is the President can't order us to do federal work. Quite frankly, the federal government should do its own job and get it done. We are not standing in the way of that happening."

Clarke: Charge Sanctuary City Officials With Harboring Aliens. The Milwaukee Journal Sentinel (2/23, Glauber, 513K) reports that during a panel discussion at the Conservative Political Action Caucus Thursday, Milwaukee County Sheriff David A. Clarke Jr. said "he has a way to put a stop to sanctuary cities – use a federal statute to charge local officials for harboring aliens." Said Clarke, "I'm telling you right now folks, you charge one mayor, one governor, one council president that adopts these laws, this stuff is going to end right away." Clarke argued that sanctuary cities "provide cover" for "criminal illegal aliens to continue to prey on not only law-abiding people but also illegal immigrants in this country."

Taub, Fisher: Proposed Deportation Rules Risk Creating "Fragmented" Society. In the New York Times (2/23, Subscription Publication, 13.9M), Amanda Taub and Max Fisher say the Administration's proposed deportation rules "risk creating an American underclass with parallels to others around the world," such as "slum residents in India, guest workers in oil-rich Persian Gulf states and internal migrant workers in China." The groups, Taub and Fisher say, "provide a cautionary tale for what could happen" if illegal immigrants "are forced deep into the shadows." The authors say that the undocumented immigrants are "stuck in a gray zone outside the legal system," making them "vulnerable to exploitation, including wage theft and sex trafficking." Taub and Fisher say the end result could be "a fragmented" society, rather than the "cohesive society" that the Administration seeks.

Deportation Plan Dominates US Officials' Visit To Mexico.

Bloomberg Politics (2/23, Cattan, 201K) reports Secretary of State Tillerson and DHS Secretary Kelly "wanted to focus on a range of bilateral issues, including trade, in a meeting with their Mexican counterparts" on Thursday in Mexico City, but instead "immigration concerns dominated" the meeting. In its lead story, ABC World News Tonight  (2/23, lead story, 3:40, Muir, 14.63M) reported Tillerson and Kelly arrived in Mexico at a time when that country is "furious with the Administration's new plan to deport some undocumented immigrants to Mexico, even if they are not Mexican." On CNN's Situation Room  (2/23, 554K), Elise Labott said "the Mexicans do seem to be caught off guard. Normally, you have the White House rolling out a policy several days before the visit. There is time for dust to clear and the aides to set the meetings." Nevertheless, Tillerson "called the talks productive."

NBC Nightly News  (2/23, story 4, 1:35, Alexander, 16.61M) reported that prior to their arrival, demonstrators set fire to a fake wall, and "many were demanding that the Mexican president refuse to meet with" the two US officials. Tillerson tried "to translate [Trump's] tough talk into diplomacy," saying, "Two strong sovereign countries from time to time will have differences."

Reuters (2/23, Alper, Torres) reports Mexican officials expressed "worry and irritation" about Trump's policies during talks with Tillerson and Kelly, "giving a chilly reply to the new administration's hard line on immigration, trade and security." Foreign Minister Luis Videgaray told reporters, "There exists among Mexicans worry and irritation about what are perceived to be policies that could be harmful for the national interest and for Mexicans here and abroad." The Washington Times (2/23, Dinan, 272K) says Mexican officials "scolded their American counterparts," using the meeting to "register their displeasure and demand that the US not increase the number of people deported to Mexico." The New York Post (2/23, Moore, 3.82M) says Videgaray also expressed "concerns" about "the rights of Mexicans living in the US."

According to the Los Angeles Times (2/23, McDonnell, 4.52M), Videgaray told lawmakers "in private comments" on Wednesday that Mexico is preparing for a long "battle" with the Trump Administration, and is "prepared to retaliate with new tariffs if necessary." He is quoted as saying, "We are here preparing for a battle that is going to be long. This is not going to be resolved in three days."

In his "Talking Points Memo" segment on Fox News' The O'Reilly Factor  (2/23, 767K), Bill O'Reilly said, "It's entirely Mexico's fault that millions of their own citizens feel they have to

come here to earn a decent living. ... Mexico should take full responsibility for its inability to provide a decent economy for its own people and for failing to defeat the vicious drug peddling monsters. But they never will."

DeVos: Obama's Transgender Bathroom Guidance Was An "Overreach."

A day after the Trump Administration rescinded the Obama Administration transgender bathroom guidance, Education Secretary DeVos on Thursday told the Conservative Political Action Conference that the previous Administration's rules were "an overreach," USA Today (2/23, Estepa, 5.28M) reports. DeVos said, according to the Washington Times (2/23, Sherfinski, 272K), "Let me just say that this issue was a very huge example of the Obama administration's overreach to suggest a one-size-fits-all federal government approach, top-down approach to issues that are best dealt with and solved [at] a personal level and a local level."

The New York Times (2/23, Pérez-Peña, Subscription Publication, 13.9M) reports that before the decision was announced, DeVos "met with a representative of gay and transgender employees at the Education Department to warn of what was coming." While an aide "assured the employee that, as was widely reported, Ms. DeVos had resisted the move, according to people briefed on the Wednesday meeting," DeVos "gave no public sign that there had been a rift within the Trump administration, or that she had come up short." However, "people who have known and watched Ms. DeVos through the years...warn against thinking that she will be a meek team player." In her home state of Michigan, DeVos "earned a reputation as a driven, relentless and effective political fighter, using her family's vast fortune to reward allies and punish foes, and working behind the scenes to pass legislation and unseat lawmakers who opposed her."

ABC World News Tonight  (2/23, story 4, 0:40, Muir, 14.63M) reported that White House press secretary Sean Spicer said Thursday that "it's not a matter for the federal government to decide." Spicer: "I think it's not a question of whether it's a civil right, it's where it's appropriately addressed. And as I noted, it's appropriately addressed at the state level." The Washington Post (2/23, Brown, Balingit, 11.43M) says that in the wake of the Administration rescinding the guidance, "school officials from New York to Washington to Tulsa, Okla., moved quickly this week to assure their communities that they would continue to allow students to use bathrooms aligned with their gender identity." Meanwhile, other districts never complied with the guidelines and do not intend to do so now. The result is "a patchwork of policies on transgender student accommodations that varies widely across the country."

The Washington Times (2/23, Richardson, 272K) reports that in an indication of "how states might proceed" now that Trump has rescinded the order, the National Conference of State Legislatures says lawmakers in 12 states "are considering bills that would require transgender people to use bathroom and locker room facilities based on their 'biological sex' or birth gender." Matt Sharp, legal counsel for the Alliance Defending Freedom, said, "I think [the repeal is] going to give states the motivation to start considering laws creating a baseline of privacy for all students...and really bring this issue back to where it belongs, which is in the states and local schools that know their students best." In that same vein, the Los Angeles Times (2/23, Lee, 4.52M) says the Administration's step "has buoyed the hopes of supporters of so-called bathroom bills, but they still face opposition in many states, even conservative ones."

The Administration move is prompting criticism from several fronts. Bloomberg News (2/23, Hagan, 2.41M) says it has "provoked one more outcry from Silicon Valley." Tech firms including Apple, Facebook and Microsoft "released statements and tweets following the administration's announcement."

In an op-ed for the Washington Post (2/23, 11.43M), former Education Secretary Arne Duncan and former Assistant Education Secretary Catherine Lhamon write that the Administration decision "reflects a fundamental misunderstanding of the federal role in protecting the civil rights of students," confuses "states and school districts, and puts real, live children at greater risk of harm." They add that while the federal government "rightly defers to states and school districts" on "issues such as standards and curriculum," when "it comes to protecting students, the law is clear: Civil rights are paramount."

In an editorial, the New York Times (2/23, Subscription Publication, 13.9M) cites Trump's campaign promise "to protect lesbian, gay, bisexual and transgender Americans from violence and

oppression," and says it is not surprising he has sided with Attorney General Sessions on rescinding the transgender bathroom guidance, because "has demonstrated time and again that his stated personal convictions are malleable." A Washington Post (2/23, 11.43M) editorial also criticizes the decision, saying that while Trump once "seemed able to see through this hysteria, expressing support for the rights of transgender people to 'use the bathroom that they feel is appropriate' and saying Caitlyn Jenner was welcome to use whatever bathroom at Trump Tower she wanted," his endorsement of "the rollback of protections will inflict needless suffering on transgender students, a vulnerable population already subjected to harassment and bullying."

Decision Will Impact Supreme Court Case. USA Today (2/23, Wolf, 5.28M) reports that the Administration decision "could remove the controversial issue from the Supreme Court's docket this spring – or lead the justices to render an even more significant ruling." Next month, the Court is sent to hear Virginia high school student's legal fight to use the bathroom of his choice. However, a Federal appeals court in Richmond relied on the guidance last year "in ruling that Gavin Grimm should be permitted to use the boys' bathroom at his Gloucester County school, and the school district promptly appealed to the Supreme Court." The removal of that policy means the High Court can "vacate that decision and send the case back, or decide on their own which bathrooms are suitable under a 1972 federal law prohibiting sex discrimination." On Thursday, the Court "gave lawyers on both sides six days to submit their views on how best to proceed."

In an op-ed for the New York Times (2/23, Subscription Publication, 13.9M), Ria Tabacco Mar, a staff lawyer for the ACLU's Lesbian, Gay, Bisexual, Transgender and H.I.V. Project, argues that "the president and his executive agencies cannot change what Title IX says and means. Those jobs still belong to Congress and the federal courts." The Grimm case, Mar adds, "could neutralize the Trump administration's cruel blow to vulnerable transgender youth."

Report: One In 137 Teens Would Identify As Transgender. The New York Times (2/23, Chokshi, Subscription Publication, 13.9M) reports that "an analysis of state and federal data" shows that "nearly 150,000 American teenagers from 13 to 17 years old – or one out of every 137 – would identify as transgender if survey takers asked." The Times says the estimate, which was published in a report from Jody L. Herman, a scholar of public policy at the Williams Institute at the UCLA School of Law, and several co-authors, "stands to inform the fierce debate over the rights of transgender youth."

Trump, Trudeau Discuss Border Cooperation.

Reuters (2/23, Ljunggren) reports Canadian Prime Minister Justin Trudeau and President Trump on Thursday "discussed cooperation along the countries' shared border," Trudeau's office said in a statement without providing further details. Reuters notes that "dozens of asylum seekers, worried about Trump's plans for cracking down on immigration, have been crossing into Canada in recent weeks, putting a strain on border communities."

Southwest States May Hinder Trump's Border Wall.

The Wall Street Journal (2/23, Frosch, Subscription Publication, 6.37M) highlights efforts in Southwestern US states to hinder President Trump's efforts to build a wall along the US border with Mexico including legislation from New Mexico Democratic state lawmakers to prohibit the Federal government from acquiring the land to build the wall and California Lt. Gov. Gavin Newsom's discussion of using state and federal environmental laws to hinder stymie construction.

Salvadoran Woman Awaiting Emergency Surgery "Forcibly Moved" To Detention Facility. The Los Angeles Times (2/23, Demick, 4.52M) reports that ICE agents "forcibly moved" Sara Beltran-Hernandez, "a critically ill woman from El Salvador who was awaiting emergency surgery for a brain tumor" from a Texas hospital to a detention center, "raising concerns about President Trump's directive to more aggressively pursue people living in the country illegally." Beltran-Hernandez "was bound by her hands and feet and removed by wheelchair from Huguley Hospital in Fort Worth late Wednesday" and taken to "a detention facility in Alvarado, Texas." Attorneys representing the woman in an asylum petition "said they plan to file an emergency appeal in Texas to get their client returned to the hospital."

CBP Agents Ask For Flight Passengers' IDs In Search For Undocumented Immigrant. The Washington Post (2/23, Lowery, 11.43M) reports that US Customs and Border

Protection "confirmed" on Thursday "that their agents requested to see the identification of domestic flight passengers landing at a New York airport Wednesday night as they searched for an undocumented immigrant who had received a deportation order to leave the United States." The agency said two CBP agents "asked passengers who had been on Delta Flight 1583 from San Francisco to show their identification while deplaning after landing at John F. Kennedy Airport at about 8 p.m. Wednesday." The search "was conducted at the request of Immigration and Customs Enforcement, CBP said in a statement, but the person they were seeking was not on the flight." A CBP spokesperson "said that the undocumented individual, who they did not publicly identify, received a deportation order after multiple criminal convictions for domestic assault, driving while impaired, and violating a protective order."

Pew Poll Gauges How Hispanic Immigrants See Their Place In US. The AP (2/23, Holland) reports that a Pew Research Center survey taken in December and January and released Thursday found that "more than half of Hispanic immigrants who were neither born in the United States nor have a permanent resident card said they were concerned about their place in the United States, even before the Trump administration made clear its intentions to aggressively crack down on illegal immigration." According to the survey, "55 percent of Hispanics surveyed who were foreign born and neither US citizens nor legal residents – a group Pew said was the most likely to be in the country without authorization – said they had serious concerns about their place in America after President Donald Trump's election." Among "Hispanic lawful permanent residents," 49 percent had the same concerns. Meanwhile, 59 percent of US-born Hispanics "said they were confident about their place in America, along with 60 percent of those US citizens who were foreign-born."

Former SOCOM Commander: Trump's Comments About Media A Threat To Democracy.

The Washington Times (2/23, Ernst, 272K) reports Ret. Adm. William McRaven, the former head of Special Operations Command, said Tuesday that he views President Trump's comments about the media as possibly "the greatest threat to democracy" in his lifetime. The current University of Texas system chancellor told members of the school's communication college that efforts to characterize the media as an "enemy" must be challenged. The Daily Texan quoted McRaven as saying, "We must challenge this statement and this sentiment that the news media is the enemy of the American people."

Ginsburg Says Reporters "Trying" To Tell "Truth," Praises Women's March. The AP (2/23, Hananel) reports Supreme Court Justice Ruth Bader Ginsburg told BBC's "Newsnight" in a Thursday interview that she reads the Washington Post and the New York Times daily and "reporters are trying to tell the public the truth." While Ginsburg did not comment on President Trump directly, the AP says, the Justice "said she was encouraged" by the women's march in Washington. Ginsburg said, "I've never seen such a demonstration, both the numbers and the rapport of the people in that crowd." She added, "There was no violence, it was orderly. So yes, we are not experiencing the best times, but there is reason to hope that we will see a better day."

O'Keefe Offering $10,000 For Evidence Of Wrongdoing By Media.

The Washington Times (2/23, Richardson, 272K) reports "conservative sleuth" James O'Keefe "is ramping up his effort to take down the mainstream media" by asking "ordinary citizens to go undercover and expose wrongdoing in newsrooms" across the US. O'Keefe said he will award $10,000 to any person who provides evidence of "corruption, malfeasance and wrongdoing" in the press. O'Keefe said in a video, "If you have hidden audio recordings, videotapes or documents inside of a newsroom or media institution, and the material is good enough, I will pay you $10,000."

Strassel: Conflict Over Pentagon Staff Hurting Efforts To Improve Pentagon.

In her Wall Street Journal (2/23, Subscription Publication, 6.37M) column, Kimberley Strassel says conflict between the White House and Defense Secretary Mattis over who to appoint for senior level Pentagon positions risks leaving Mattis without the necessary staff to carry out needed changes for the military. Strassel argues that while Mattis' desire not to consider politics when choosing his staff has merit, the positions ultimately report to the President and carry out his

vision.

WPost: World Leaders Should Treat Public Health Issues Like National Security Threats.

In an editorial, the Washington Post (2/23, 11.43M) says that Bill Gates' address at the Munich Security Conference Saturday "should have caught everyone's attention" because he said world leaders should equate the urgency of public health issues with the urgency of national security threats. While it may be impossible to anticipate the next "fast-moving [wave] of peril," Gates argued that more support should go toward research on speeding up vaccine development with genomics and more time and resources should be spent on surveillance to identify the outbreak of diseases before epidemics spread. A third priority should be exercises and training "the way the military prepares for war," said Gates.

Republicans Expected To Use Congressional Review Act To Repeal Obama Agency Rules.

Roll Call (2/23, Mejdrich, 63K) reports that congressional Republicans "are expected to send a stream of bills...to President Donald Trump's desk, using a process to repeal agency rules known as the Congressional Review Act," which "allows Congress to repeal certain rules of the previous administration under a fast-track process that requires only a simple majority in the Senate." The Act also "states that a rule 'may not be reissued in substantially the same form, and a new rule that is substantially the same as such a rule may not be issued, unless the reissued or new rule is specifically authorized by a law enacted after the date of the joint resolution disapproving the original rule.'"

Bannon Rips Media, Vows Trump Will Push Forward With Agenda.

Coverage of the joint appearance Thursday by Chief Strategist Steve Bannon and Chief of Staff Priebus at the annual Conservative Political Action Conference – which included reports on all three major network newscasts – focuses heavily on two themes: First, Bannon's excoriation of the media and his vow that President Trump is committed to following through on his campaign promises; and second, Bannon and Priebus seeking to put to rest reports of a rift between the two men.

In the lead story for the CBS Evening News (2/23, lead story, 2:55, Pelley, 11.17M), Margaret Brennan reported that Bannon, making "a rare appearance," portrayed "himself as a revolutionary." Bannon was shown saying, "There's a new political order that's being formed out of this, and it's still being formed. But if you look at the wide degree of opinions in this room, whether you're a populist, whether you're a limited-government conservative, whether you're a libertarian, whether you're an economic nationalist, we have wide and sometimes divergent opinions. We are a nation with a culture and a reason for being. And I think that's what unites us." Brennan added, "Bannon, a former Goldman Sachs banker who previously ran conservative website Breitbart, repeatedly attacked the media, which he referred to as 'the opposition party.'"

On ABC World News Tonight (2/23, story 3, 1:25, Karl, 14.63M), Jonathan Karl reported that in "rare public comments," Bannon, "dubbed 'the Great Manipulator' by the TIME magazine" and who "may be the President's most powerful and controversial aide," said that President Trump "won't moderate his views and won't back down from an all-out battle with his opponents." Referring to the media, Bannon was shown showing, "If you think they are going to give you your country back without a fight, you are sadly mistaken. Every day, every day it is going to be a fight."

On NBC Nightly News (2/23, story 2, 2:30, Holt, 16.61M), Lester Holt reported that Bannon made "a rare public appearance." NBC's Hallie Jackson added, "Stepping out of shadows of the West Wing, one of the President's most trusted advisers in a rare public appearance." Jackson described the "controversial" Bannon as "the power behind the populist brand that propelled Donald Trump to victory."

The New York Times (2/23, Peters, Subscription Publication, 13.9M) reports that when Bannon on Thursday "appeared in public...for the first time since the president was sworn in, it was to deliver, in his own combative way, a message of soothing reassurance to the conservative activists" at CPAC. Bannon told the crowd "not [to] believe the 'corporatist globalist media' that

was 'crying and weeping' on election night and is still 'dead wrong' about what the Trump administration is doing. Inside the White House, Mr. Bannon said, everything is going according to plan. The 'deconstruction of the administrative state' has just begun."

The Washington Times (2/23, Sherfinski, 272K) reports that Bannon and Priebus "assured conservatives" that Trump "will keep pressing on 'all of those promises' that got him elected, rejected reports of chaos within the White House and accused a hostile press of trying to undermine the new administration." The Times adds, "The joint appearance of" the pair "seemed designed to combat reports of discord within the White House – a characterization Mr. Priebus called 'ridiculous' and Mr. Bannon called 'dead wrong.'"

The Washington Post (2/23, Rucker, Costa, 11.43M), describing Bannon as "the reclusive mastermind behind...Trump's nationalist ideology and combative tactics," reports that Bannon delivered "a fiery rebuke of the media and [declared] that the new administration is in an unending battle for 'deconstruction of the administrative state,'" by which he meant "the system of taxes, regulations and trade pacts that the president says have stymied economic growth and infringed upon US sovereignty."

Breitbart (2/23, Spiering, 2.02M) reports that the crowd "applauded and cheered when Bannon spoke of the deconstruction of the administrative state, cutting cabinet agency regulations that were choking business growth. 'The way the progressive left runs is that if they can't get it passed, they're just going to put it in some sort of regulation in an agency,' he said. 'That's all going to be deconstructed.'"

The Los Angeles Times (2/23, Bierman, 4.52M) reports that during "a rare public appearance together," Bannon and Priebus "agreed on one common enemy: the media." The Times says Priebus, "who is often described as 'embattled,' said he has grown 'conditioned' to the media counting Trump out: during the presidential campaign, the transition and the first month of the presidency. 'The biggest misconception is everything that you're reading,' Priebus said." Bannon, meanwhile, "consistently called the media 'the opposition party.'"

Reuters (2/23, Cowan, Sullivan) reports that Bannon, making "a rare public appearance," urged "conservatives to unite behind [Trump] as he presses his agenda." Bannon told "the gathering, 'We want you to have our back' in upcoming battles, and [denounced] media criticism of Trump."

The Huffington Post (2/23, Bobic, 237K) reports that Bannon "denounced the 'corporatist, globalist media' for being 'adamantly opposed to an economic nationalist agenda'" being pushed by Trump. Bannon "repeated a reference to the media as the 'opposition party,' and bashed it for being 'always wrong' about the workings of the administration." Priebus concurred with the assessment, "adding that he hoped the relationship between the press and the White House would improve. 'It's going to get worse,' Bannon said."

The Wall Street Journal (2/23, Bender, Subscription Publication, 6.37M) reports that Bannon pledged that Trump's budget proposal would make good on the President's campaign vows. Said Bannon, "We have a team that's just grinding it through on what President Donald Trump promised the American people. And the mainstream media better understand something – all those promises are going to be implemented." The Washington Times (2/23, Ernst, 272K) quotes Bannon as saying of Trump, "He's laid out an agenda with those speeches, with the promises he made, and our job everyday is just to execute on that." Bannon added, "And he's maniacally focused on that."

Bannon, Priebus Dispute Reports That They Are At Odds With Each Other. The Hill (2/23, Kamisar, 1.25M) reported that while Bannon was "portrayed by 'Saturday Night Live' as the Grim Reaper" and "on the cover of Time magazine as 'the great manipulator,'" during Thursday's "rare public appearance," he "presented a softer image." The Hill added that Bannon "was relaxed and smiling on the convention hall stage next to a chipper Priebus," as the pair "sought to temper Bannon's public image and rebut reports of discord between the administration's top two advisers."

USA Today (2/23, Jackson, 5.28M) says that both men "disputed media reports casting them as rivals in Trump's political court, and each said they are working together to advance the president's ambitious agenda." USA Today adds, "Moderator Matt Schlapp – chairman of the American Conservative Union, which sponsors CPAC – seemed amused by the Bannon/Priebus pleasantries, saying at one point, 'you guys have been so kumbayah.'"

McClatchy (2/23, Glueck, 74K) reports, "Despite several weeks of often-rough headlines for the administration and rampant chatter about tensions between Bannon and Priebus, the two men sought to project unity." Said Priebus, "In regard to us two, the biggest misconception is everything you're reading," adding, "We share an office suite together, we're basically together from 6:30 in the morning until about 11:00 at night."

Law Professors File Misconduct Complaint Against Conway.

The Washington Post (2/23, Horwitz, 11.43M) reports that a group of law professors has filed a misconduct complaint against Conway, "who was admitted to the D.C. Bar in 1995." The letter, from 15 professors who specialize in legal ethics, "said Conway should be sanctioned for violating government ethics rules and 'conduct involving dishonesty, fraud, deceit or misrepresentation.'" The professors "cite several incidents, including a television interview in which Conway made the 'false statement that President Barack Obama had 'banned' Iraqi refugees from coming into the United States for six months'" after the "Bowling Green Massacre," as well as "the use of her position to endorse Ivanka Trump products." They argue that while Conway once "understood her ethical responsibilities as a lawyer and abided by them." She "is currently acting in a way that brings shame upon the legal profession."

Spencer Asked To Leave CPAC.

The Washington Times (2/23, Sherfinski, 272K) reports that "ethno-nationalist 'alt-right' movement" leader Richard Spencer "was booted from the Conservative Political Action Conference (CPAC) on Thursday." American Conservative Union spokesman Ian Walters said, "He's not welcome here." Spencer posted a video online in which he "said he was 'expelled' from the event and had been 'politely asked to leave.'"

The Washington Post (2/23, Weigel, 11.43M) says that in his speech to the conference, ACU executive director Dan Schneider "challenged the media to stop referring to the 'alt-right,'...as conservative." Schneider said, "There is a sinister organization that is trying to warp its way into our ranks. ... We must not be deceived by [a] hateful, left-wing fascist group." He continued, "They hate the Constitution. They hate free markets. They hate pluralism. ... Fascists tend to want big government control."

Chamber of Commerce: Trump Should Halt, Evaluate Fiduciary Rule.

US Chamber of Commerce Center for Capital Markets Competitiveness President and CEO David Hirschmann and Randel Johnson, the chamber's senior vice president of labor, immigration and employee benefits, write in a USA Today (2/23, 5.28M) op-ed that President Trump's request to review the Labor Department's "well-intentioned, but poorly designed, fiduciary rule" is "a necessary first step in halting the rule's implementation and calling for an evaluation of its true impact." Hirschmann and Johnson say the rule's "rushed compliance period, severe consequences and compliance burdens" hinder small businesses' retirement plan offerings, and its flawed enforcement mechanism will lead to "frivolous lawsuits."

USA Today: Existing "Commonsense" Fiduciary Rule "Should Not Even Be Controversial." In an editorial, USA Today (2/23, 5.28M) argues the fiduciary rule the Administration has put under review is "not an onerous regulation," but rather a "commonsense rule" that "should not even be controversial." The fiduciary rule is a "simple measure that is needed to boost savings rates," and its end "will simply make brokerages richer at the expense of unsophisticated savers," says USA Today.

Stocks "Wobbled" As Dow Rises For 10th Straight Day.

The AP (2/23) reports that stocks "wobbled Thursday as investors changed course and tempered their expectations for faster economic growth." The Dow added 34.72 points to close at 20,810.32 and the S&P 500 rose 0.99 points to finish at 2,363.81, while the Nasdaq ended the day 25.12 points lower at 5,835.51. USA Today (2/23, Shell, 5.28M) says Thursday was the first time in nearly four years that the Dow "finish[ed] higher 10 consecutive trading days."

Scott Pelley said on the CBS Evening News  (2/23, story 5, 1:40, Pelley, 11.17M) that

"many people" are referring to it as "the Trump Rally." Jim Axelrod added that "industrial companies are expecting an increase in infrastructure spending as we saw today when the President met with manufacturing executives to discuss jobs." The President "has signaled he will push for an infrastructure spending bill, and, of course, everyone likes the signals on corporate tax reforms and regulation rollbacks." Early Thursday evening, Trump tweeted a Fox Business story headlined, "S&P 500 Edges Higher After Trump Renews Jobs Pledge." As 11:30 p.m., the post had been retweeted more than 6,000 times and liked more than 32,000 times.

A separate USA Today (2/23, Shell, 5.28M) analysis says that while "optimism is on the rise as investors cheer better economic numbers and stronger corporate profits," Lamar Villere, co-manager of the Villere Balanced Fund, warned, "The first time one of Trump's major economic policy platforms gets shut down by Congress, you might get the market to say, 'Hmm, maybe this won't happen.' The market could start to get shaky. ... You could have a pullback, as it would remove one of the main reasons for the rally." USA Today goes on to list other factors "that could roil the market."

State Department Says Press Briefings Will Resume "Soon."

The Washington Times (2/23, Taylor, 272K) reports the State Department is "pushing back against criticism from former senior officials and journalists over the lack of press conferences and other media access" at the department since Secretary of State Tillerson was sworn in three weeks ago. "The Department of State continues to provide members of the media a full suite of services," acting spokesman Mark Toner said, asserting that the department had "answered 174 questions from reporters in the [US] and around the globe in the past 24 hours alone." Toner also said "regular press briefings" will resume "soon" as officials explore ways to try and open them digitally to a wider group of reporters.

Under Fire At Town Halls, Republicans Hedge Their Support For Trump Agenda.

The Washington Post (2/23, Weigel, 11.43M) reports that town halls being held this week during the congressional recess "have repeatedly found Republicans hedging their support for" President Trump's "agenda – and in many cases contradicting their own past statements. Hostile questions put them on record criticizing some of the fights...Trump has picked, or pledging to protect policies such as the more popular elements of Obamacare. And voters got it all on tape, promising to keep hounding their lawmakers if they falter." As one example, the Post says that Sen. Chuck Grassley, asked during a town hall whether he backs an investigation of "Trump's tax returns," offered "a qualified 'yes.'"

On the CBS Evening News (2/23, story 4, 2:15, Pelley, 11.17M), Scott Pelley reported, "Congressional Republicans are getting an earful in their town hall meetings." CBS' Nancy Cordes added, "The question for Republicans this week: How strongly to defend the President. ... When they're already dealing with Democratic anger over plans to repeal Obamacare."

Politico: Republicans Divided On Whether Paid Protesters Behind Raucous Town Halls. Politico (2/23, Nelson, 2.46M) reported, "A rift has opened up among Republicans over whether paid protesters are the root cause of raucous town halls, with the White House fueling the narrative that organized, disruptive sympathizers of Hillary Clinton are the culprits." Politico said GOP lawmakers "have taken different stances in the debate." For example, Grassley has argued "there's no 'evidence' that paid protesters are disguising themselves as angry constituents." However, "others have adopted a stance more in line with the White House's," with Rep. Jason Chaffetz, for instance, contending "that Democrats were 'bullying' in a 'concerted effort' to create chaos."

Under the headline "Takeaways From A Week Of Raucous Town Halls," Politico (2/23, Cheney, 2.46M) reported, "Some Republicans – including White House aides – have complained that the protests popping up at town halls have been orchestrated by liberal activists, perhaps by paying out-of-district residents to pack GOP events. But lawmakers who showed up weren't so sure they were facing an artificial resistance."

In another report, Politico (2/23, Nelson, 2.46M) said that Counselor to the president Kellyanne Conway, appearing Thursday on Fox News, "dismissed the angry crowds that have filled

town hall meetings hosted by GOP lawmakers across the country as little more than the venting of frustration by a directionless Democratic Party." Said Conway, "Some people are upset with an election result they didn't see coming. And the fact that this president, a man of action and impact is actually keeping his promises at very fast clip early in his administration."

WSJournal: Many At GOP Town Halls New To Political Activism. Under the headline "America's Rowdy Town Halls: More Organic Than Organized," the Wall Street Journal (2/23, Tau, Andrews, Subscription Publication, 6.37M) reports that the White House and leading Republicans have for the most part contended the angry crowds showing up at GOP town halls are the product of professional organizers and activists who are being paid. However, the Journal says interviews it conducted, both with attendees of a town hall held this week by Rep. Leonard Lance and audience members at similar events across the US, found that a number of those people had never taken part in a town hall or political activism of any sort.

Sen. Bernie Sanders said on CNN's Out Front (2/23, 409K), "If you don't have the guts to face your constituents, you shouldn't be in the United States Congress. If you need police at the meetings, that's fine, have police at the meetings, have security at the meetings. But don't use that as an excuse to run away from your constituents after you support repealing the Affordable Care Act, doing away with pre-existing conditions. If you're going to do all those things, answer the questions your constituents have."

Meanwhile, a number of reports on the topic focus on various GOP lawmakers across the country. CNN (2/22, Williams, Murphy, 29.79M) reported on its website, "After testy town halls" held by Republican lawmakers such as Chaffetz and Grassley "went viral, some GOP politicians are staying clear of town hall-style events in their home districts." In response, "constituents have turned to some creative ways to voice their displeasure." For example, referring to Rep. Paul Cook, CNN said, "Missing congressman notices have been photographed on milk cartons and posted to the @WhereIsPaulCook Twitter account and website."

The AP (2/23) reports that Rep. Martha McSally "held a town hall-style meeting in Sahuarita," taking "questions from a loud but largely non-confrontational audience Thursday at a church that seats about 300. Organizers of a competing town hall in Tucson had repeatedly invited McSally, but she refused to attend that event," saying "activists wanted an opportunity to verbally berate members of Congress in a public setting and" calling "the attempt a 'political ambush for political theater.'" On its website, CNN (2/23, Fox, 29.79M) reported that McSally "broke with her party and President Donald Trump on a handful of occasions and yet failed to assuage the progressives in the audience who screamed at her to 'answer the question.'"

In another dispatch, the AP (2/23) reports, "A sometimes hostile crowd peppered" Rep. David Young on Thursday "with questions about the Affordable Care Act, environment and other issues at a public forum in Urbandale." The AP says an audience member asked Young "if health care would remain affordable for his 1-year-old son, who was born with a serious health problem. The crowd jeered Young as he sidestepped giving 'a definite answer' but said the boy wouldn't be denied care."

Study: Anti-Muslim, Anti-Immigrant Hate Groups Thrive On Twitter.

USA Today (2/23, Eversley, 5.28M) reports a study released this week by the community security research organization Safe Home this week shows hate groups targeting Muslims and immigrants had the largest number of followers on Twitter, and the number of likes and comments on hate group tweets was higher in 2016 than any year since 2008. Geographically, the Southern states of Arkansas, Mississippi, and Tennessee are home to the highest number of hate groups per capita, with South Dakota and Montana not far behind.

WSJournal: Gorsuch Confirmation Will Buttress Second Amendment Rights.

The Wall Street Journal (2/23, Subscription Publication, 6.37M) editorializes that the 4th Circuit Court of Appeals' ruling this week upholding Maryland's ban on military-style weapons underscores the importance of confirming Judge Neil Gorsuch to the Supreme Court, arguing that with Gorsuch on the court, a new majority will soon be in place to reinforce the court's ruling in DC v. Heller, in which it upheld the individual right to bear arms.

WPost: Bowser's Experienced Police Chief Choice Newsham "Makes Sense."

The Washington Post (2/23, 11.43M) editorializes that Mayor Muriel Bowser's Thursday announcement that Peter Newsham will succeed Cathy Lanier as D.C. police chief, pending D.C. Council approval, "makes sense" for his help "transforming the department into a model agency." Noting his 28-year commitment to the D.C. force, the Post says he worked closely with police chiefs in the reform and professionalization of the force that has led to "a declining crime rate, the pioneering use of data and a department held out as a national example of how to make community policing work." The Post estimates that Newsham will survive inquiry into the "blemishes on his record" because he has learned lessons that put "him in good stead" to fulfill police chief responsibilities.

Arkansas Supreme Court Strikes Down City's LGBT Protections.

The AP (2/23, DeMillo) reports from Little Rock, AR that the Arkansas Supreme Court on Thursday "struck down a city's ordinance banning discrimination based on a person's sexual orientation or gender identity, but it stopped short of saying whether a state law aimed at prohibiting such local LGBT protections is constitutional." The court "reversed a judge's decision that Fayetteville's anti-discrimination ordinance didn't violate a state law prohibiting cities from enacting protections not covered by state law." The AP adds that Fayetteville, "a liberal enclave in northwestern Arkansas, is one of several cities that approved local protections for lesbian, gay, bisexual and transgender people in response to the 2015 law." In the unanimous ruling, "the justices rejected the argument that Fayetteville and other cities with such ordinances have made, that such protections are covered elsewhere in state law."

SCOTUS Will Not Hear Ohio Man's Amish Hair-Cutting Case.

The AP (2/23) reports that the Supreme Court "won't review the case of the Ohio leader of a breakaway group that was accused in hair- and beard-cutting attacks on fellow Amish." Defense attorneys "challenged the constitutionality of the federal hate crimes law and how a kidnapping allegation was used to stiffen the sentence for 71-year-old Samuel Mullet Sr.," who "petitioned the Supreme Court after a federal court rejected his appeal last May." Mullet's attorney, Ed Bryan, said "he is disappointed by the high court's decision this week not to take up the case." Prosecutors "said some of the victims in the 2011 attacks were awakened in the middle of the night and restrained as others cut their hair and beards, which have spiritual significance in the Amish faith," and "prosecutors alleged the motive was religious, while the defense attributed it to family disputes."

Cruz Predicts Another SCOTUS Vacancy Later This Year.

The Washington Post (2/23, Sullivan, 11.43M) reports that in "one of his most prominent political appearances in months," Sen. Ted Cruz predicted at the Conservative Political Action Conference Thursday "that there will be another vacancy on the Supreme Court later this year" and "appeared to suggest that a departure of one of justices from the liberal wing of the court would trigger the opening." Cruz said, "The Scalia seat is defense. ... We're not going to get any better than Justice Scalia. The best we can do is preserve constitutional victories like upholding the Second Amendment. . . . I think we'll have another Supreme Court vacancy this summer. If that happens, as much as the left is crazy now, they will go full Armageddon." Cruz reiterated those comments in an interview with Fox News' Special Report (2/23, 1.53M), saying, "I think the odds are very good we will see a [Supreme Court] vacancy this summer. If not this summer, next summer. ... The next vacancy, which is going to be the opportunity to shift the course of this court, to put a five justice majority of constitutionalists on the court – that's going to be Armageddon and we need to be prepared to make the case to the American people."

INTERNATIONAL NEWS

Military Leaders Want Higher Level Talks With Russia About Air Operations Over Iraq, Syria.

The Washington Post (2/23, Lamothe, 11.43M) reports that senior US military officials "want to elevate talks with Russia about air operations over Iraq and Syria" in an effort to prevent mid-air collisions. However, the Post says that the prospect of discussions on the issue are "complicated by concerns at the Pentagon that doing so will make it look like Washington and Moscow have begun to collaborate on the battlefield." A 2015 agreement between the US and Russia "called for the use of specific communication frequencies and the establishment of a phone hotline" to deconflict operations, but Lt. Gen. Jeffrey Harrigian indicated the existing agreement has not provided US officers many options when there are points of contention between the two military forces. Harrigian said, "Our perspective has been that there needs to be another layer that allows us to have a more senior-level discussion, and we've got to work through where that layer is."

Treasury Department Sanctions Two Nusra Front In Syria Leaders.

The AP (2/23, Schectman) reports the Treasury Department on Thursday placed two Nusra Front in Syria leaders – Iyad Nazmi Salih Khalil and Bassam Ahmad al-Hasri – on its sanctions blacklist. The US says the men helped oversee the group's operations in Syria, with Khalil acting as its third-highest ranking official.

Syrian Peace Talks Resume.

The AP (2/23, Soguel, Keaten) reports talks to end the Syrian conflict restarted on Thursday with UN envoy Staffan de Mistura saying the negotiations present an opportunity to end the war and give hope to country's population. Mistura said, "The Syrian people all want an end to this conflict and you all know it." Mistura added, "They are waiting for a relief of their own suffering, and the dream of a new road out of this nightmare to a real and normal future in dignity." Mistura indicated that he will hold separate talks with each side as they try to create a plan that would lead to discussions about governance, a new constitution, and elections.

Iraqi Forces Seize Most Of Mosul Airport.

ABC World News Tonight  (2/23, story 9, 0:45, Muir, 14.63M) reported that Iraqi forces on Thursday were "taking control" of the airport in Mosul, and the New York Times (2/23, Callimachi, Gordon, Subscription Publication, 13.9M) says the troops seized most of the facility. The Times says the progress is "an important milestone" in the effort to recapture the western half of Mosul and "is a promising start to what is expected to be a difficult and bloody fight." US Brig. Gen. Matthew Isler said Iraqi forces are "most of the way through the airfield," which New Zealand Brig. Gen. Hugh McAslan said is "ahead of schedule of where we thought they would be."

NBC Nightly News  (2/23, story 7, 1:45, Holt, 16.61M) reported "the offensive is not over" and it "could take another two or three days to secure the airport." The CBS Evening News  (2/23, story 7, 2:10, Pelley, 11.17M) showed CENTCOM Commander Gen. Joseph Votel saying that while the operation "might" go "faster if we did it ourselves," he is "pretty convinced the way we are approaching this, this campaign this time, working through our partners, is kind of the right way of doing it." Votel added that the Iraqis "own this" and "we are helping them, helping them to fight, but we are not fighting for them."

Trump Wants US Nuclear Capabilities To Be At "Top Of The Pack."

NBC Nightly News  (2/23, story 3, 0:55, Holt, 16.61M) reported that in an interview with Reuters on Thursday, President Trump "doubled down in his desire to beef up the nation's nuclear punch." ABC World News Tonight  (2/23, story 2, 1:15, Muir, 14.63M) said Trump "declared he wants the United States to be the world's dominant nuclear power." Trump: "It would be wonderful. A dream would be that no country would have nukes, but if countries are going to have nukes, we're going to be at the top of the pack." Jonathan Karl said Trump's comment comes after Russia violated a 1987 nuclear treaty by deploying a new cruise missile, which the President called "a big deal." In his interview with Reuters (2/23, Holland), Trump called New START "a one-sided deal." Said the President, "Just another bad deal that the country made, whether it's START,

whether it's the Iran deal. ... We're going to start making good deals."

Trump Likes Two-State Solution, But Will Leave It Up To Israelis, Palestinians.

In an interview with Reuters (2/23, Holland), President Trump said Thursday that he "likes the concept of a two-state solution to the Israel-Palestinian conflict," but "stopped short of reasserting a US commitment to eventual Palestinian statehood and instead said again" he would be "satisfied with whatever makes both parties happy." Said the President, "I like the two-state solution. But I ultimately like what the both parties like." Reuters says the comments "put a new twist" on a statement he made earlier this month at a news conference with Israeli Prime Minister Benjamin Netanyahu that could "send a signal to both sides, as well as the international community, that the principle...will not be discarded if the Trump administration moves forward, as he has promised, with an initiative to restart long-stalled peace efforts."

Haley Meets With Parents Of Slain Israeli Soldier. The AP (2/23) reports Ambassador Haley met Wednesday with the parents of an Israeli soldier "whose remains have never been returned after he was killed in Gaza." Haley told Leah and Dr. Simcha Goldin "that she'd work with them and Israeli diplomats to advocate for the return, the US Mission said."

Israel Bars Human Rights Watch. The Washington Post (2/23, Booth, 11.43M) reports Israeli has barred an American investigator from Human Rights Watch from entering the country, saying Thursday that the group is "systematically anti-Israel" and works as a propaganda tool for the Palestinians. Officials at the rights group "denounced the decision to deny entry to Omar Shakir," an Iraqi-American.

Trump "Not Liking" Chinese And North Korean Military Moves.

In an interview with Reuters (2/23) on Thursday, the President said he is "not liking" recent military moves by China and North Korea. Said Trump, "I know exactly what's going on between China and North Korea and everybody else. But I don't like talking about military strategy in newspapers. ... I'm not liking it. This didn't take place under the Trump Administration, this took place under the Obama Administration. Many things took place that should not have been allowed. One of them is the building of a...massive military complex in the middle of the South China Sea." Politico (2/23, Lima, 2.46M) reports that while Trump "praised China for halting coal imports from North Korea, he stressed the country's importance in avoiding escalating matters" with Pyongyang, saying, "Whether they say so or not is up to them, but they have tremendous control over North Korea. I think they could solve the problem very easily if they want to."

Satellite Images Show Reinforced Chinese Surface-To-Air Missile Sites On Disputed Islands. The Washington Post (2/23, Gibbons-Neff, 11.43M) reports on its website that new satellite images show the Chinese military "shoring up its defenses on a disputed island chain in the South China Sea, adding what appears to be reinforced launch sites for surface-to-air missiles on at least three atolls." The existence of the new launch sites was first reported by Reuters on Wednesday, and on Thursday, "photos of the nearly completed structures were obtained" by CSIS.

North Korea Mocks China For "Dancing To US Tune." The Wall Street Journal (2/23, Cheng, Wong, Subscription Publication, 6.37M) reports North Korea criticized long-time ally China in a state-media commentary published Thursday. The commentary, published by the state-controlled Korean Central News Agency, didn't specifically name China, instead referring to "a neighboring country, which often claims itself to be a 'friendly neighbor'." According to the piece, the unnamed country is "styling itself a big power, is dancing to the tune of the US."

Malaysia: Kim Jong-Nam Killed By VX Nerve Agent. The New York Times (2/23, Paddock, Sang-Hun, Subscription Publication, 13.9M) reports Malaysian police announced Friday that the poison used to kill Kim-Jong-Nam, the half-brother of the North Korean leader Kim Jong-Un, was VX nerve agent, which is considered a chemical weapon under Chemical Weapons Conventions of 1997 and 2005. Police said samples taken from Kim's skin and eye were identified as the deadly nerve agent. The Washington Post (2/23, Fiffield, 11.43M) says the finding adds "to the increasing pile of evidence suggesting that Kim Jong Un's regime in North Korea was behind the brazen and public attack on Kim Jong Nam in a Kuala Lumpur airport terminal last week." CNN's Situation Room  (2/23, 554K), however, reported that North Korea is "pushing back

strongly" against claims that the regime ordered Kim Jong-Nam's assassination.

A Wall Street Journal (2/23, Subscription Publication, 6.37M) editorial urges the Trump Administration in the wake of Kim Jong-Nam's assassination to label North Korea a state sponsor of terrorism.

Kushner, Ivanka Trump Pushed To Remove Climate Deal Criticism From Executive Order.

The Wall Street Journal (2/23, Harder, Nicholas, Subscription Publication, 6.37M) reports President Trump's son-in-law, Jared Kushner, and daughter Ivanka Trump pushed to have language critical of an international climate deal removed from a soon to be released executive order, according to multiple sources. The President s expected to sign within days at least two executive orders dismantling former President Obama's climate and environmental regulations.

UN Climate Chief Seeks Meeting With Tillerson. Bloomberg News (2/23, Shankleman, 2.41M) reports UN climate chief Patricia Espinosa "is not taking no for an answer as she travels next week to Washington in the hope of meeting" with Secretary of State Tillerson. But so far, she has not received a response. "The process has been difficult for them to get started, so I don't know if I will be able to see the Secretary of State this time," Espinosa told reporters. State Department spokesman Noel Clay "said he had nothing to confirm at this time."

Scientists Urge Trump To Withdraw From UN Climate Agency. According to the Washington Times (2/23, Richardson, 272K), "more than 300 scientists have urged President Trump to withdraw from the UN's climate-change agency, warning that its push to curtail carbon dioxide threatens to exacerbate poverty without improving the environment." In a letter to the President, MIT professor emeritus Richard Lindzen called on the US and other nations to "change course on an outdated international agreement that targets minor greenhouse gases," starting with carbon dioxide.

Swedish Minister Hits Back At Trump Criticism.

Reuters (2/23, Ahlander) reports Sweden "hit back" on Thursday at criticism from President Trump, "defending its generous immigration policies and saying the diversity from thousands of asylum seekers would build a stronger society." Justice and Migration Minister Morgan Johansson told Reuters in an interview, "The next time I hope the president, if he's going to speak about Sweden, is better informed about what the conditions really are here," noting that unemployment figures continue to fall and public finances are in sound order, despite record number of immigrants.

Max Karlsson, a 22-year-old Swede who has been running the @Sweden account on Twitter since Monday, writes in the Washington Post (2/23, 11.43M) that "fact-checking a president is an unusual task, but even people in power have to be held responsible for making unverified claims — and President Trump is no exception." Karlsson says "Trump's remarks, echoing those of high-level xenophobes, are reckless and not to be thrown around lightly. It's surreal seeing the leader of the free world actually believing that Sweden in going down the drain, making comments that risk increasing polarization and, on a larger scale, dehumanizing migrants and ignoring the human right to asylum."

Lebanon Fearful Being Caught Up In Trump's Iran Push.

The Wall Street Journal (2/23, Trofimov, Subscription Publication, 6.37M) reports that as President Trump seeks to step up pressure on Iran, Lebanon – home to Tehran ally Hezbollah – fear it will get caught up. Ali Bazzi, a lawmaker from the Shiite Amal bloc allied with Hezbollah, warned that it would be counterproductive for the US to halt aid to the Lebanese army.

Duterte Critic Arrested On Corruption Charges.

The New York Times (2/23, Villamor, Subscription Publication, 13.9M) reports that a Philippine court on Thursday ordered the arrest of a senator who had been "the leading domestic critic" of President Rodrigo Duterte and his anti-drug campaign "on charges that she took bribes from imprisoned drug traffickers." The senator, Leila de Lima, denied the charges, "saying they amount to political persecution."

France's Le Pen Endorses Trump With "Nothing But Praise."

French "far-right" presidential candidate Marine le Pen told the AP (2/23, Ganley) Thursday she "has nothing but praise" for President Trump, citing "the promotion of a form of intelligent protectionism, of economic patriotism" and his "rupture with total free trade imposed on the world." Le Pen said, "There is no (untoward) international fallout" from the President's actions, after laying out her proposed foreign policy approach that focuses on "France going it alone."

Juncker: EU Will Work With Ireland To Prevent Hard Border Post-Brexit.

The AP (2/23) reports EU Commission President Jean-Claude Juncker said Thursday the commission and "the Irish government will work closely" to avoid the establishment of "hard borders" on the island post-Brexit. Irish Prime Minister Enda Kenny says the peace accord with the UK does not allow for a hard border that would restrict travel.

NYTimes Analysis: European Governments, Like America, Less Welcoming To Migrants.

The New York Times (2/23, Smale, Subscription Publication, 13.9M) interprets Germany's wiretapping approval and mass deportation Wednesday as "a clear sign of the stiffening political headwinds that have made Europe, like America, a less welcoming place for migrants." Although Sweden, the UK, Italy, and Hungary are all "restricting their welcome to strangers," Germany's steps are "more assertive," says the Times, noting this is a year in which Chancellor Angela Merkel faces a tough election challenge. Amnesty International is among the organizations who criticize European states for being too harsh on migrants "simply seeking a better life or striving to escape war and persecution."

Danish Man Who Burned Quran Charged With Blasphemy.

The New York Times (2/23, De Freytas-Tamura, Subscription Publication, 13.9M) reports that a Danish man who burned a Quran and posted a video of it on Facebook has been charged with blasphemy, "a striking decision by prosecutors in a country that is largely secular but has grappled with the role of Islam in public life." According to the Times, the decision "stunned many" in the country, which has not convicted anyone of blasphemy since 1946.

Congress Urged To Withhold UN Funding.

Ron Prosor, a former Israeli ambassador to the UN, writes in the Wall Street Journal (2/23, Prosor, Subscription Publication, 6.37M) that Congress should withhold its funding to the UN until the world body returns to its core values, becomes more efficient, and halts its frequent attacks on American values and allies.

Krauthammer: Trump's "Two-Track" Foreign Policy May Work.

Charles Krauthammer writes in his column for the Washington Post (2/23, 11.43M) that the set-up of the Administration is "a glaring contradiction," with the heads of State, Homeland Security, the CIA, and especially Defense and the national security adviser representing "mainstream American internationalism," while the President is "inexperienced, untraditional, unbounded" in his approach to foreign policy. Krauthammer argues that so far, the "good-cop, bad-cop" maneuvering seems like it might work a la Nixionian "madman theory," like in cases of China, NATO, free trade, and the Israeli-Palestinian resolution. The risk is that "a two-track, two-policy, two-reality" approach to foreign policy is "unsettling and has the potential to go totally off the rails."

Zakaria: US Can Help Save The Center.

Fareed Zakaria writes in his column for the Washington Post (2/23, 11.43M) that amidst the "rise of radical forces on the left and right around the globe," "the center is rising again." Zakaria presents the likelihood that France's Emmanuel Macron will win the second round of the presidential election as a primary example. Macron is "emphatically in favor of free markets, globalization, the European Union and the transatlantic alliance," meanwhile being "an outsider, a reformer and a charismatic politician." German Chancellor Angela Merkel, with her 11-year reign, is

also a bastion of centrism, says Zakaria, who notes she lags behind a left-of-center Martin Schulz, "who is even more pro-European, cosmopolitan and globalist." The US will play a critical role in maintaining, or not, an environment where the center can flourish.

Super PAC Begins Ads Urging Flake, Heller To Back Investigation Into Trump's Russia Ties.

Roll Call (2/23, Pathé, 63K) reports the Democratic super PAC American Bridge 21st Century is launching a two-week digital ad campaign that targets Sens. Jeff Flake and Dean Heller, "urging them to back an independent investigation into President Donald Trump's ties to Russia." The super PAC, Roll Call says, plans to expand the campaign to other platforms as it targets "engaged voters" of all parties. The ads call on voters to petition the senators to seek the investigation.

Trump Says China "Grand Champions" Of Currency Manipulation.

Reuters (2/23, Holland, Lawder) reports President Trump on Thursday characterized China as the "grand champions" of currency manipulation. Trump said during an interview with Reuters that he has not "held back" in accusing China of manipulating the yuan, despite "not acting on a campaign promise to declare" Beijing a currency manipulator on its first day. Reuters adds that Trump's comments came hours after Treasury Secretary Mnuchin "pledged a more methodical approach to analyzing Beijing's foreign exchange practices." Mnuchin told CNBC that he is not prepared at this time to make a determination on China's currency practices.

China Replacing Three Senior Economic Officials. The Wall Street Journal (2/23, A1, Wei, Wong, Subscription Publication, 6.37M) reports that people familiar with the matter say that Chinese President Xi Jinping will be announcing changes to his economic team as China contends with domestic financial risk and tension with trading partners. The Journal says that with China's top banking regulator, commerce minister, and top economic planning official all at the retirement age of 65, two close associates of Xi and a well-known technocrat will replace them. Shandong Province Governor Guo Shuquing is expected to become the commissioner of the China Banking Regulatory Commission (replacing Shang Fulin), Vice Commerce Minister Zhong Shan will become Commerce Minister (replacing Gao Hucheng), and He Lifeng will head the National Development and Reform Commission (replacing Xu Shaoshi).

Trump Convenes Meeting Of Executives To Shape Economic Policies.

NBC Nightly News (2/23, story 6, 2:05, Holt, 16.61M) reported President Trump "met with the CEO of two dozens manufacturing companies" on Thursday and "asked for their help in coming up with the ways to bring back jobs that are lost to foreign competitions." The New York Times (2/23, Davis, Subscription Publication, 13.9M) reports the meeting is "giving powerful business leaders a potentially influential hand in shaping his still-evolving economic policies." Trump told the group, "My administration's policies and regulatory reform, tax reform, trade policies will return significant manufacturing jobs to our country." Trump added, "Everything's going to be based on bringing our jobs back – the good jobs, the real jobs. They've left and they're coming back. They have to come back." Trump said his campaign vow on taxes, jobs, and infrastructure helped him win the election and he "dispatched his cabinet and senior staff to gather input from the executives on what those packages should look like." Reuters (2/23, Shepardson, Gibson) reports the executives each attended one of four breakout sessions with Administration officials to discuss a variety of topics including conflict minerals regulations, a lack of qualified workers, export regulations for defense products, vocational training and business taxes.

Javers: Trump Was "Suggesting That A Strong Dollar Could Be Bad" For Caterpillar.

Eamon Javers said on CNBC's Closing Bell (2/23, 142K) that "we saw the President making some comments" during the meeting "that you don't typically hear from the President of the United States." Javers added that "to my ear that sounded a little bit like the President was suggesting that a strong dollar could be bad for Caterpillar in terms of the exports that the President's trying to encourage here. That's not something you usually hear from presidents." Javers continued, "Typically Treasury secretaries say the United States has a strong dollar and that's our policy, but here you're seeing a little bit of a shift here on the part of a White House that

wants to emphasize exports over imports."

GE CEO Recounts Trump's Golf Hole-In-One During "The Apprentice" Negotiations. The Washington Times (2/23, Boyer, 272K) reports that during the meeting with executives, the President "prodded" General Electric CEO Jeffrey Immelt to talk about the time Trump shot a hole-in-one on the golf course. The Times says that Immelt "dutifully told the tale of their golf outing in 2004" during negotiations between Trump and NBC for "The Apprentice" show. Immelt said, "President Trump goes up to a par three on his course. He looks at the three of us and says, 'You realize, of course, I'm the richest golfer in the world.' And then gets a hole-in-one." Immelt added, "I have to say, you know, I've seen the magic before." Trump then explained that he "actually said I was the best golfer of all the rich people, to be exact. But then I got a hole-in-one. So it was sort of cool."

NYTimes Analysis: Trump's Economic Policies Leading To "Fear" In Aerospace Industry. The New York Times (2/23, Johnson, Subscription Publication, 13.9M) reports that President Trump's discussion of "border tariffs and new trade deals" has led to "fear" in the aerospace industry that the policies "could raise the cost of American airplanes bought by foreign airlines or governments," leading to a trickle-down impact on the entire supply chain. The Times highlights Boeing as an example, saying that suffering sales or profits could impact the company's "nerve-system supply chain" which is composed of "more than 13,000 companies" in the US and "more than 1.5 million jobs."

Lane: US Business Leaders Must Speak Out Against Harmful Policies. In a Wall Street Journal (2/23, Subscription Publication, 6.37M) op-ed, Bill Lane – Caterpillar's former director of global government affairs – says that while US business leaders are praising or at least not pushing back against President Trump's efforts to prevent jobs from leaving the country, they realize that the approach would hurt their companies in the long run. Lane says the time has come for corporate America to speak out against policies that could hurt the US economy, while also continuing to support beneficial strategies.

THE BIG PICTURE

Headlines From Today's Front Pages.

Wall Street Journal:
China Shakes Up Top Economic Team Ahead Of Power Shuffle
US Talks With Mexico Clouded By Mixed Message
Where Are The Toilets? Order Glut Stretches Giant Jet Makers To Limit
America's Rowdy Town Halls: More Organic Than Organized

New York Times:
Weakened Democrats Bow To Voters, Opting For Total War On Trump
Stephen Bannon Reassures Conservatives Uneasy About Trump
Trump Vowed To Protect The Safety Net. What If His Appointees Disagree?
As Kelly And Tillerson Visit Mexico, Their Reassurances Differ From Trump's Stance
Bathroom Case Puts Transgender Student On National Stage
South Korea, Next Olympics Host, Went Shopping In North America To Build Its Hockey Teams

Washington Post:
Extremists Gain Strength In Syria As Rebels Falter
Few Homes Available For Millennials Ready To Buy
Cancer Patients Fear Possible Repeal Of Health Act
New Bethesda Project Stirs Up Old Ghosts
Bannon Presses "Deconstruction"

Financial Times:
Geert Wilders Suspends Dutch Election Appearances
Electric Carmakers On Alert As Funds Hoard Cobalt

Trump Appointee Gary Cohn To Stay Clear Of Goldman Matters
US Retreats From Trump Pledge On China Currency
Washington Times:
Advisers Assure Conservatives Trump Will Press On "Promises" That Got Him Elected
Mexico Chides US Immigration Policies, Admits Route For Illegal Immigrants
Trump's Order Gives A Boost To Bathroom Bills In 12 States
CPAC Expels "Alt-Right" Leader, Declares War On Movement
As Other Countries Eye Exit, Iceland Debates Joining EU
Mood In Benghazi Optimistic As Authorities Slowly Defeat Militants

Story Lineup From Last Night's Network News:
ABC: Trump-Immigration Crackdown; Trump-Nuclear Arsenal; Bannon-Trump Comment; Trump-LGBT Bathroom Guidelines; Kansas Racial Shooting; California Officer-Teen Feud; Teenage Hikers Murder Investigation; Chicago Deadliest Day; Iraq Mosul Offensive; Severe Weather; Landing Gear Failure; Female Jogger Murder Investigation; Whale Sighting; Powerball Lottery; Oscars Award.
CBS: Bannon CPAC Appearance; Trump-Immigration Crackdown; Deportation Rate; Town Hall Protests; Wall Street-Trump Rally; US Farming Crisis; Iraq Mosul Offensive; Gymnastics Team Doctor Sexual Abuse; Georgia Teacher Murder Investigation; Teenage Hikers Murder Investigation; North Dakota Pipeline Protest; Alan Colmes Dies; NCAA Basketball News; Civil Rights Photographer.
NBC: California Officer-Teen Feud; Conservative Political Action Conference; Trump-Nuclear Arsenal; Trump-Immigration Crackdown; Treasury Secretary-Tax Reform; US Manufacturing Jobs; Iraq Mosul Offensive; Severe Weather; Powerball Lottery; Health-Migraines; Alan Colmes Dies; Landing Gear Failure; Tiger Drone Attack; Grey Garden For Sale.

Network TV At A Glance:
Trump-Immigration Crackdown – 6 minutes, 15 seconds
Iraq Mosul Offensive – 4 minutes, 40 seconds
California Officer-Teen Feud – 4 minutes, 20 seconds
Bannon CPAC Appearance – 4 minutes, 20 seconds
Teenage Hikers Murder Investigation – 3 minutes, 35 seconds
Trump-Nuclear Arsenal – 2 minutes, 10 seconds
Severe Weather – 1 minute, 25 seconds

Story Lineup From This Morning's Radio News Broadcasts:
ABC: Trump-Nuclear Arsenal; DC Officers Shot; Conservative Political Action Conference; Kansas Racial Shooting.
CBS: Trump-Nuclear Arsenal; Kim Jung-Nam Assassination; Marijuana Legalization; Trump-Immigration Crackdown; Private Prison; Wall Street News.
FOX: Conservative Political Action Conference; Trump-Manufacturing Meeting; Trump-LGBT Bathroom Guidelines; DC Officers Shot.
NPR: Conservative Political Action Conference; Trump-Immigration Crackdown; Marijuana Legalization; Kim Jung-Nam Assassination.

WASHINGTON'S SCHEDULE

Today's Events In Washington.

White House:
PRESIDENT TRUMP — Makes remarks at CPAC; signs an Executive Order; meets with Governor John Kasich of Ohio; meets with President Pedro Pablo Kuczynski of Peru.
VICE PRESIDENT PENCE — Hosts the Governors Luncheon; delivers keynote remarks at the Republican Jewish Coalition Annual Shabbat Dinner.
US Senate: On recess from 17 Feb – 27 Feb.
US House: 9:30 AM House of Representatives convenes for pro forma session Location: Washington, DC http://www.house.gov/

On recess from 17 Feb – 27 Feb.

Other: 8:30 AM POLITICO State Solutions Conference – POLITICO Seventh Annual State Solutions Conference, featuring conversations with governors on approaches their states have taken to address complex problems. Speakers at morning session (8:30 AM EST) are Puerto Rico Governor Ricky Rossello, Colorado Governor John Hickenlooper, Alaska Governor Bill Walker, Utah Governor Gary Herbert, and Kansas Governor Sam Brownback. Speakers at afternoon session (1:30 PM EST) are Florida Governor Rick Scott, Arkansas Governor Asa Hutchinson, New Hampshire Governor Chris Sununu, Connecticut Governor Dannel Malloy, Montana Governor Steve Bullock, and Idaho Governor Butch Otter Location: Microsoft Innovation & Policy Center, 901 K St NW, Washington, DC www.politico.com https://twitter.com/POLITICOEvents #POLGOvs

Republican Governors Association Winter Meeting – Republican Governors Association Winter Meeting, with speakers including U.S. Ambassador to the U.N. and former South Carolina Governor Nikki Haley and Wisconsin Governor Scott Walker Location: Fairmont Hotel, Washington, DC www.rga.org https://twitter.com/The_RGA

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From: Rybicki, James E. (DO) (FBI)
Sent: Friday, February 24, 2017 7:18 AM
To: James B. Comey
Subject: RE: FBI Public Affairs News Briefing Friday, February 24, 2017

Excellent. I asked Kortan to double check that you were on the list. I'll bet you dropped off (immaculately). Copy on the conference room.

From: James B. Comey
Sent: Friday, February 24, 2017 7:16 AM
To: Rybicki, James E. (DO) (FBI) [redacted] b7E
Subject: RE: FBI Public Affairs News Briefing Friday, February 24, 2017

Thanks. Got em today. And let's do interview in my conference room. Better for them to write.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 2/24/17 7:07 AM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: FW: FBI Public Affairs News Briefing Friday, February 24, 2017

From: Bulletin Intelligence [mailto:[redacted] b7E
Sent: Friday, February 24, 2017 7:05 AM
To: [redacted]
Subject: FBI Public Affairs News Briefing Friday, February 24, 2017

Mobile version and searchable archives available at [redacted]

TO: THE DIRECTOR AND SENIOR STAFF
DATE: FRIDAY, FEBRUARY 24, 2017 7:00 AM EST

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- US Army Veteran Charged With Attempting To Support ISIL.
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- Continuing Coverage: FBI Interviews Reveal Bomb Plot Role Of Al-Qaeda Chief.
- Analysis: Police Concerned Administration Is Ignoring Threats Of Far-Right Extremists.
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- European Welfare Benefits "Accidentally" Fund ISIS Militants.
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- Pakistani Army's "Reject Disorder" Operation To "Indiscriminately" Target Terrorists.
- Officials Say Trump's Efforts To Accelerate Fight Against ISIS May Include More Troops.
- Dunford: US Must Address Flow Of ISIS Foreign Fighters.
- Senators Urge Tillerson To Hold Assad Accountable For War Crimes.
- Al Qaeda-Linked Groups Control "Key Swaths" Of Syria's Idlib Province.
- Turkish-Backed Rebels Seize Syrian Town Of Al-Bab From ISIS.
- The Hill: Gorka Made "Angry Phone Call" To Author Of Twitter Criticism.

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- Man Arrested In 11-Year-Old Investigation Of Georgia Teacher's Disappearance.
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- Prosecution Drops Some Charges In Former Utah AG's Public Corruption Case.
- Man Admits To Lying To FBI About Healthcare Contract For Alabama Jail.
- Dallas County Commissioner's Public Corruption Trial Delayed On Day One.
- Purported Whistleblower Says FBI Questioned Her Over Alleged Contracting Misconduct In Atlanta.
- FBI Investigates Reported Death Threats Against Muslims By NC Conservative Activists.
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- Authorities Arrest Nearly Three Dozen To Clear Out Dakota Access Protest Camp.
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- US Charges 13 From Missouri, Illinois With Drug Conspiracy.
- Deaths Of Two Alaskans Found In SUV Ruled Accidental.
- US Charges Pennsylvania Man With Gun Theft.
- Fugitive Shot By US Marshals Team In Michigan Expected To Survive.
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- DOJ Reaches Settlement With Former Prosecutor Who Alleged Sex Discrimination.
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FINANCIAL CRIME & CORPORATE SCANDALS

- Michigan Ponzi Schemer Sentenced to Five Years Incarceration.
- Former PA Governor's Aide Disbarred After Guilty Plea In FBI Sting.

- Former Comverse CEO Sentenced To 30 Months In Options Backdating Case.

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- Florida Man Pleads Guilty In Attempted Hack Of Clinton Foundation.
- Cellebrite Announces Ability To Crack Apple Devices Running iOS.
- Nevada Public Safety Director Argues For Creation Of Cyber Defense Office.
- Cyber Experts Warn That "Global Action Must Be Taken" On Cybersecurity Issues.
- Senator Calls For "Retro Approach" To Protecting Power Grid.
- Google Cracks SHA-1 Cryptographic Algorithm.
- Report: Majority Of Hackers Claim To Be Able To Break Cyberdefenses Within Hours.
- Bitcoin Hits "All-Time High."
- UK National Arrested In Connection With Deutsche Telekom Cyberattack.
- Coast Guard Admiral: Cyberwarfare Rules Of Engagement Poorly Defined.
- House Intelligence Staff Director: 2017 To Be A "Banner Year" For Congressional Cybersecurity Debates.
- Russian Hacking Group APT 28 Profiled.
- Continuing Coverage: States Oppose Critical Infrastructure Designation For Elections Systems.

INTERNATIONAL RELATIONS

- Hacked Texts Suggest Manafort Faced Blackmail Attempt From Ukrainian Official.

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- De Blasio To Meet With Prosecutors, FBI Friday.
- Local Leaders Comment On Possible Plans For FBI Expansion At Redstone Arsenal.
- FBI Director's Community Leadership Award Honors North Dakota Children's Advocacy Center.

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- DOJ Reverses Obama Order Phasing Out Private Contractors To Run Prisons.
- White House Says DOJ Will Crack Down On Recreational Marijuana.
- Media: Trump Calls Deportations "A Military Operation"; Kelly Quickly "Contradicts" Him.
- Trump Tweets "Chicago Needs Help" After Seven Homicides On Wednesday.
- Administration Reportedly Broadens Search For Fed Vice Chair For Bank Oversight.
- CNN: IC Concerned White House Wants Report Tailored To Justify Immigration Order.
- Illinois, Connecticut Officials Push Back On Trump's Immigration Enforcement Plans.
- Deportation Plan Dominates US Officials' Visit To Mexico.
- DeVos: Obama's Transgender Bathroom Guidance Was An "Overreach."
- Trump, Trudeau Discuss Border Cooperation.
- Southwest States May Hinder Trump's Border Wall.
- Former SOCOM Commander: Trump's Comments About Media A Threat To Democracy.
- O'Keefe Offering $10,000 For Evidence Of Wrongdoing By Media.
- Strassel: Conflict Over Pentagon Staff Hurting Efforts To Improve Pentagon.
- WPost: World Leaders Should Treat Public Health Issues Like National Security Threats.
- Republicans Expected To Use Congressional Review Act To Repeal Obama Agency Rules.
- Bannon Rips Media, Vows Trump Will Push Forward With Agenda.
- Law Professors File Misconduct Complaint Against Conway.
- Spencer Asked To Leave CPAC.
- Chamber of Commerce: Trump Should Halt, Evaluate Fiduciary Rule.
- Stocks "Wobbled" As Dow Rises For 10th Straight Day.
- State Department Says Press Briefings Will Resume "Soon."
- Under Fire At Town Halls, Republicans Hedge Their Support For Trump Agenda.
- Study: Anti-Muslim, Anti-Immigrant Hate Groups Thrive On Twitter.
- WSJournal: Gorsuch Confirmation Will Buttress Second Amendment Rights.
- WPost: Bowser's Experienced Police Chief Choice Newsham "Makes Sense."
- Arkansas Supreme Court Strikes Down City's LGBT Protections.
- SCOTUS Will Not Hear Ohio Man's Amish Hair-Cutting Case.

- Cruz Predicts Another SCOTUS Vacancy Later This Year.

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- Military Leaders Want Higher Level Talks With Russia About Air Operations Over Iraq, Syria.
- Treasury Department Sanctions Two Nusra Front In Syria Leaders.
- Syrian Peace Talks Resume.
- Iraqi Forces Seize Most Of Mosul Airport.
- Trump Wants US Nuclear Capabilities To Be At "Top Of The Pack."
- Trump Likes Two-State Solution, But Will Leave It Up To Israelis, Palestinians.
- Trump "Not Liking" Chinese And North Korean Military Moves.
- Kushner, Ivanka Trump Pushed To Remove Climate Deal Criticism From Executive Order.
- Swedish Minister Hits Back At Trump Criticism.
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- France's Le Pen Endorses Trump With "Nothing But Praise."
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- NYTimes Analysis: European Governments, Like America, Less Welcoming To Migrants.
- Danish Man Who Burned Quran Charged With Blasphemy.
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LEADING THE NEWS

FBI Rejected Priebus' Request To Contest Stories On Russia Contacts, Sources Say.

CNN (2/23, Sciutto, Perez, Prokupecz, Raju, Brown, 29.79M) reports online that "multiple" anonymous "US officials briefed on the matter" indicated "the FBI rejected a recent White House request to publicly knock down media reports about communications between Donald Trump's associates and Russians known to US intelligence during the 2016 presidential campaign." Sources indicated FBI Director James "Comey rejected the request for the FBI to comment on the stories...because the alleged communications between Trump associates and Russians known to US intelligence are the subject of an ongoing investigation." A White House official commented late Thursday that White House Chief of Staff Reince Priebus made the request only "after the FBI indicated to the White House it did not believe the reporting to be accurate."

USA Today (2/23, Cummings, 5.28M), the AP (2/24, Pace), the Huffington Post (2/23, 237K), the New York Daily News (2/24, Slattery, 4.45M), The Hill (2/23, Bolton, 1.25M), the International Business Times (2/23, Kreiter, 814K), the Daily Beast (2/23, 1.11M), and the New York Post (2/23, Perez, 3.82M) summarize the CNN report.

Jim Sciutto said on CNN's Situation Room  (2/23, 554K) that the White House "sought the help of the Bureau and other agencies investigating the Russian matter to say that the reports were wrong and that there had been no contacts." Evan Perez reported on CNN's

Situation Room  (2/23, 554K) that US law enforcement officials said the White House request began when White House Chief of Staff Reince Priebus met with FBI Deputy Director Andrew McCabe the day after those media reports broke. However, White House officials disputed that account, "saying that McCabe called Priebus that morning" and said a New York Times story on the matter "vastly overstated what the FBI knows about these Russia contacts."

Perez later said on CNN's Situation Room  that communication between the White House and the FBI is "unusual because of a decade-old restriction on such contacts." Perez added, "the request from the White House is a violation of those procedures to limit communications with FBI on pending investigations."

Politico (2/23, Lima, 2.46M) says Democrats have "ripped" the White House over the reports. Rep. Andre Carson (D-IN) said on CNN's Situation Room  (2/23, 554K), "The fact that the Administration is using its authority to impose on the FBI in a way that is unlawful and unethical, quite frankly, disturbs me." Carson was later asked if the White House contact with the FBI should be investigated, to which he replied  , "Without a question. I think it goes along the lines of other questionable acts not only the violation of the emolument clause and other violations and general Flynn speaking to Russian diplomats." Sciutto said on CNN's Anderson Cooper 360  (2/23, 686K) that the FBI is still investigating the communications between Trump associates and Russian officials, as are the House and Senate Intelligence Committees, according to several members of those panels.

Ignatius: US, Allies Must Resist Russia Influence Efforts Or "Post-West Era" May "Be Next." In his Washington Post (2/23, 11.43M) column, David Ignatius says "we may be missing the forest for the trees" in the story about Russia allegedly attempting to influence the US election as the effort "is part of a much bigger tale of Russian covert action" that used Trump's campaign as a "witting" or "unwitting" "tool." Ignatius urges Americans to "pay attention" because "this is how the Russians try to subvert politics – boldly, secretly and often corruptly." Ignatius adds that if the US and its allies "don't resist, a post-West era may indeed be next."

COUNTER-TERRORISM

New Orleans Jewish Community Center Evacuated After False Bomb Threat.

The New Orleans Times-Picayune (2/23, 656K) reports that on Thursday morning, the Jewish Community Center in New Orleans was evacuated "following a bomb threat, according to the New Orleans Police Department." However, "Mayor Mitch Landrieu tweeted just before 11 a.m. that the threat had been deemed 'non-credible,'" adding, "FBI is investigating. Be clear, anti-semitism will not be tolerated in NOLA." New Orleans JCC Executive Director Leslie Fischman "said they were outside for roughly 55 minutes before law enforcement cleared the building and allowed them to go back in," and that "this is the first threat the facility has received in her 21 years with the organization."

Analysis Highlights Difficulty Of Investigating Anti-Semitic Threats. TIME (2/23, 6.98M) contributor Katie Reilly provides an analysis of the challenges associated with investigating anti-Semitic threats. John Jay College of Criminal Justice adjunct professor James Mulvaney said, "Statistically, most of [the threats] are hoaxes. Realistically, you have to handle

every one as if it's the real deal." The article highlights the increased level of threats since the election of President Trump. Reilly notes that the FBI has said it is investigating "possible civil rights violations in connection with threats to Jewish Community Centers across the country."

Jewish Americans Reportedly Concerned Trump Is Not Taking Threats Seriously. Vox (2/23, 1.15M) contributor Sarah Wildman provides an 1,800-word analysis of "the epidemic of bomb threats against Jewish organizations," saying there is a "genuine fear that the country has entered into a new era where anti-Semitism has left the shadows, and taken a new, louder, bolder place on the center stage of American society." Wildman says "Trump is in denial about the dangers of white supremacists and neo-Nazis," citing Anti-Defamation League (ADL) Co-Director Oren Segal as asserting "not monitoring white supremacists...creates a feeling among Jewish Americans that their concerns are not being taken seriously."

Ecoterrorist Admits To Firebombing MSU In 1992.

The Detroit Free Press (2/23, Wolcott, 1.01M) reports that twenty-five years after a firebombing at Michigan State University, Rodney Coronado "admits he was solely responsible," and that he intended to destroy the research of Richard Aulerich because he thought it was "funded by the commercial fur industry." The morning of the bombing, the Animal Liberation Front (ALF) – which has been designated a domestic terrorist organization by the FBI – "claimed responsibility in a press release" that Coronado said he wrote. In 1993, Coronado was indicted "on seven counts, ranging from conspiracy to commit crimes against the United States to malicious destruction and arson." However, "in exchange for pleading guilty for arson" at MSU, charges for "attacks in other states were dropped." Coronado now runs "Great Lakes Wolf Patrol, a nonprofit organization dedicated to ensuring people followed the rules when it comes to hunting wolves."

US Army Veteran Charged With Attempting To Support ISIL.

The Washington Post (2/23, Wootson, 11.43M) reports US Army veteran Robert Hester "was charged last week with trying to support the Islamic State as part of what he thought was a coordinated attack against civilian targets and military installations." According to an affidavit in US District Court in Missouri, "agents swooped in during a meeting with a man Hester believed was an Islamic State contact. ... But the man was actually an undercover FBI agent who had been building a case against the 25-year-old father of two." The Post highlights the uptick in arrests of people suspected to be connected to ISIL, noting that "at one point, the FBI made an arrest almost every week in connection with the group."

"Radicalized" Georgia Man Charged With Possession Of Ricin.

The AP (2/23) reports an indictment filed Wednesday alleges north Georgia man William Christopher Gibbs had ricin, a "biological agent and toxin" without registration required by law. The AP adds, "Federal prosecutors said after the arrest that the FBI had 'identified no evidence that any poisonous or toxic substances have been dispersed or that the public is at risk' in the case."

The Atlanta Journal-Constitution (2/23, Habersham, 1.41M) reports that Gibbs had become radicalized online, saying, "Based on his social media profiles, Gibbs had recently become an adherent of the Church of Creativity, a largely internet-based holdover of the defunct Church of the Creator, a white supremacist, deeply anti-Semitic 'religion' that preaches racial warfare." US Attorney John Horn's office "charged Gibbs with one count of possession of a biological agent, a federal charge that carries a prison sentence of up to five years." The article notes the FBI's

arrest last week "of Benjamin McDowell in South Carolina after he allegedly bought a gun and ammunition off a federal agent posing as a member of the Aryan Nations."

Sudanese Immigrant To Be Sentenced For Aiding Bombing Plot.

The Washington Post (2/23, Weiner, 11.43M) reports ahead of Friday's sentencing of Sudanese immigrant Mahmoud Elhassan, who admitted he drove Joseph "Farrokh to the Richmond Airport and then lied to agents about his friend's plans." Farrokh was "convicted in a bombing plot." The Post says, "At first" Elhassan "appeared to be an accessory to Farrokh's plans. But prosecutors now say Elhassan was the instigator, having been radicalized long before the two met." However, "Elhassan's attorneys say he...was shaped by trauma," a victim of a hostile upbringing. Elhassan faces up to 28 years in prison.

Boy, 14, Receives Extra TSA Screening, Told He's On Watch List.

The AP (2/23) reports 14-year-old New Hampshire boy Peter Haas said he received "extra screening and a pat down" from the TSA "at Logan International Airport last week" after agents told him he was on a US government watch list. The TSA responded that "it vets all airline passenger names against the watch lists, and that it uses a variety of screenings, including random selection." However, "Haas' mother, Pam Jaquith, said a supervisor said the screening wasn't random and she needed to contact the Homeland Security Department." The AP adds, "The FBI said it couldn't comment as to how his name ended up on the list."

FBI Agents Testify In Malheur National Wildlife Refuge Case.

The Oregonian (2/23, Bernstein, 894K) reports on Thursday's testimony in the Malheur National Wildlife Refuge case. FBI Agent Matthew Yeager testified regarding "a slew of photos and messages that he found on defendant Darryl Thorn's Facebook page, including Thorn's stated plan of 'sneaking back' onto the Malheur National Wildlife Refuge a year ago." FBI agent Ben Jones testified Jason "Patrick had various roles during the occupation, according to a Jan. 7, 2016, breakdown of responsibilities found on [Ammon] Bundy's cellphone. He was to be in charge of 'organization,' 'morale'...and 'Speakers Flyers.'" A US "Bureau of Land Management special agent and several refuge employees testified earlier in the day about how the occupation hindered their work."

Continuing Coverage: FBI Interviews Reveal Bomb Plot Role Of Al-Qaeda Chief.

Newsweek (2/23, Moore, 862K) continues coverage of FBI interviews with American Al-Qaeda chief and young Nigerian national Umar Farouk Abdulmutallab, revealed in documents obtained by the New York Times under FOIA, which show that Anwar al-Awlaki "directed the young Al-Qaeda member from the militant group's safe houses in Yemen." Awlaki had "told the Nigerian the attack must 'occur on board a U.S. airliner,' and even planned his journey." However, "the Nigerian's explosives, hidden in his underwear, failed to explode as the plane approached Detroit." The article adds, "The FBI flew Abdulmutallab's relatives to the U.S. to speak to him and increase the chances of him opening up about the plot...a technique which proved a success," which Newsweek speculates "is likely to add weight to claims that torture is an unnecessary--and ultimately ineffective--means of extracting information from suspects."

Analysis: Police Concerned Administration Is Ignoring Threats Of Far-Right Extremists.

The Washington Post (2/23, Holley, 11.43M) profiles the 2010 killings of West Memphis Police Department officer Brandon Paudert and his partner, Bill Evanswere, calling the shootings "a wake-up call for law enforcement, raising awareness about the threat far-right extremists pose to officers." The Post says "Paudert and other experts in homegrown extremist movements fear that the Trump administration is ignoring that threat as officials shift federal resources to root out Islamic extremism." The article cites reports of Administration "plans to rename 'Countering Violent Extremism' (CVE) – a Department of Homeland Security program that funds local terrorism prevention efforts – to 'Countering Islamic Extremism' or 'Countering Radical Islamic Extremism.'" The Post adds, "Even now, with the sovereign citizen movement classified as a domestic terrorist threat, Paudert said, too many law enforcement agencies across the country remain ignorant about the threat."

Fact Check Analysis: Gorka "Botched Facts" About Former Gitmo Detainee.

An analysis from Fact Check (2/23, Farley, 59K) reports that in a Feb. 22 appearance on "Fox & Friends," deputy assistant to President Trump Sebastian Gorka "botched two facts...about a released Guantanamo Bay detainee responsible for a recent suicide bombing in Iraq." In a discussion about former Gitmo detainee Jamal al-Harith, "who perpetrated a recent suicide bombing in Iraq" for ISIS, Gorka claimed that when President Obama "released lots and lots of people that were there for a very good reason," almost "half the time, they returned to the battlefield." However, "current statistics don't back up Gorka's claim of a re-engagement rate of almost 50%." In addition, while "Gorka suggests that al-Harith was released from Gitmo by Obama," he "was not. Al-Harith was transferred out of Gitmo to Britain on March 9, 2004, under [President George W.] Bush."

Harith Spoke Of Hatred He Felt For American Military At Gitmo. The New York Post (2/23, Moore, 3.82M) reports that after being released from Guantanamo Bay in 2004, the British suicide bomber who recently blew himself up in Iraq told BBC that he hated the US military personnel he encountered. Jamal al-Harith said he "wanted to spit" in the face of an "American soldier" who "was taking off my chains," but "you have to hold yourself inside."

Terror Victims To Receive Compensation Checks From French Bank Settlements.

The Wall Street Journal (2/23, Barrett, Subscription Publication, 6.37M) reports victims of terror attacks against Americans, domestically and overseas, before 2001 will receive compensatory checks in the coming weeks from a $1.1 billion fund generated by settlements between the US government and French banks BNP Paribas SA and Crédit Agricole SA for admitted criminal wrongdoing by evading sanctions. The Journal says this constitutes a novel approach, linking wrongdoing to the issue of terrorism, and advocates hope it will become a model for the compensation of terror victims and their families.

European Welfare Benefits "Accidentally" Fund ISIS Militants.

USA Today (2/23, Hjelmgaard, 5.28M) reports welfare benefits from Denmark, Sweden, Belgium, France, and the UK have "accidentally" funded citizens who used the funds toward ISIS militancy. The Danish labor minister calls the $100,000 spent toward 29 citizens who went to fight in Syria a "huge scandal," and Belgium has reformed its system so that those convicted of terrorism can no longer receive benefits while in jail, preventing future funding of attacks like those in 2015 and 2016 in Brussels and Paris. USA Today reports that radical Islamic cleric Anjem Choudary encouraged UK terrorists to seek "jihadiseeker's allowance."

Benghazi Mood Optimistic As Authorities Near Defeat Of Militants.

According to the Washington Times (2/23, Galtier, 272K), Benghazi is all but conflict-free, although the fragility of the UN-backed Government of National Accord may lead to a renewal of violence due to opposing Tobruk and Tripoli governments. The Times says citizens move freely with a mood of optimism in the soon-to-be Islamic militant-free city, and it describes artistic expression flourishing and an teenager's aspirations of becoming an aeronautical engineer instead of dying by terror violence like his cousins. Officials warn that though Salafist fundamentalists have helped fight terrorists, they will likely maintain a presence in the city by trying to "control" peoples' "way of thinking."

Pakistani Army's "Reject Disorder" Operation To "Indiscriminately" Target Terrorists.

The Washington Post (2/23, Constable, 11.43M) reports the Pakistani army's nationwide military operation to "indiscriminately" eliminate terrorism is the first time the government "has reluctantly agreed to allow the armed forces to enter Punjab province" with "special powers to hunt down, arrest and shoot suspected militants." The Post says the move comes "after years of appeasing certain Islamist militant groups for political and religious reasons" as Punjab is the "home of a variety of Islamist groups, including mainstream religious parties, sectarian movements officially banned for their violent methods, and anti-India militants who have been accused of a 2008 terrorist siege in Mumbai." According to the Post, army officials indicated the "Reject Disorder" operation includes sending 2,000 rangers into Punjab for the next 60-90 days.

Officials Say Trump's Efforts To Accelerate Fight Against ISIS May Include More Troops.

The Wall Street Journal (2/23, Lubold, Nissenbaum, Barnes, Subscription Publication, 6.37M) reports that US officials indicate that President Trump's strategy of accelerating the fight against ISIS will at least initially include more troops. The Journal says Trump will consider a range of options that are anticipated to include sending additional forces to Syria and Iraq, according to officials. The Journal adds that additional steps could include loosening battlefield restrictions, possibly by giving commanders more decision-making power on the use of forces in the field.

Dunford: US Must Address Flow Of ISIS Foreign Fighters.

Joint Chiefs Chairman Gen. Joseph Dunford on Thursday said that "the US and its allies must cut off ISIS terrorists from their pipeline of foreign fighters," according to Fox News' Special Report  (2/23, 1.53M). Dunford was shown saying, "We estimate probably over 100, 120 countries have provided 45,000 foreign fighters to just Syria and Iraq alone." He added that the US is "working in combination with local forces and coalition forces [to] drive the threat down."

Senators Urge Tillerson To Hold Assad Accountable For War Crimes.

The Washington Times (2/23, Howell, 272K) reports a bipartisan group of senators on Thursday called on Secretary of State Tillerson to hold Syrian President Bashar al-Assad and his allies accountable for war crimes, amid reports that 13,000 detainees were executed at a Damascus prison because they opposed the government. The 14 senators, who included Bob Corker and Ben Cardin, condemned the acts referenced in an Amnesty International Report and said that it combined with other reports to provide "sufficient documentation" to "charge Bashar al-Assad

with war crimes and crimes against humanity." The Senators also asked Tillerson to explain how the US is working to document crimes against humanity and consider them in negotiations to end the Syrian conflict.

Al Qaeda-Linked Groups Control "Key Swaths" Of Syria's Idlib Province.

The Washington Post (2/23, A1, Sly, Zakaria, 11.43M) reports the Syrian province of Idlib "is falling under the control" of al Qaeda-linked groups "amid a surge of rebel infighting" that could lead to the end of the "moderate rebellion." The Post says the extremists "have closed ranks and turned against the US-backed rebels," placing them "in charge of key swaths of territory" in Idlib. The Post adds that moderates losing Idlib "has the potential to prolong – or at least divert – the trajectory of the war" as peace talks restart.

Turkish-Backed Rebels Seize Syrian Town Of Al-Bab From ISIS.

The Washington Post (2/23, Loveluck, Sly, 11.43M) reports the Turkish-backed Free Syrian Army seized the town of al-Bab from ISIS on Thursday. The capture of the town, the Post says, ends "a grinding offensive" that began in August with the intent of "push[ing] the extremist group from one of its final strongholds." The Post says that "victory in the Islamic State's final stronghold along the Turkish border would deepen Ankara's influence in an area" and allow Turkish-backed forces "to press on toward Raqqa." The AP (2/23, Abdul-Zahra Sinan Salaheddin) reports officials indicated that coalition troops accompanied the Iraqi forces, but "they didn't specify the nationalities" of the international forces.

The Hill: Gorka Made "Angry Phone Call" To Author Of Twitter Criticism.

The Hill (2/23, Beavers, 1.25M) reports White House adviser Sebastian Gorka, according to Newsweek, "made an angry phone call and threatened a lawsuit" over counterterrorism expert Michael Smith's critical tweets about him. The Hill says Newsweek's story includes "a recording of the lengthy phone call" that came after Smith "questioned Gorka's qualifications to be a national security adviser." The Hill says Gorka asked Smith "why this vitriol" was coming from him. Gorka said, "I look at your Twitter feed once or twice a day, and it's half a dozen tweets about me, and I've never even met you." Smith said that Gorka "asserted my tweets about him merited examination by the White House legal counsel."

CRIMINAL INVESTIGATIONS

Police Receive More Than 1,900 Tips In Delphi Murder Investigation.

ABC World News Tonight (2/23, story 7, 1:35, Muir, 14.63M) reported there were "more than 1,900 tips" from authorities' request for information on a recording of a man saying "down the hill," which was found on the cell phone of murder victim Libby German, who was reported missing along with Abby Williams after the girls went on a hike last week in Delphi, Indiana. The CBS Evening News (2/23, story 10, 2:00, Pelley, 11.17M) reported, "Over 100 local, state, and federal agents are working the case." The Indianapolis Star (2/23, Wilkins, 550K) reports similarly.

The AP (2/23) reports FBI SSA Robert Ramsey said "the FBI is using electronic billboards across Indiana to seek information in the killings." Ramsey "said the billboards are displaying photos of the teens, an image of a man considered the main suspect in the killings, and a

telephone tip line to enable authorities to spread 'the widest blanket possible' in generating tips." According to the AP, "police said Thursday they've received about 3,900 tips in the killings."

On its website, WIMS-AM South Shore, IN (2/23) quotes FBI Assistant SAC Gregory Massa asking the public for assistance. Massa said, "Just think if you had an interaction with an individual who inexplicably canceled an appointment that you had together. Or an individual called into work sick and canceled a social engagement. At the time, they gave what would have been a plausible explanation. Did [an] individual travel unexpectedly? Did they change their appearance? Did they shave their beard, cut their hair or change the color of their hair? Did they change the way they dress?"

Former USA Gymnastics Coach Pleads Not Guilty In Michigan Criminal Proceedings.

The CBS Evening News  (2/23, story 8, 0:20, Pelley, 11.17M) reported former team doctor for USA gymnastics Larry Nassar "pleaded not guilty to 22 criminal counts" relating to allegations of sexual abuse of nine young gymnasts who he treated at his home and medical facilities around Lancing, Michigan. CBS added, "Dozens of former athletes are suing him in civil court."

Man Arrested In 11-Year-Old Investigation Of Georgia Teacher's Disappearance.

The CBS Evening News  (2/23, story 9, 0:25, Pelley, 11.17M) reported, "33-year-old Ryan Alexander Duke was arrested and charged with murder after investigators received a tip linking him to a former high school teacher and beauty queen, Tara Grinstead," who "disappeared 11 years ago" in Georgia and whose "remains have never been found." CBS noted, "Duke a student at the school where Grinstead taught."

FBI Arrests 13 In South Carolina Drug And Guns Investigation.

The AP (2/23) reports US Attorney Beth Drake announced "on Thursday that 13 people had been arrested on federal drug and gun charges" in Horry, Florence, and Charleston counties in South Carolina. The FBI and DEA "started investigating a large drug trafficking organization operating in the Myrtle Beach, Florence, and Charleston areas" in 2014, and "authorities say the group distributed heroin, fentanyl, cocaine and marijuana in South Carolina and also trafficked in firearms."

Prosecution Drops Some Charges In Former Utah AG's Public Corruption Case.

The Deseret (UT) News (2/23, Romboy, 362K) outlines Thursday's testimony in the trial over alleged public corruption by former Utah attorney general John Swallow, reporting that "the Salt Lake County District Attorney's Office dismissed three criminal charges against Swallow as it turned the case over to the defense." The article says the FBI provided an "elaborate...forensic accounts chart showing how the money flowed...to Swallow." FBI SA Jon Isakson "acknowledged that he spoke outside the scope of his authority when he talked about the Department of Justice Public Integrity Section's decision to not file federal criminal charges against Swallow and Shurtleff." FBI lawyer Doug Davis said "before the jury came in that Isakson said things he wasn't supposed to, but the Department of Justice wasn't willing to grant a waiver for him or other agents to testify about the declination letter."

Man Admits To Lying To FBI About Healthcare Contract For Alabama Jail.

The AP (2/23, Amy) reports Michael P. Goddard of Alabama admitted in a plea agreement filed Tuesday in federal court "to lying to FBI agents about a health care contract at a county jail in Alabama, signaling that a Mississippi prison bribery probe has spilled across state lines." Goddard admitted "that he received money from Mississippi-based Health Assurance in connection with a contract that the company had from 2007 to 2011 to care for inmates at the Jefferson County Jail in Birmingham." Goddard will "appear on March 16 in federal court in Birmingham."

Dallas County Commissioner's Public Corruption Trial Delayed On Day One.

The Dallas Morning News (2/23, Krause, 1.12M) reports that "after a speedy one-day jury selection, the federal corruption trial of" Dallas County Commissioner "John Wiley Price slowed to a crawl Thursday due to the hospitalization of a juror and the reading of a 107-page indictment. The trial will resume Monday morning." KTVT-TV Dallas (2/23, 72K) reports online that "the trial is expected to be very in-depth, with prosecutors presenting FBI evidence spanning more than a decade." The Dallas Business Journal (2/23, Subscription Publication, 43K) reports similarly.

Purported Whistleblower Says FBI Questioned Her Over Alleged Contracting Misconduct In Atlanta.

The Atlanta Journal-Constitution (2/23, Kass, 1.41M) reports former Jackson Equal Business Opportunity Manager Stephanie Coleman and her lawyer said "she was interviewed by the FBI months after she said she was fired by the city for blowing the whistle on contracting misconduct." Coleman "said the FBI also questioned her about Mitzi Bickers, an Atlanta political operative and former city employee who has emerged as a subject of the federal cash-for-contracts investigation in Atlanta that occurred from 2010 to 2015."

FBI Investigates Reported Death Threats Against Muslims By NC Conservative Activists.

The Charlotte (NC) Observer (2/23, Marusakj, 656K) reports spokeswoman Shelley Lynch of the FBI's Charlotte office said Thursday the agency "is investigating reported death threats against Muslims made at a meeting of conservative activists in Kernersville," North Carolina. The FBI said in a statement, "The FBI is aware of news media stories about a recent meeting in North Carolina where comments were reportedly made against the Muslim community. We are working with our local law enforcement partners to determine if a federal violation involving threats of violence that is not speech protected under the First Amendment has occurred. The safety and security of our citizens is a priority for the FBI, and we have been in contact with local community leaders to assure them we take potential threats of violence very seriously." Lynch said "The FBI began investigating the threats before [the Council on American-Islamic Relations] called on the agency to look into the remarks."

The Guardian (UK) (2/23, Green, 4.07M) also covers this story.

FBI Investigates Allegations Former WV Jail Guard Assaulted Detainees.

The AP (2/23) reports, "An indictment unsealed Wednesday charges 26-year-old Adam Joseph Neal Graham, of Elkins, with two counts of violating the detainees' rights" after the former jail guard allegedly assaulted and injured "two suspects who were awaiting trial in 2015 at Tygart Valley Regional Jail in Barbour County," West Virginia. Graham was also charged with "submitting a fake incident report that one of the detainees attempted to spit on him." The AP mentions that the FBI investigated this case.

FBI Finds Virginia Girl Safe After Traveling With Estonian Man.

WJLA-TV Washington (2/23, 147K) reports online that spokespeople from the FBI and the Prince William County Police Department in Virginia indicated 15-year-old Makayla Phyllis Mattei "from Prince William County who was missing and was believed to be in danger has been found safe and unharmed in Virginia with" 21-year-old Meiti Metsla, "a man from Estonia with whom she had an 'online relationship.'" Authorities "said they are making arrangements to reunite the girl with her family in Dumfries." Officials added that Metsla "has been arrested on a felony charge of 'using a communication device to solicit certain offenses involving children.'"

Suspect In Possible Hate Crime In Kansas Charged With Murder.

The AP (2/23, Suhr) reports that on Thursday, Adam Purinton, who is "accused of opening fire in a crowded suburban Kansas City bar, killing one man and injuring two others in an attack that some witnesses said was racially motivated, was charged...with murder and attempted murder." Authorities "declined at a news conference to say whether the shooting was a hate crime although local police said they were working with the FBI to investigate the case." FBI SA Eric Jackson "said it was too early to determine" whether the shooting would be considered a hate crime. Jackson said, "This was a violent crime and we want the best prosecution that relates to this because there are victims of this crime and we want the community to know that...we're looking to make sure that the individual involved in this is held accountable for his actions."

FBI Arrests Man Wanted For 2005 Homicide In California.

The AP (2/23) reports that on Wednesday, the FBI "arrested a man on the top of Santa Rosa's list of most wanted criminals after a 12-year search." The AP explains, "The man was wanted for the Jan. 15, 2005 shooting death of 27-year-old Semere Girmai, of Santa Rosa," California. The killing "was allegedly motivated by a cocaine and methamphetamine distribution feud between the men, who had gang ties."

Feds Charge Alleged Cleveland Bank Robber Who Posed As Twin Brother.

The Cleveland Plain Dealer (2/23, 976K) reports the FBI said Thursday that suspected bank robber Mark Lloyd, who was "arrested at Cleveland City Hall last week while posing as his estranged twin brother was charged in federal court for sticking up two Ohio City banks." The FBI affidavit states that agents "ran his fingerprints and figured out his true identity, and he was arrested." In an interview with FBI agents, "Mark Lloyd admitted to using his brother Michael's ID since 2015, though his brother does not know that and that he has not spoken to his brother in some time." The suspect will appear in court this afternoon.

Report: Jacksonville Psychiatrist Raided By FBI Was Involved In Fatal Love Triangle.

WJAX-TV Jacksonville, FL (2/23, Bourne, 30K) reports online that a day after Wednesday's FBI raid of the office of Jacksonville psychiatrist Dr. Nikhil Nihalani, "an Action News Jax investigation uncovered a love triangle that ended in suicide, reportedly using the doctor's gun." A 2015 St. Johns County Sheriff's Office report said "Nihalani had an affair with his married employee Amanda Carlson," who "told deputies she took a gun from Nihalani's home because he'd been making suicidal threats." Then, "on Oct. 13, 2015, her husband shot and killed himself with that gun."

Sentencing Postponed For Man Convicted Of 1979 Killing Of NYC Boy.

The AP (2/23) reports that on Thursday, a NY judge postponed the sentencing of Pedro Hernandez, who was "convicted in a second trial of killing 6-year-old Etan Patz in 1979." The AP notes, "An earlier trial ended in a hung jury when a single juror did not want to convict." The defense "requested the delay to investigate whether a juror may have known during proceedings that members of the first jury were in the audience."

The New York Daily News (2/23, Jacobs, 4.45M) says Hernandez's attorney Harvey Fishbein had asked for a one-week postponement. The New York Post (2/23, Saul, 3.82M) reports, "Prosecutors filed a letter strongly objecting, saying, 'The Patz family has waited almost 40 years for an answer to one of the most heart-wrenching questions a parent can ever be faced with: What happened to their child who disappeared.'" Hernandez faces life in prison. Newsday (NY) (2/23, Riley, 1.3M) reports similarly.

Police Arrest 24 In Protests Against Video Of Off-Duty Police Officer's Altercation With Teens.



In its lead story, NBC Nightly News (2/23, lead story, 2:35, Holt, 16.61M) showed clips from two videos by witnesses that show an altercation Wednesday between an off-duty LAPD officer and a 13-year-old, who along with others who joined and watched the conflict walked across his lawn against the officer's wishes. The situation escalated when the officer interpreted the juvenile's threat of a lawsuit as "I'm going to shoot you," and the officer shot a warning shot.



According to ABC World News Tonight (2/23, story 6, 1:45, Muir, 14.63M), the teenager, who was arrested and released with another, said in an interview, "I thought I was going to die right there." Parents have sued the LAPD and Anaheim Police Department because the off-duty officer shot his gun too close to the teenagers. The Los Angeles Times (2/23, Etehad, Mather, 4.52M) reports police arrested 24 for failing to disperse, resisting arrest, and battery of a peace officer Wednesday night following demonstrations by more than 300 people in Anaheim over the videos. The city, which has received many concerned phone calls, has put the officer on administrative leave, and Mayor Tom Tait indicated in a statement that the city "is committed to a full and impartial investigation."

Authorities Arrest Nearly Three Dozen To Clear Out Dakota Access Protest Camp.

The AP (2/23) reports authorities cleared out and raze remaining buildings from the Dakota Access Pipeline protest camp in an operation that took about 3.5 hours. "Nearly three dozen"



were arrested, though the CBS Evening News (2/23, story 11, 0:25, Pelley, 11.17M) puts the tally closer to two dozen. The New York Times (2/23, Smith, Subscription Publication, 13.9M) says North Dakota State Highway Patrol Lt. Tom Iverson expressed dismay at having authorities enforce the deadline because it "puts us in harm's way. It puts others in harm's way," though there were no reports of injured parties. The Indigenous Environmental Network Executive Director Tom Goldtooth called the evacuation a "violent and unnecessary infringement" on protesters' constitutional rights. According to the Wall Street Journal (2/23, Connors, Subscription Publication, 6.37M), police in riot gear with weapons drawn entered the federal land on Humvees with a Customs and border Protection helicopter overhead Thursday morning to clear out remaining the camp.

Federal Judge Discloses Five Years' Worth Of Surveillance Requests In Washington.

The Washington Post (2/23, Hsu, 11.43M) reports Beryl A. Howell, chief judge of the US District Court in Washington, has released a list of all requests that US prosecutors made in Washington "to secretly collect certain data about Americans' telephone, email and Internet activity from 2011 to 2016." Of the 1,444 cases, only 15 have been unsealed, "even in part, years after the monitoring began." Still, journalist Jason Leopold who sued to unseal "unseal a much larger collection of information about court-ordered electronic surveillance in closed criminal investigations in the nation's capital," said he was "very pleased" with the release. Leopold and Katie Townsend, litigation director of Reporters Committee for Freedom of the Press, which has joined the case, said the released information "will aid researchers, lawmakers and the public in tracking the scope, evolution and expansion of government conduct."

Texas Man Sentenced To Life In Prison For Dealing Meth.

The San Angelo (TX) Standard-Times (2/23, 2K) reports that a San Angelo man "convicted of meth dealing was sentenced to life in prison without parole by a federal judge Thursday, Feb. 23." Richard Jasso, 39, "was charged with one count of distribution and possession with intent to distribute 50 grams or more of methamphetamine and aiding and abetting." Jasso "was convicted at trial in November and has been in custody since his arrest on July 13, 2016, according to a news release from the U.S. Department of Justice." According to the Standard-Times, "the charge was enhanced because Jasso had two previous felony drug offenses." Jasso "was among a dozen people arrested by Drug Enforcement Administration, Texas Department of Public Safety and San Angelo Police Department officers during a July 2016 sweep in San Angelo."

US Charges Third LAX Baggage Handler With Drug Trafficking.

My News LA (CA) (2/23) reports that "a third former baggage handler at Los Angeles International Airport has been arrested and is facing federal charges of using his employee credentials to breach airport security for the purpose of smuggling cocaine on airplanes, it was announced Thursday." Alberto H. Botello, 23, of South Gate, CA "was arrested late Tuesday without incident by law enforcement officers from the Drug Enforcement Administration and the Los Angeles World Airports Police Department, according to the U.S. Attorney's Office." Botello "is charged in a federal indictment with conspiracy to possess with intent to distribute cocaine and to distribute cocaine, along with two co- defendants who are scheduled for trial next month." My News LA notes that Adrian Ponce, 28, and Alberto Gutierrez, 27, both of South Gate, "were also baggage handlers when they were arrested last April."

US Charges 13 From Missouri, Illinois With Drug Conspiracy.

The AP (2/23) reports from Hannibal, MO that 13 people from Missouri and Illinois "face federal charges for allegedly conspiring to distribute cocaine and other drugs in Hannibal and elsewhere in northeast Missouri." Federal prosecutors in St. Louis announced the arrests on Thursday, "a day after raids were conducted in Hannibal and the St. Louis area." The AP adds that "suspects include six people from Hannibal, four from St. Louis, and one each from Mexico, Missouri, Quincy, Illinois, and Swansea, Illinois." A federal indictment "accuses two men of obtaining cocaine from a source in Austin, Texas, and using couriers, often women, to transport the drug to Hannibal, where it was converted into crack cocaine for distribution."

Deaths Of Two Alaskans Found In SUV Ruled Accidental.

The AP (2/23) reports from Anchorage, AK that "state public safety officials have concluded that the deaths of two people near Soldotna in November were accidental." The bodies of Daniel Duck, 39, and Joni Pearcy, 52, "were found in a burned sport utility vehicle." The pair, from Soldotna, "were last seen Nov. 14 and reported missing Nov. 20." Officials announced on Wednesday "that impairment and the inhalation of carbon monoxide were factors in the deaths." The AP notes that the Bureau of Alcohol Tobacco Firearms and Explosives took part in the investigation.

US Charges Pennsylvania Man With Gun Theft.

The Harrisburg (PA) Patriot-News (2/23, 523K) reports from Williamsport, PA that "a man who had been accused of burglarizing a Lycoming County gun shop hours after he pleaded guilty in an unrelated case has been indicted on federal weapons charges." A federal grand jury on Thursday indicted Samuel Bozochovic, 35, of Williamsport, "on charges of theft of firearms, possession of a stolen firearms and possession of a firearm by a convicted felon," and with "possession with intent to distribute heroin." Bozochovic "is accused of breaking into R&J Welch gun store in the Muncy area on Feb. 8 and stealing 11 handguns."

Fugitive Shot By US Marshals Team In Michigan Expected To Survive.

MLive (MI) (2/23, 878K) reports that "a 31-year-old man wanted on a parole violation was shot during an attempted arrest by the U.S. Marshals Fugitive Task Force in Detroit Tuesday." Michigan State Police Lt. Michael Shaw "said the suspect, who hasn't yet been charged with any crimes, is recovering and expected to survive his injuries." Deputy Robert Watson of the US Marshals Service "told the Detroit News a member of the multi-agency task force shot the suspect after he rammed into a police vehicle about 9 a.m. Tuesday near Tuxedo and Linwood in west Detroit."

Alaska AG: US Cannot Overturn State's Marijuana Law.

The AP (2/23) reports from Anchorage, AK that "a representative for the Alaska attorney general's office said a change in how the federal government enforces its own marijuana laws would not affect state marijuana laws." The AP adds that Alaska's law "legalizing recreational marijuana wouldn't be overturned, Department of Law spokeswoman Cori Mills said Thursday after White House spokesman Sean Spicer suggested during a press briefing that President Donald Trump's administration might crack down on states that have legalized marijuana for recreational use. 'The federal law is one thing and the state has the right to enact laws in this area and those are perfectly constitutional,' Mills said. 'Our law wouldn't be overturned. But there is a different federal law, and how they want to enforce the federal law is up to the federal government. We'll just wait and see what sort of actions they take.'"

DOJ Reaches Settlement With Former Prosecutor Who Alleged Sex Discrimination.

The AP (2/23) reports from Spokane, WA that the Justice Department "will pay $225,000 to settle a sex discrimination lawsuit brought by a former prosecutor who alleged women were not treated equally in the U.S. Attorney's office in Spokane." The settlement, reached on Wednesday, "ends a lawsuit filed in 2015 by Katherine J. Bolton, who previously worked as a federal prosecutor in Spokane." Eastern Washington US Attorney Mike Ormsby "says he cannot comment

on any aspect of the case." The AP notes that Bolton "worked for Ormsby," and that "she resigned in October 2015 following a controversy in which both Bolton and her co-workers blamed each other for a hostile work environment."

Two Greek Tanker Engineers Convicted Of Pollution Cover-Up In South Carolina.

The Charleston (SC) Post and Courier (2/23, Wren, 300K) reports that "the chief engineer of a chemical tanker that docked in North Charleston in 2015 has been found guilty in a jury trial of falsifying the ship's oil record book to cover up illegal pollution discharges." Panagiotis Koutoukakis, "a Greek national, faces up to 25 years in prison for two felony charges," and Herbert Julian, "who succeeded Koutoukakis as the ship's chief engineer, was found guilty of an obstruction charge that carries a maximum sentence of five years." The verdict on Wednesday "followed a three-week trial in federal court in Charleston," and "sentencing for both men will be scheduled after the federal government prepares a pre-sentencing report, probably in the next two or three months."

US Charges Washington Jail Guard With Tipping Off Drug Traffickers.

The AP (2/23) reports from Tacoma, WA that "a guard at the Aberdeen city jail has been arrested on allegations that he tipped off drug traffickers about police activities." Charles Andrew Stocker "was due to make an initial appearance in U.S. District Court in Tacoma following his arrest Thursday." Federal prosecutors "have charged him with three criminal counts, including aiding and abetting drug trafficking." According to the AP, "prosecutors say Stocker warned a drug dealer about someone who was working as a police informant, alerted two other dealers that police were listening in on calls at the jail, and agreed to hold money for one of the investigation's targets."

US Charges Florida Man For Role In Jamaican Lottery Scam.

The Jamaica Observer (2/23, 139K) reports that "a 49-year-old Florida man was arrested in Miramar, Florida, on mail and wire fraud charges in connection with the fraudulent lottery scheme tied to Jamaica." The arrest "follows the return of a 12-count indictment against him by a grand jury in the Southern District of Florida." The Justice Department announced on Thursday "that Claude Shaw aka Mac and Claude Mac, a US citizen residing in Florida, was charged with two counts of mail fraud and 10-counts of wire fraud in connection with a fraudulent lottery scheme tied to Jamaica." The indictment alleges that "the victims in the scam were instructed on how, and to whom, to send their money," and that "Shaw discussed plans to receive victims' money via text messages then send a portion to accomplices in Jamaica."

FINANCIAL CRIME & CORPORATE SCANDALS

Michigan Ponzi Schemer Sentenced to Five Years Incarceration.

The Traverse City (MI) Record-Eagle (2/23, Troutman, 84K) reports a US District Court Judge sentenced Michigan woman Sarah Frances Bolhuis to five years in prison for wire fraud and money laundering. The woman was "accused of running a 'Ponzi scheme' that bilked investors out of millions of dollars," and "more than 50 investors lost their savings, abandoned retirement plans and experienced financial stress thanks to Bolhuis, authorities contended." FBI agents said "the scheme lasted from 2006 to 2015."

Former PA Governor's Aide Disbarred After Guilty Plea In FBI Sting.

The Philadelphia Inquirer (2/23, Shaw, 586K) reports Pennsylvania's Supreme Court's disciplinary board said Thursday that "one of former Gov. Ed Rendell's top aides," John H. Estey, "who pleaded guilty last May to one count of wire fraud after being caught up in an FBI sting, has agreed to be disbarred." Court filings indicate "the FBI set up a phony business in 2009 to 'investigate allegations of public corruption in Pennsylvania'" and "the fake firm hired Estey and a top Harrisburg lobbying firm to help it obtain legislation to benefit its business, and made campaign contributions to further its goals." The undercover agents then "gave Estey $20,000 that he promised he would pass along as campaign contributions in his name, circumventing state laws that ban corporate gifts and the use of lobbyists as 'pass-throughs.'"

Former Comverse CEO Sentenced To 30 Months In Options Backdating Case.

Newsday (NY) (2/23, Riley, 1.3M) reports that Jacob "Kobi" Alexander, "the former CEO of Long Island software firm Comverse Technology who fled to Africa to avoid fraud charges, was sentenced Thursday in Brooklyn federal court to 30 months in prison." Alexander, 64, "an Israeli citizen who founded digital voicemail pioneer Comverse in 1982, returned last year to plead guilty to securities fraud after fleeing to Namibia in 2006 to evade prosecution for backdating stock options and trying to bribe an underling to take the fall. 'I really don't understand how someone as brilliant and accomplished and focused and respected as you could be so incredibly, abjectly foolish as to make some of the decisions you made,' said U.S. District Judge Nicholas Garaufis." Newsday adds that Alexander "claimed in a letter to the judge that he fled out of fear of a draconian sentence for a white-collar crime and fought extradition for a decade because he was 'terrified' by seeing his name on a Most Wanted list with Osama bin Laden."

Reuters (2/23) reports that Alexander's attorneys "had sought a prison term of no more than two years for the Israeli citizen, who has spent six months in custody after Garaufis rejected his request for release on a $25 million bond." Reuters notes that Alexander "is likely to be credited for the time he was held." Reuters adds that "the case was one of the last open U.S. prosecutions arising from government or internal investigations of backdating of stock options at over 200 companies, including Comverse, which was acquired in 2013 by former unit Verint Systems Inc."

CBS News (2/23, 4.4M) reports that in 2006, federal prosecutors "charged Alexander and other Comverse executives with a scheme to manipulate stock options." CBS adds that "the options' grant dates were allegedly falsified to coincide with a low point in the stock's value, thereby boosting the value of the stock option." Alexander "turned up in Namibia after having transferred tens of millions of dollars overseas," and "he lived comfortably there until last year, when he gave up an extradition fight and agreed to plead guilty in the U.S."

Bloomberg News (2/23, Hurtado, 2.41M) reports that "Alexander's decision to flee exacerbated the case and warranted imposing a prison term longer than the 24-month sentence, which to date had been the longest imposed for options backdating, the judge said. 'Corporate executives must know if they commit this type of crime, they will be punished swiftly and appropriately,' Garaufis said. 'They must know they cannot flee the jurisdiction to escape the criminal process, to buy a new life and evade the law.'" The New York Daily News (2/23, Moynihan, 4.45M) and the Wall Street Journal (2/23, Orden, Subscription Publication, 6.37M) also report.

CYBER DIVISION

Florida Man Pleads Guilty In Attempted Hack Of Clinton Foundation.

Reuters (2/23, Raymond, Layne) reports that a Florida man pleaded guilty on Thursday "pleaded guilty in a case stemming from an attempted hacking of the Clinton Foundation," months after he was sentenced to 42 years in prison "in the wake of child pornography discovered on his computers during the probe." Timothy Sedlak, 43, pleaded guilty in a Manhattan federal court "to attempting to access protected computers without authorization," and federal prosecutors "accused him of trying to gain access to an unnamed New York-based charitable organization's network." In a court filing obtained by Reuters "that summarized a US Secret Service interview in 2015 with Sedlak, an agent said he was questioned about notes they found referencing former Democratic presidential candidate Hillary Clinton and her daughter, Chelsea Clinton."

Cellebrite Announces Ability To Crack Apple Devices Running iOS.

The International Business Times (2/23, Dellinger, 814K) reports that on Thursday, Israel-based cybersecurity firm Cellebrite announced "it has added the capability to crack a number of locked Apple devices running iOS, including the iPhone 6 and iPhone 6 Plus." Cellebrite's Director of Forensics Research Shahar Tal "suggested Cellebrite has had the ability to crack iPhones for some time but was just announcing it publicly now." The IBT mentions that "it is believed that Cellebrite is the company the United States FBI tapped to help unlock the iPhone 5C that belonged to one of the killers involved in the San Bernardino, Calif. shooting in December 2015."

Nevada Public Safety Director Argues For Creation Of Cyber Defense Office.

Nevada Appeal (2/23, Dornan, 86K) reports that on Thursday, Nevada Public Safety Director Jim Wright argued for the "creation of a Cyber Defense Office that would bring together not only public safety agencies but other agency efforts in the war against hacking." According to Wright, "the office would treat cyber attacks in much the same way the Department of Public Services currently treats terrorism, natural disasters and other emergencies." He added that "the office would be located within" the Department of Public Safety, partly because it "has access to the FBI and national criminal information data." Wright said, "Most of these attacks have a criminal background so it's a natural fit for us."

Cyber Experts Warn That "Global Action Must Be Taken" On Cybersecurity Issues.

McClatchy (2/23, 74K) reports that "alarms over the state of the internet appear with greater frequency" due to malware, data theft, and digital weapons wielded by nation-states. McClatchy says, "Once a platform for enlightenment, the internet flirts with a dark age, industry leaders warn, and global action must be taken." McClatchy goes on to discuss Microsoft President Brad Smith's proposal for a "Digital Geneva Convention, an international agreement to protect civilians from the destructive uses by states of the digital sphere," adding, "Whether an international treaty or convention could slow the destructive currents that make the internet increasingly hazardous is subject of intense debate." Former cybersecurity czar J. Michael Daniel "said he worries that some authoritarian nations would distort such an accord" to control content, and "a better first step...would be further agreements of the sort that Obama reached with China's President Xi Jinping...which barred purely commercial hacking between the two nations, but not digital espionage."

Senator Calls For "Retro Approach" To Protecting Power Grid.

McClatchy (2/23, Hotakainen, 74K) reports, "Idaho Republican Sen. Jim Risch says it's time for a retro approach to protect the nation's power grid, relying more on humans and less on sophisticated technology as a way to thwart hackers." Risch "said the U.S. should heed the lesson of the 2015 cyberattack on Ukraine's power grid," namely that more damage was prevented because hackers couldn't gain physical access to all of the power grids' controls as some were manually operated. Risch and fellow Senate intelligence committee member Angus King "want Congress to pass a $10 million bill that would create a two-year pilot program to investigate more low-tech approaches that might frustrate hackers."

Google Cracks SHA-1 Cryptographic Algorithm.

Forbes (2/23, 15.17M) reports that Google "cracked an old cryptographic algorithm called SHA-1," a "significant" occurrence "because SHA-1 has been in use across the web for some time, largely to check the authenticity of digital artefacts flying around the internet." Forbes says Google had SHA-1 create the same hash for two different files, something that "shouldn't be possible." Forbes goes on to explain that the "second file" could be malware or a forgery. Nonetheless, Forbes says, "For some time now, major web companies have downgraded SHA-1 and won't use it to carry out those verification processes." Google "thinks its research should get all companies still using the algorithm to move away from SHA-1, which has long been deemed vulnerable."

Report: Majority Of Hackers Claim To Be Able To Break Cyberdefenses Within Hours.

ZDNet (2/23, 151K) reports, "The majority of hackers claim they can break through cybersecurity defenses and infiltrate their target's systems within hours, according to new research." A report from Nuix Black "says that more than three-quarters of hackers – 88 percent in total – who responded to the Nuix survey believe most network defenses can be breached within 12 hours." Furthermore, "roughly a third said that their activities were never noticed by their victims – and 17 percent of hackers claimed it would take them no longer than two hours to breach a target."

Bitcoin Hits "All-Time High."

According to USA Today (2/23, Weise, 5.28M), bitcoin "hit an all-time high of $1,163.59" on Thursday. USA Today reports on a "couple of factors" that "seem to be pushing the digital currency upwards," including the confirmation of Mike Mulvaney, "a long-time supporter of bitcoin," as OMB director. Furthermore, "There's also anticipation that the Securities and Exchange Commission will allow the first of three exchange-traded funds to launch."

UK National Arrested In Connection With Deutsche Telekom Cyberattack.

Yahoo! Tech (2/23, 1K) reports, "A 29-year old Brit has been arrested in connection with a cyber-attack that affected nearly a million Deutsche Telekom customers back in November." The suspect was arrested "at one of London's airports on Wednesday."

Coast Guard Admiral: Cyberwarfare Rules Of Engagement Poorly Defined.

Business Insider (2/23, 3.42M) reports, "Coast Guard Vice Adm. Marshall Lytle gave the perfect analogy that demonstrates how unique, and difficult it can be, for the US military to operate in the cyber realm." Lytle is quoted saying at the AFCEA West 2017 conference, "Cyberwarfare is like a soccer game with all the fans on the field with you and no one is wearing uniforms." BI

adds, "Lytle's remark highlights the 'wild west' nature of the cyberwarfare," and "as Lytle explained, cyberwarfare doesn't have clear battle lines."

House Intelligence Staff Director: 2017 To Be A "Banner Year" For Congressional Cybersecurity Debates.

CyberScoop (2/23) reports House Intelligence Committee staff director Michael Bahar says, "It will be a banner year for cybersecurity debates in Congress – and that isn't necessarily a good thing." According to CyberScoop, "retrospective" efforts to investigate alleged Russian influence on the 2016 US election "are just a portion of the task ahead for lawmakers who handle cybersecurity issues." Bahar is quoted saying in a panel discussion, "For far too many industries, we are in a pre-Enron phase. If you think about Enron, what led to that was board members and senior executives at companies saying it looks fine and if it's an accounting issue, then take it to accounting. And I think that's where we are in many industries for cyber. ... And what I think that means is that a lot of it will be driven by what the courts do. And how Congress will respond to that."

Russian Hacking Group APT 28 Profiled.

The Financial Times (2/23, Jones, Subscription Publication, 1.39M) profiles the Russian hacking group APT 28, which western officials believe is connected to the country's military intelligence arm. Analysts said the group hacked the DNC and released information to undermine the US democratic system.

Continuing Coverage: States Oppose Critical Infrastructure Designation For Elections Systems.

In continuing coverage, eWeek (2/23, 668K) reports the National Association of Secretaries of State "adopted a resolution opposing the 'critical infrastructure' designation by the U.S. Department of Homeland Security." Their reasoning "was partly due to concerns of overreaching by the federal government and because the agency had refused to provide adequate information on the impact that the designation would have on the states, according to Kay Stimson, spokeswoman for the National Association of Secretaries of State (NASS)."

INTERNATIONAL RELATIONS

Hacked Texts Suggest Manafort Faced Blackmail Attempt From Ukrainian Official.

Politico (2/23, Vogel, Stern, Meyer, 2.46M) reports "undated communications, which are allegedly from the iPhone of" political consultant Paul Manafort's daughter suggest that Manafort "was the victim of a blackmail attempt while he was serving as Donald Trump's presidential campaign chairman last summer." One text "appears to come from a Ukrainian parliamentarian named Serhiy Leshchenko," in which he attaches "a note to Paul Manafort referring to 'bulletproof' evidence related to Manafort's financial arrangement with Ukraine's former president, the pro-Russian strongman Viktor Yanukovych, as well as an alleged 2012 meeting between Trump and a close Yanukovych associate named Serhiy Tulub." Leshchenko disavowed the texts in question and "Manafort denied brokering a 2012 meeting between Trump and Tulub and also point[e]d out that he wasn't working for Trump at the time." However, Manafort confirmed the authenticity of the texts as coming from his daughter's phone, saying he contacted a lawyer at the time they were received.

The Hill (2/23, Savransky, 1.25M) and Vanity Fair (2/22, Tracy, 6.22M) also cover Politico's report.

OTHER FBI NEWS

De Blasio To Meet With Prosecutors, FBI Friday.

The New York Times (2/23, Rashbaum, Subscription Publication, 13.9M) reports the "expansive criminal inquiry" on Mayor Bill de Blasio's 2013 campaign trading beneficial city action for donations "is most likely in its final stages" as the mayor is set to meet with FBI agents and federal prosecutors Friday to discuss more than a dozen topics in a session estimated to last four hours. The inquiry will focus on businessman and rabbi Moishe Indig, Harendara Singh, Gina Argento, and other donors under scrutiny. De Blasio spokesman Eric Phillips emphasized in a Thursday statement, "We are absolutely confident that the mayor and our City Hall staff have acted appropriately and well within the law at all times."

Local Leaders Comment On Possible Plans For FBI Expansion At Redstone Arsenal.

A 1,200-word report by Alabama Live (2/23, Gattis, 804K) says the FBI "is considering bringing hundreds, if not thousands, of jobs to Redstone Arsenal in what could possibly be a landmark economic development for Huntsville." Although "the plan exists on paper...it's not clear how close it is to becoming a reality or if the plan, conceived during the Obama administration, will change under President Trump. But some construction is already under way on Redstone." Huntsville/Madison County Chamber of Commerce Senior VP Mike Ward said, "I think the master plan that the FBI discussed at the Redstone Update is still notional and it remains so until the plan is funde[d]. Some parts of the plan have been funded and are being executed. We're hopeful that we will be able to advance this plan to make it a reality." US Rep. Mo Brooks (R-AL) "said he has heard many different estimates on potential jobs that could be associated with the FBI's growth in his hometown." The article notes, "FBI Director James Comey, in a visit to Redstone last year to formally open" the Terrorist Explosive Devices Analytical Center (TEDAC), "described Huntsville as a possible new 'center of gravity' for the bureau."

On its website, WAAY-TV Huntsville, AL (2/23, Martin, 2K) similarly quotes Ward's comments on the possible FBI expansion in Huntsville.

FBI Director's Community Leadership Award Honors North Dakota Children's Advocacy Center.

KXMC-TV Minot, ND (2/23, 1K) reports online that the FBI Director's Community Leadership Award was presented to Shannon Hilfer and Jessica Ahmann of the Sanford Health community in North Dakota, who were honored for going "above and beyond" in their work with child abuse victims. Ahmann said, "The recognition just really shows that we do make a difference to these kids, and that's truly, like Shannon said, what it's all about. It's helping them get through this tough time."

OTHER WASHINGTON NEWS

DOJ Reverses Obama Order Phasing Out Private Contractors To Run Prisons.

Reuters (2/23, Beech) and the New York Times (2/23, Lichtblau, Subscription Publication, 13.9M) report the Justice Department has reversed an Obama Administration order that called for the phasing out of using private contractors to run federal prisons. Reuters says that Attorney

General Sessions wrote in a memo made public Thursday that former President Obama's policy harmed the government's ability to meet possible needs of the prison system. Sessions said, according to Bloomberg News (2/23, Strohm, 2.41M), "The memorandum changed long-standing policy and practice, and impaired the Bureau's ability to meet the future needs of the federal correctional system." Politico (2/23, Ocasio, 2.46M) reports a Justice Department spokesman indicated that the new memo provides the Federal Bureau Of Prisons with more flexibility. The spokesman said in a statement, "This will restore BOP's flexibility to manage the federal prison inmate population based on capacity needs."

The Washington Post (2/23, Zapotosky, 11.43M) says that while the change is "a significant policy shift" from the Obama Administration, "the practical impact might be somewhat muted." The Post indicates that "most inmates are housed in state prisons, rather than federal ones" and the Obama Administration's decision to no longer use private facilities "only affected 13,000 prisons" that "hous[ed] a little more than 22,000 inmates." The Post adds that the original order "also did not apply to Immigration and Customs Enforcement and US Marshals Service detainees."

Media: Private Prison Sector Supported Trump During Election. Eamon Javers said on CNBC's Closing Bell  (2/23, 142K) that the private prison sector has been "very close" to Trump and "saw something they very much liked in Donald Trump's administration." USA Today (2/23, Schouten, 5.28M) reports private prison companies "have contributed big sums to pro-Trump groups" and now "stand to make big gains under President Trump's new immigration orders." USA Today says private prison companies "see the potential for significant growth" with Trump and some GOP lawmakers "pushing to toughen penalties for undocumented immigrants who are deported and then re-enter the country illegally." USA Today highlights that GEO Group donated $250,000 to support Trump's inauguration and a subsidiary of the company gave $225,000 to a super PAC that spent about $22 million to help Trump. CoreCivic provided $250,000 to support Trump's inauguration.

White House Says DOJ Will Crack Down On Recreational Marijuana.

The Washington Times (2/23, Boyer, 272K) reports White House press secretary Sean Spicer indicated Thursday that the Justice Department will increase enforcement of the federal ban on the recreational use of marijuana, and he "compared recreational marijuana loosely with the opioid epidemic." According to McClatchy (2/23, Kumar, Hotakainen, 74K), a 2014 John Hopkins School of Public Health report shows "there's little evidence to connect marijuana to opioid addiction." Washington Gov. Jay Inslee vowed to defend his voters' pro-pot preferences earlier this month, and Nevada Senate Majority Leader Aaron Ford called on the state's attorney general to "vigorously defend" its laws.

The AP (2/23, Gurman) says Spicer's announcement is "a departure from the Trump administration's statements in favor of states' rights." According to the Los Angeles Times (2/23, Halper, McGreevy, 4.52M), the Administration's options for enforcement could range from "largely symbolic gestures" to "filing injunctions seeking to nullify state legalization laws." The Washington Post (2/23, Wagner, Zapotosky, 11.43M) reports pro-cannabis organization and industry leaders' concern with Spicer's statement, with one noting, "Many of the states who helped elect President Trump just voted to also support recreational marijuana."

Media: Trump Calls Deportations "A Military Operation"; Kelly Quickly "Contradicts" Him.

President Trump's comment at a White House meeting of business executives that under his immigration policy, "we're getting really bad dudes out of this country at a rate that nobody's ever seen before" in "a military operation" draws considerable critical media attention, with every major story on the comment stating that DHS Secretary Kelly quickly followed by saying that no military force is being used. While the White House said the President was using the term figuratively, several sources use the contradiction between Trump and Kelly to highlight the difficulties the Administration has had with immigration policy.

ABC World News Tonight  (2/23, lead story, 3:40, Muir, 14.63M) reported that the President called his "immigration crackdown...'a military operation' at the border." But "his own Homeland Security secretary had very different words about the operation." ABC's Matt Gutman: "At the White House today, President Trump declaring his new immigration crackdown" a success. Trump: "We're getting really bad dudes out of this country, and at a rate that nobody's ever seen before, and they are the bad ones, and it's a military operation." Gutman: "A military operation? Not according to Homeland Security Secretary John Kelly." Kelly: "No. Repeat, no use of military force in immigration operations. None." The CBS Evening News  (2/23, story 2, 1:00, Pelley, 11.17M) said "there was some confusion today on immigration." CBS' Margaret Brennan: "The White House later tried to clarify, saying the President meant 'military operation' as an adjective to describe what they say is an efficient rate of deportation."

NBC Nightly News  (2/23, story 4, 1:35, Alexander, 16.61M) reported that Trump was "contradicted quickly" by Kelly, who is in Mexico with Secretary of State Tillerson. USA Today (2/23, Agren, 5.28M) reports that Kelly "addressed an anxious audience of Mexican migrants living in the USA and Mexican officials preparing to receive an influx of deportees." Kelly said, "Everything that we do will be done in a legal way and with respect for human rights and the US justice system." The Wall Street Journal (2/23, Schwartz, Whelan, De Córdoba, Subscription Publication, 6.37M) reports that Kelly also said there would be "no mass deportations." The AP (2/23, Lederman) reports that while Kelly and Tillerson "tried to alleviate Mexico's concerns, Trump was fanning them further," offering "an altogether different message from Kelly and Tillerson, who traveled here to meet with top Mexican officials at a time of intense turbulence for US-Mexico relations."

The Washington Post (2/23, Rucker, 11.43M) says the President "celebrated what he called 'a military operation' to round up and deport undocumented immigrants who have committed crimes or caused violence." The Post says the phrasing "could raise eyebrows among immigrant rights advocates and even within" DHS. The Post says "a leaked DHS proposal last week to deploy Army National Guard troops to help apprehend undocumented immigrants was quickly denied by DHS leadership and the White House as being under consideration."

The Los Angeles Times (2/23, Memoli, 4.52M) writes that while Trump "speaks in terms of unadulterated success" on immigration policy, "few others in the administration go so far," and "a muddled picture has emerged on where the Trump administration is headed. Thursday offered a clear example of the problems that arise when Trump and his top aides send different messages." The Hill (2/23, Fabian, 1.25M) reports that White House press secretary Sean Spicer said Trump "wasn't speaking literally." Spicer said, "The President was using that as an adjective. It is happening with precision."

The New York Times (2/23, A1, Ahmed, Harris, Nixon, Subscription Publication, 13.9M) writes that Trump "has a penchant for dropping unwelcome surprises during visits between the United States and Mexico. Last month, on the first day of a trip to Washington by Mexico's

foreign minister, Mr. Trump signed an executive order to build a wall between the two countries," and earlier this week, just before the trip by the two secretaries, the Administration "released policies that vastly expanded the potential for deportation of undocumented immigrants." The Washington Post (2/23, Olivo, 11.43M) says "the visit by Tillerson and Kelly comes a month after a heated volley of tweets between President Trump and Mexico's president, Enrique Peña Nieto, over who should pay for a wall on the southern US border prompted Peña Nieto to cancel a White House visit."

The Washington Times (2/23, Boyer, 272K) says Trump "praised" DHS efforts "to arrest and deport more illegal immigrants Thursday, calling it 'a military operation' that is getting 'really bad dudes' out of the US." The New York Post (2/23, Halper, 3.82M) also reports that Trump "likened the removal of illegal immigrants in the US to a 'military operation.'" Politico (2/23, Nussbaum, 2.46M) says "the comment was surprising given that ICE and the border patrol are civilian, not military, organizations." Business Insider (2/23, Woody, 3.42M) says the comments "appear to contradict some White House efforts to downplay the scope and scale of his deportation plans."

The TIME (2/23, Beckwith, 6.98M) and Vanity Fair (2/22, Nguyen, 6.22M) websites also highlight the President's use of the term "military operation," while the Washington Times (2/23, Dinan, 272K) and Politico (2/23, McCaskill, 2.46M) have brief items focused on Kelly's remarks.

CBS Fact-Checks Trump's Deportation "Boasting." The CBS Evening News (2/23, story 3, 0:40, Pelley, 11.17M) reported, "The President's boasting go the better of him today. He said the US is deporting drug dealers and gang members 'for the first time.' And as you heard, he said they're being deported at a rate nobody has ever seen before. For the record, our research department spoke to an official at the Immigration and Customs Enforcement agency. In January of last year, there were 17,649 deportations. Last month, it was one thousand fewer. And last year, 58 percent had been convicted of serious crimes, such as drug dealing."

The Intercept (2/23, Devereaux) headlines a report "Donald Trump Plans To Bypass The Courts To Deport As Many People As Possible." Tennessee-based immigration attorney Greg Siskind said, "I see now what the plan is. Their plan is basically to have everybody thrown out of the country without ever going to court."

Newsweek Analysis: Trump's Deportation Policies Could Cost "Billions." Newsweek (2/23, Cadei, 862K) under the headline "Trump's Deportation Plans Would Cost Billions" that Trump's "plans to dramatically increase deportations are causing panic in immigrant communities across the country" and are also "likely to add billions of dollars to the tab for Trump's immigration crackdown, on top of the $21 billion that DHS officials have estimated it could cost to build the president's desired wall on the border with Mexico." Last year, Ben Gitis of the "center-right" American Action Forum estimated that it would cost $400 billion to $600 billion to deport all of those in the US illegally within two years. While Trump has not called for that, Newsweek says the additional staffing needs for increased enforcement could cost more than $1.5 billion.

Trump Tweets "Chicago Needs Help" After Seven Homicides On Wednesday.

The Chicago Sun-Times (2/23, Charles, 798K) reports seven homicides occurred in Chicago Wednesday, making it "the deadliest day of 2017 so far," and President Trump responded in a tweet that the situation is "totally out of control. Chicago needs help!" Six people were shot on the South Side and one was killed in Little Village. Among those killed were a young pregnant woman and a sexagenarian. Five of the shootings occurred in a two-hour span. According to the

Chicago Tribune (2/23, Williams-Harris, Crepeau, Malagon, 2.54M), at least 495 people have been shot in Chicago so far this year, 60 more people than were shot over the same period a year ago. The Tribune provides details of the seven homicides Wednesday and notes that the West Side experienced the most violence last year. ABC World News Tonight  (2/23, story 8, 0:15, Muir, 14.63M) also briefly reported on the story.

Administration Reportedly Broadens Search For Fed Vice Chair For Bank Oversight.

The Wall Street Journal (2/23, Tracy, Ackerman, Subscription Publication, 6.37M) reports that people familiar with the matter indicated the Administration has widened its search for the next Fed Vice Chair in charge of bank oversight. The Journal says the Administration is still considering David Nason, an executive in General Electric's financing arm, and met with US Bancorp chief executive Richard Davis and Harvard Law School professor Hal Scott.

CNN: IC Concerned White House Wants Report Tailored To Justify Immigration Order.

Anderson Cooper said on CNN's Anderson Cooper 360  (2/23, 686K) that as the White House works "to provide a factual basis" for Trump's immigration order, there is "pushback of some in the intelligence community who have been given the job of evaluating the evidence information and who are worried that they're being asked to tailor the facts to fit a preordained conclusion." Jake Tapper added that "sources" told CNN's Pamela Brown "that there are those within the Department of Homeland Security who have concerns that intelligence at the department might be becoming politicized." A New York Times (2/23, Qiu, Subscription Publication, 13.9M) analysis examines "some of the more misleading claims Mr. Trump and his administration have made about the first iteration of the travel ban."

Also on CNN's Anderson Cooper 360  (2/23, 686K), Tapper cited a "senior White House official" who said that "the Department of Homeland Security and the Justice Department, quote, 'are working on an intelligence report that will demonstrate that the security threat for these seven countries [covered by President Trump's immigration order] is substantial, and that these seven countries have all been exporters of terrorism into the United States.'" However, "sources tell the CNN" that DHS' Office of Intelligence and Analysis "filed a report that disagrees with the view that blocking immigration from the seven countries strategically make nice sense. Some DHS officials have said they do not think nationality is the best indicator of potential terrorism." Tapper added that when it was asked about the matter, DHS "essentially disparage[d] its own intelligence division's report saying, quote, the Ina report does not include data from other intelligence community sources. It is incomplete."

Rep. Dan Donovan said on CNN's The Lead  (2/23, 320K) that the Administration "looked at the decision by the Ninth Circuit" and is "taking into account where the failures were in the first roll out of the first executive order and trying to make sure that they do the next executive order within the constitutional boundaries."

Illinois, Connecticut Officials Push Back On Trump's Immigration Enforcement Plans.

The Chicago Sun-Times (2/23, Grimm, 798K) reports that President Trump is "not going to get much help from Illinois" with his "ambitious plans to step up immigration enforcement and arrest and deport undocumented people at a record pace." Cook County Sheriff Tom Dart "said he had

'no interest' in devoting his deputies' time to arresting undocumented county residents, and Mayor Rahm Emanuel has consistently said Chicago will remain a 'sanctuary city.'" Meanwhile, state Attorney General Lisa Madigan "said her office is looking into ways to offer legal backup to smaller towns that want to continue their resistance to immigration laws," and Gov. Bruce Rauner "said he had no plans to deputize the Illinois State Police to enforce immigration laws."

The Washington Times (2/23, Ernst, 272K) says a memo to Chicago Public Schools principals from Chicago Chief Education Officer Janice Jackson "positioned CPS as a roadblock to ICE's mission to enforce federal laws governing border control, customs, trade and immigration." The memo, which was issued Tuesday, reads, "To be very clear, CPS does not provide assistance to US Immigration and Customs Enforcement (ICE) in the enforcement of federal civil immigration law. ... Therefore, ICE should not be permitted access to CPS facilities or personnel except in the rare instance in which we are provided with a criminal warrant."

Connecticut Gov. Dannel Malloy was asked on Fox News Tucker Carlson Tonight  (2/23) about his order to state law enforcement not to enforce federal immigration law. Malloy said, "There are federal laws that the federal authorities should enforce and there are state laws that the state authorities should enforce. We want the bad guys off the street, we want bad guys sent home. That's not the disagreement. The disagreement is the President can't order us to do federal work. Quite frankly, the federal government should do its own job and get it done. We are not standing in the way of that happening."

Clarke: Charge Sanctuary City Officials With Harboring Aliens. The Milwaukee Journal Sentinel (2/23, Glauber, 513K) reports that during a panel discussion at the Conservative Political Action Caucus Thursday, Milwaukee County Sheriff David A. Clarke Jr. said "he has a way to put a stop to sanctuary cities – use a federal statute to charge local officials for harboring aliens." Said Clarke, "I'm telling you right now folks, you charge one mayor, one governor, one council president that adopts these laws, this stuff is going to end right away." Clarke argued that sanctuary cities "provide cover" for "criminal illegal aliens to continue to prey on not only law-abiding people but also illegal immigrants in this country."

Taub, Fisher: Proposed Deportation Rules Risk Creating "Fragmented" Society. In the New York Times (2/23, Subscription Publication, 13.9M), Amanda Taub and Max Fisher say the Administration's proposed deportation rules "risk creating an American underclass with parallels to others around the world," such as "slum residents in India, guest workers in oil-rich Persian Gulf states and internal migrant workers in China." The groups, Taub and Fisher say, "provide a cautionary tale for what could happen" if illegal immigrants "are forced deep into the shadows." The authors say that the undocumented immigrants are "stuck in a gray zone outside the legal system," making them "vulnerable to exploitation, including wage theft and sex trafficking." Taub and Fisher say the end result could be "a fragmented" society, rather than the "cohesive society" that the Administration seeks.

Deportation Plan Dominates US Officials' Visit To Mexico.

Bloomberg Politics (2/23, Cattan, 201K) reports Secretary of State Tillerson and DHS Secretary Kelly "wanted to focus on a range of bilateral issues, including trade, in a meeting with their Mexican counterparts" on Thursday in Mexico City, but instead "immigration concerns dominated" the meeting. In its lead story, ABC World News Tonight  (2/23, lead story, 3:40, Muir, 14.63M) reported Tillerson and Kelly arrived in Mexico at a time when that country is "furious with the Administration's new plan to deport some undocumented immigrants to Mexico, even if

they are not Mexican." On CNN's Situation Room  (2/23, 554K), Elise Labott said "the Mexicans do seem to be caught off guard. Normally, you have the White House rolling out a policy several days before the visit. There is time for dust to clear and the aides to set the meetings." Nevertheless, Tillerson "called the talks productive."

NBC Nightly News  (2/23, story 4, 1:35, Alexander, 16.61M) reported that prior to their arrival, demonstrators set fire to a fake wall, and "many were demanding that the Mexican president refuse to meet with" the two US officials. Tillerson tried "to translate [Trump's] tough talk into diplomacy," saying, "Two strong sovereign countries from time to time will have differences."

Reuters (2/23, Alper, Torres) reports Mexican officials expressed "worry and irritation" about Trump's policies during talks with Tillerson and Kelly, "giving a chilly reply to the new administration's hard line on immigration, trade and security." Foreign Minister Luis Videgaray told reporters, "There exists among Mexicans worry and irritation about what are perceived to be policies that could be harmful for the national interest and for Mexicans here and abroad." The Washington Times (2/23, Dinan, 272K) says Mexican officials "scolded their American counterparts," using the meeting to "register their displeasure and demand that the US not increase the number of people deported to Mexico." The New York Post (2/23, Moore, 3.82M) says Videgaray also expressed "concerns" about "the rights of Mexicans living in the US."

According to the Los Angeles Times (2/23, McDonnell, 4.52M), Videgaray told lawmakers "in private comments" on Wednesday that Mexico is preparing for a long "battle" with the Trump Administration, and is "prepared to retaliate with new tariffs if necessary." He is quoted as saying, "We are here preparing for a battle that is going to be long. This is not going to be resolved in three days."

In his "Talking Points Memo" segment on Fox News' The O'Reilly Factor  (2/23, 767K), Bill O'Reilly said, "It's entirely Mexico's fault that millions of their own citizens feel they have to come here to earn a decent living. ... Mexico should take full responsibility for its inability to provide a decent economy for its own people and for failing to defeat the vicious drug peddling monsters. But they never will."

DeVos: Obama's Transgender Bathroom Guidance Was An "Overreach."

A day after the Trump Administration rescinded the Obama Administration transgender bathroom guidance, Education Secretary DeVos on Thursday told the Conservative Political Action Conference that the previous Administration's rules were "an overreach," USA Today (2/23, Estepa, 5.28M) reports. DeVos said, according to the Washington Times (2/23, Sherfinski, 272K), "Let me just say that this issue was a very huge example of the Obama administration's overreach to suggest a one-size-fits-all federal government approach, top-down approach to issues that are best dealt with and solved [at] a personal level and a local level."

The New York Times (2/23, Pérez-Peña, Subscription Publication, 13.9M) reports that before the decision was announced, DeVos "met with a representative of gay and transgender employees at the Education Department to warn of what was coming." While an aide "assured the employee that, as was widely reported, Ms. DeVos had resisted the move, according to people briefed on the Wednesday meeting," DeVos "gave no public sign that there had been a rift within the Trump administration, or that she had come up short." However, "people who have known and watched Ms. DeVos through the years...warn against thinking that she will be a meek

team player." In her home state of Michigan, DeVos "earned a reputation as a driven, relentless and effective political fighter, using her family's vast fortune to reward allies and punish foes, and working behind the scenes to pass legislation and unseat lawmakers who opposed her."

ABC World News Tonight  (2/23, story 4, 0:40, Muir, 14.63M) reported that White House press secretary Sean Spicer said Thursday that "it's not a matter for the federal government to decide." Spicer: "I think it's not a question of whether it's a civil right, it's where it's appropriately addressed. And as I noted, it's appropriately addressed at the state level." The Washington Post (2/23, Brown, Balingit, 11.43M) says that in the wake of the Administration rescinding the guidance, "school officials from New York to Washington to Tulsa, Okla., moved quickly this week to assure their communities that they would continue to allow students to use bathrooms aligned with their gender identity." Meanwhile, other districts never complied with the guidelines and do not intend to do so now. The result is "a patchwork of policies on transgender student accommodations that varies widely across the country."

The Washington Times (2/23, Richardson, 272K) reports that in an indication of "how states might proceed" now that Trump has rescinded the order, the National Conference of State Legislatures says lawmakers in 12 states "are considering bills that would require transgender people to use bathroom and locker room facilities based on their 'biological sex' or birth gender." Matt Sharp, legal counsel for the Alliance Defending Freedom, said, "I think [the repeal is] going to give states the motivation to start considering laws creating a baseline of privacy for all students...and really bring this issue back to where it belongs, which is in the states and local schools that know their students best." In that same vein, the Los Angeles Times (2/23, Lee, 4.52M) says the Administration's step "has buoyed the hopes of supporters of so-called bathroom bills, but they still face opposition in many states, even conservative ones."

The Administration move is prompting criticism from several fronts. Bloomberg News (2/23, Hagan, 2.41M) says it has "provoked one more outcry from Silicon Valley." Tech firms including Apple, Facebook and Microsoft "released statements and tweets following the administration's announcement."

In an op-ed for the Washington Post (2/23, 11.43M), former Education Secretary Arne Duncan and former Assistant Education Secretary Catherine Lhamon write that the Administration decision "reflects a fundamental misunderstanding of the federal role in protecting the civil rights of students," confuses "states and school districts, and puts real, live children at greater risk of harm." They add that while the federal government "rightly defers to states and school districts" on "issues such as standards and curriculum," when "it comes to protecting students, the law is clear: Civil rights are paramount."

In an editorial, the New York Times (2/23, Subscription Publication, 13.9M) cites Trump's campaign promise "to protect lesbian, gay, bisexual and transgender Americans from violence and oppression," and says it is not surprising he has sided with Attorney General Sessions on rescinding the transgender bathroom guidance, because "has demonstrated time and again that his stated personal convictions are malleable." A Washington Post (2/23, 11.43M) editorial also criticizes the decision, saying that while Trump once "seemed able to see through this hysteria, expressing support for the rights of transgender people to 'use the bathroom that they feel is appropriate' and saying Caitlyn Jenner was welcome to use whatever bathroom at Trump Tower she wanted," his endorsement of "the rollback of protections will inflict needless suffering on transgender students, a vulnerable population already subjected to harassment and bullying."

Decision Will Impact Supreme Court Case. USA Today (2/23, Wolf, 5.28M) reports that the Administration decision "could remove the controversial issue from the Supreme Court's

docket this spring – or lead the justices to render an even more significant ruling." Next month, the Court is sent to hear Virginia high school student's legal fight to use the bathroom of his choice. However, a Federal appeals court in Richmond relied on the guidance last year "in ruling that Gavin Grimm should be permitted to use the boys' bathroom at his Gloucester County school, and the school district promptly appealed to the Supreme Court." The removal of that policy means the High Court can "vacate that decision and send the case back, or decide on their own which bathrooms are suitable under a 1972 federal law prohibiting sex discrimination." On Thursday, the Court "gave lawyers on both sides six days to submit their views on how best to proceed."

In an op-ed for the New York Times (2/23, Subscription Publication, 13.9M), Ria Tabacco Mar, a staff lawyer for the ACLU's Lesbian, Gay, Bisexual, Transgender and H.I.V. Project, argues that "the president and his executive agencies cannot change what Title IX says and means. Those jobs still belong to Congress and the federal courts." The Grimm case, Mar adds, "could neutralize the Trump administration's cruel blow to vulnerable transgender youth."

Report: One In 137 Teens Would Identify As Transgender. The New York Times (2/23, Chokshi, Subscription Publication, 13.9M) reports that "an analysis of state and federal data" shows that "nearly 150,000 American teenagers from 13 to 17 years old – or one out of every 137 – would identify as transgender if survey takers asked." The Times says the estimate, which was published in a report from Jody L. Herman, a scholar of public policy at the Williams Institute at the UCLA School of Law, and several co-authors, "stands to inform the fierce debate over the rights of transgender youth."

Trump, Trudeau Discuss Border Cooperation.

Reuters (2/23, Ljunggren) reports Canadian Prime Minister Justin Trudeau and President Trump on Thursday "discussed cooperation along the countries' shared border," Trudeau's office said in a statement without providing further details. Reuters notes that "dozens of asylum seekers, worried about Trump's plans for cracking down on immigration, have been crossing into Canada in recent weeks, putting a strain on border communities."

Southwest States May Hinder Trump's Border Wall.

The Wall Street Journal (2/23, Frosch, Subscription Publication, 6.37M) highlights efforts in Southwestern US states to hinder President Trump's efforts to build a wall along the US border with Mexico including legislation from New Mexico Democratic state lawmakers to prohibit the Federal government from acquiring the land to build the wall and California Lt. Gov. Gavin Newsom's discussion of using state and federal environmental laws to hinder stymie construction.

Salvadoran Woman Awaiting Emergency Surgery "Forcibly Moved" To Detention Facility. The Los Angeles Times (2/23, Demick, 4.52M) reports that ICE agents "forcibly moved" Sara Beltran-Hernandez, "a critically ill woman from El Salvador who was awaiting emergency surgery for a brain tumor" from a Texas hospital to a detention center, "raising concerns about President Trump's directive to more aggressively pursue people living in the country illegally." Beltran-Hernandez "was bound by her hands and feet and removed by wheelchair from Huguley Hospital in Fort Worth late Wednesday" and taken to "a detention facility in Alvarado, Texas." Attorneys representing the woman in an asylum petition "said they plan to file an emergency appeal in Texas to get their client returned to the hospital."

CBP Agents Ask For Flight Passengers' IDs In Search For Undocumented Immigrant. The Washington Post (2/23, Lowery, 11.43M) reports that US Customs and Border Protection "confirmed" on Thursday "that their agents requested to see the identification of

domestic flight passengers landing at a New York airport Wednesday night as they searched for an undocumented immigrant who had received a deportation order to leave the United States." The agency said two CBP agents "asked passengers who had been on Delta Flight 1583 from San Francisco to show their identification while deplaning after landing at John F. Kennedy Airport at about 8 p.m. Wednesday." The search "was conducted at the request of Immigration and Customs Enforcement, CBP said in a statement, but the person they were seeking was not on the flight." A CBP spokesperson "said that the undocumented individual, who they did not publicly identify, received a deportation order after multiple criminal convictions for domestic assault, driving while impaired, and violating a protective order."

Pew Poll Gauges How Hispanic Immigrants See Their Place In US. The AP (2/23, Holland) reports that a Pew Research Center survey taken in December and January and released Thursday found that "more than half of Hispanic immigrants who were neither born in the United States nor have a permanent resident card said they were concerned about their place in the United States, even before the Trump administration made clear its intentions to aggressively crack down on illegal immigration." According to the survey, "55 percent of Hispanics surveyed who were foreign born and neither US citizens nor legal residents – a group Pew said was the most likely to be in the country without authorization – said they had serious concerns about their place in America after President Donald Trump's election." Among "Hispanic lawful permanent residents," 49 percent had the same concerns. Meanwhile, 59 percent of US-born Hispanics "said they were confident about their place in America, along with 60 percent of those US citizens who were foreign-born."

Former SOCOM Commander: Trump's Comments About Media A Threat To Democracy.

The Washington Times (2/23, Ernst, 272K) reports Ret. Adm. William McRaven, the former head of Special Operations Command, said Tuesday that he views President Trump's comments about the media as possibly "the greatest threat to democracy" in his lifetime. The current University of Texas system chancellor told members of the school's communication college that efforts to characterize the media as an "enemy" must be challenged. The Daily Texan quoted McRaven as saying, "We must challenge this statement and this sentiment that the news media is the enemy of the American people."

Ginsburg Says Reporters "Trying" To Tell "Truth," Praises Women's March. The AP (2/23, Hananel) reports Supreme Court Justice Ruth Bader Ginsburg told BBC's "Newsnight" in a Thursday interview that she reads the Washington Post and the New York Times daily and "reporters are trying to tell the public the truth." While Ginsburg did not comment on President Trump directly, the AP says, the Justice "said she was encouraged" by the women's march in Washington. Ginsburg said, "I've never seen such a demonstration, both the numbers and the rapport of the people in that crowd." She added, "There was no violence, it was orderly. So yes, we are not experiencing the best times, but there is reason to hope that we will see a better day."

O'Keefe Offering $10,000 For Evidence Of Wrongdoing By Media.

The Washington Times (2/23, Richardson, 272K) reports "conservative sleuth" James O'Keefe "is ramping up his effort to take down the mainstream media" by asking "ordinary citizens to go undercover and expose wrongdoing in newsrooms" across the US. O'Keefe said he will award $10,000 to any person who provides evidence of "corruption, malfeasance and wrongdoing" in the press. O'Keefe said in a video, "If you have hidden audio recordings, videotapes or

documents inside of a newsroom or media institution, and the material is good enough, I will pay you $10,000."

Strassel: Conflict Over Pentagon Staff Hurting Efforts To Improve Pentagon.

In her Wall Street Journal (2/23, Subscription Publication, 6.37M) column, Kimberley Strassel says conflict between the White House and Defense Secretary Mattis over who to appoint for senior level Pentagon positions risks leaving Mattis without the necessary staff to carry out needed changes for the military. Strassel argues that while Mattis' desire not to consider politics when choosing his staff has merit, the positions ultimately report to the President and carry out his vision.

WPost: World Leaders Should Treat Public Health Issues Like National Security Threats.

In an editorial, the Washington Post (2/23, 11.43M) says that Bill Gates' address at the Munich Security Conference Saturday "should have caught everyone's attention" because he said world leaders should equate the urgency of public health issues with the urgency of national security threats. While it may be impossible to anticipate the next "fast-moving [wave] of peril," Gates argued that more support should go toward research on speeding up vaccine development with genomics and more time and resources should be spent on surveillance to identify the outbreak of diseases before epidemics spread. A third priority should be exercises and training "the way the military prepares for war," said Gates.

Republicans Expected To Use Congressional Review Act To Repeal Obama Agency Rules.

Roll Call (2/23, Mejdrich, 63K) reports that congressional Republicans "are expected to send a stream of bills...to President Donald Trump's desk, using a process to repeal agency rules known as the Congressional Review Act," which "allows Congress to repeal certain rules of the previous administration under a fast-track process that requires only a simple majority in the Senate." The Act also "states that a rule 'may not be reissued in substantially the same form, and a new rule that is substantially the same as such a rule may not be issued, unless the reissued or new rule is specifically authorized by a law enacted after the date of the joint resolution disapproving the original rule.'"

Bannon Rips Media, Vows Trump Will Push Forward With Agenda.

Coverage of the joint appearance Thursday by Chief Strategist Steve Bannon and Chief of Staff Priebus at the annual Conservative Political Action Conference – which included reports on all three major network newscasts – focuses heavily on two themes: First, Bannon's excoriation of the media and his vow that President Trump is committed to following through on his campaign promises; and second, Bannon and Priebus seeking to put to rest reports of a rift between the two men.

In the lead story for the  CBS Evening News (2/23, lead story, 2:55, Pelley, 11.17M), Margaret Brennan reported that Bannon, making "a rare appearance," portrayed "himself as a revolutionary." Bannon was shown saying, "There's a new political order that's being formed out of this, and it's still being formed. But if you look at the wide degree of opinions in this room, whether you're a populist, whether you're a limited-government conservative, whether you're a

libertarian, whether you're an economic nationalist, we have wide and sometimes divergent opinions. We are a nation with a culture and a reason for being. And I think that's what unites us." Brennan added, "Bannon, a former Goldman Sachs banker who previously ran conservative website Breitbart, repeatedly attacked the media, which he referred to as 'the opposition party.'"

On  ABC World News Tonight (2/23, story 3, 1:25, Karl, 14.63M), Jonathan Karl reported that in "rare public comments," Bannon, "dubbed 'the Great Manipulator' by the TIME magazine" and who "may be the President's most powerful and controversial aide," said that President Trump "won't moderate his views and won't back down from an all-out battle with his opponents." Referring to the media, Bannon was shown showing, "If you think they are going to give you your country back without a fight, you are sadly mistaken. Every day, every day it is going to be a fight."

On  NBC Nightly News (2/23, story 2, 2:30, Holt, 16.61M), Lester Holt reported that Bannon made "a rare public appearance." NBC's Hallie Jackson added, "Stepping out of shadows of the West Wing, one of the President's most trusted advisers in a rare public appearance." Jackson described the "controversial" Bannon as "the power behind the populist brand that propelled Donald Trump to victory."

The New York Times (2/23, Peters, Subscription Publication, 13.9M) reports that when Bannon on Thursday "appeared in public...for the first time since the president was sworn in, it was to deliver, in his own combative way, a message of soothing reassurance to the conservative activists" at CPAC. Bannon told the crowd "not [to] believe the 'corporatist globalist media' that was 'crying and weeping' on election night and is still 'dead wrong' about what the Trump administration is doing. Inside the White House, Mr. Bannon said, everything is going according to plan. The 'deconstruction of the administrative state' has just begun."

The Washington Times (2/23, Sherfinski, 272K) reports that Bannon and Priebus "assured conservatives" that Trump "will keep pressing on 'all of those promises' that got him elected, rejected reports of chaos within the White House and accused a hostile press of trying to undermine the new administration." The Times adds, "The joint appearance of" the pair "seemed designed to combat reports of discord within the White House – a characterization Mr. Priebus called 'ridiculous' and Mr. Bannon called 'dead wrong.'"

The Washington Post (2/23, Rucker, Costa, 11.43M), describing Bannon as "the reclusive mastermind behind...Trump's nationalist ideology and combative tactics," reports that Bannon delivered "a fiery rebuke of the media and [declared] that the new administration is in an unending battle for 'deconstruction of the administrative state,'" by which he meant "the system of taxes, regulations and trade pacts that the president says have stymied economic growth and infringed upon US sovereignty."

Breitbart (2/23, Spiering, 2.02M) reports that the crowd "applauded and cheered when Bannon spoke of the deconstruction of the administrative state, cutting cabinet agency regulations that were choking business growth. 'The way the progressive left runs is that if they can't get it passed, they're just going to put it in some sort of regulation in an agency,' he said. 'That's all going to be deconstructed.'"

The Los Angeles Times (2/23, Bierman, 4.52M) reports that during "a rare public appearance together," Bannon and Priebus "agreed on one common enemy: the media." The Times says Priebus, "who is often described as 'embattled,' said he has grown 'conditioned' to the media counting Trump out: during the presidential campaign, the transition and the first month of the presidency. 'The biggest misconception is everything that you're reading,' Priebus said." Bannon, meanwhile, "consistently called the media 'the opposition party.'"

Reuters (2/23, Cowan, Sullivan) reports that Bannon, making "a rare public appearance," urged "conservatives to unite behind [Trump] as he presses his agenda." Bannon told "the gathering, 'We want you to have our back' in upcoming battles, and [denounced] media criticism of Trump."

The Huffington Post (2/23, Bobic, 237K) reports that Bannon "denounced the 'corporatist, globalist media' for being 'adamantly opposed to an economic nationalist agenda'" being pushed by Trump. Bannon "repeated a reference to the media as the 'opposition party,' and bashed it for being 'always wrong' about the workings of the administration." Priebus concurred with the assessment, "adding that he hoped the relationship between the press and the White House would improve. 'It's going to get worse,' Bannon said."

The Wall Street Journal (2/23, Bender, Subscription Publication, 6.37M) reports that Bannon pledged that Trump's budget proposal would make good on the President's campaign vows. Said Bannon, "We have a team that's just grinding it through on what President Donald Trump promised the American people. And the mainstream media better understand something – all those promises are going to be implemented." The Washington Times (2/23, Ernst, 272K) quotes Bannon as saying of Trump, "He's laid out an agenda with those speeches, with the promises he made, and our job everyday is just to execute on that." Bannon added, "And he's maniacally focused on that."

Bannon, Priebus Dispute Reports That They Are At Odds With Each Other. The Hill (2/23, Kamisar, 1.25M) reported that while Bannon was "portrayed by 'Saturday Night Live' as the Grim Reaper" and "on the cover of Time magazine as 'the great manipulator,'" during Thursday's "rare public appearance," he "presented a softer image." The Hill added that Bannon "was relaxed and smiling on the convention hall stage next to a chipper Priebus," as the pair "sought to temper Bannon's public image and rebut reports of discord between the administration's top two advisers."

USA Today (2/23, Jackson, 5.28M) says that both men "disputed media reports casting them as rivals in Trump's political court, and each said they are working together to advance the president's ambitious agenda." USA Today adds, "Moderator Matt Schlapp – chairman of the American Conservative Union, which sponsors CPAC – seemed amused by the Bannon/Priebus pleasantries, saying at one point, 'you guys have been so kumbayah.'"

McClatchy (2/23, Glueck, 74K) reports, "Despite several weeks of often-rough headlines for the administration and rampant chatter about tensions between Bannon and Priebus, the two men sought to project unity." Said Priebus, "In regard to us two, the biggest misconception is everything you're reading," adding, "We share an office suite together, we're basically together from 6:30 in the morning until about 11:00 at night."

Law Professors File Misconduct Complaint Against Conway.

The Washington Post (2/23, Horwitz, 11.43M) reports that a group of law professors has filed a misconduct complaint against Conway, "who was admitted to the D.C. Bar in 1995." The letter, from 15 professors who specialize in legal ethics, "said Conway should be sanctioned for violating government ethics rules and 'conduct involving dishonesty, fraud, deceit or misrepresentation.'" The professors "cite several incidents, including a television interview in which Conway made the 'false statement that President Barack Obama had 'banned' Iraqi refugees from coming into the United States for six months'" after the "Bowling Green Massacre," as well as "the use of her position to endorse Ivanka Trump products." They argue that while Conway once "understood her ethical responsibilities as a lawyer and abided by them." She "is currently acting in a way that brings shame upon the legal profession."

Spencer Asked To Leave CPAC.

The Washington Times (2/23, Sherfinski, 272K) reports that "ethno-nationalist 'alt-right' movement" leader Richard Spencer "was booted from the Conservative Political Action Conference (CPAC) on Thursday." American Conservative Union spokesman Ian Walters said, "He's not welcome here." Spencer posted a video online in which he "said he was 'expelled' from the event and had been 'politely asked to leave.'"

The Washington Post (2/23, Weigel, 11.43M) says that in his speech to the conference, ACU executive director Dan Schneider "challenged the media to stop referring to the 'alt-right,'...as conservative." Schneider said, "There is a sinister organization that is trying to warp its way into our ranks. ... We must not be deceived by [a] hateful, left-wing fascist group." He continued, "They hate the Constitution. They hate free markets. They hate pluralism. ... Fascists tend to want big government control."

Chamber of Commerce: Trump Should Halt, Evaluate Fiduciary Rule.

US Chamber of Commerce Center for Capital Markets Competitiveness President and CEO David Hirschmann and Randel Johnson, the chamber's senior vice president of labor, immigration and employee benefits, write in a USA Today (2/23, 5.28M) op-ed that President Trump's request to review the Labor Department's "well-intentioned, but poorly designed, fiduciary rule" is "a necessary first step in halting the rule's implementation and calling for an evaluation of its true impact." Hirschmann and Johnson say the rule's "rushed compliance period, severe consequences and compliance burdens" hinder small businesses' retirement plan offerings, and its flawed enforcement mechanism will lead to "frivolous lawsuits."

USA Today: Existing "Commonsense" Fiduciary Rule "Should Not Even Be Controversial." In an editorial, USA Today (2/23, 5.28M) argues the fiduciary rule the Administration has put under review is "not an onerous regulation," but rather a "commonsense rule" that "should not even be controversial." The fiduciary rule is a "simple measure that is needed to boost savings rates," and its end "will simply make brokerages richer at the expense of unsophisticated savers," says USA Today.

Stocks "Wobbled" As Dow Rises For 10th Straight Day.

The AP (2/23) reports that stocks "wobbled Thursday as investors changed course and tempered their expectations for faster economic growth." The Dow added 34.72 points to close at 20,810.32 and the S&P 500 rose 0.99 points to finish at 2,363.81, while the Nasdaq ended the day 25.12 points lower at 5,835.51. USA Today (2/23, Shell, 5.28M) says Thursday was the first time in nearly four years that the Dow "finish[ed] higher 10 consecutive trading days."



Scott Pelley said on the CBS Evening News (2/23, story 5, 1:40, Pelley, 11.17M) that "many people" are referring to it as "the Trump Rally." Jim Axelrod added that "industrial companies are expecting an increase in infrastructure spending as we saw today when the President met with manufacturing executives to discuss jobs." The President "has signaled he will push for an infrastructure spending bill, and, of course, everyone likes the signals on corporate tax reforms and regulation rollbacks." Early Thursday evening, Trump tweeted a Fox Business story headlined, "S&P 500 Edges Higher After Trump Renews Jobs Pledge." As 11:30 p.m., the post had been retweeted more than 6,000 times and liked more than 32,000 times.

A separate USA Today (2/23, Shell, 5.28M) analysis says that while "optimism is on the rise as investors cheer better economic numbers and stronger corporate profits," Lamar Villere, co-

manager of the Villere Balanced Fund, warned, "The first time one of Trump's major economic policy platforms gets shut down by Congress, you might get the market to say, 'Hmm, maybe this won't happen.' The market could start to get shaky. ... You could have a pullback, as it would remove one of the main reasons for the rally." USA Today goes on to list other factors "that could roil the market."

State Department Says Press Briefings Will Resume "Soon."

The Washington Times (2/23, Taylor, 272K) reports the State Department is "pushing back against criticism from former senior officials and journalists over the lack of press conferences and other media access" at the department since Secretary of State Tillerson was sworn in three weeks ago. "The Department of State continues to provide members of the media a full suite of services," acting spokesman Mark Toner said, asserting that the department had "answered 174 questions from reporters in the [US] and around the globe in the past 24 hours alone." Toner also said "regular press briefings" will resume "soon" as officials explore ways to try and open them digitally to a wider group of reporters.

Under Fire At Town Halls, Republicans Hedge Their Support For Trump Agenda.

The Washington Post (2/23, Weigel, 11.43M) reports that town halls being held this week during the congressional recess "have repeatedly found Republicans hedging their support for" President Trump's "agenda – and in many cases contradicting their own past statements. Hostile questions put them on record criticizing some of the fights...Trump has picked, or pledging to protect policies such as the more popular elements of Obamacare. And voters got it all on tape, promising to keep hounding their lawmakers if they falter." As one example, the Post says that Sen. Chuck Grassley, asked during a town hall whether he backs an investigation of "Trump's tax returns," offered "a qualified 'yes.'"

On the  CBS Evening News (2/23, story 4, 2:15, Pelley, 11.17M), Scott Pelley reported, "Congressional Republicans are getting an earful in their town hall meetings." CBS' Nancy Cordes added, "The question for Republicans this week: How strongly to defend the President. ... When they're already dealing with Democratic anger over plans to repeal Obamacare."

Politico: Republicans Divided On Whether Paid Protesters Behind Raucous Town Halls. Politico (2/23, Nelson, 2.46M) reported, "A rift has opened up among Republicans over whether paid protesters are the root cause of raucous town halls, with the White House fueling the narrative that organized, disruptive sympathizers of Hillary Clinton are the culprits." Politico said GOP lawmakers "have taken different stances in the debate." For example, Grassley has argued "there's no 'evidence' that paid protesters are disguising themselves as angry constituents." However, "others have adopted a stance more in line with the White House's," with Rep. Jason Chaffetz, for instance, contending "that Democrats were 'bullying' in a 'concerted effort' to create chaos."

Under the headline "Takeaways From A Week Of Raucous Town Halls," Politico (2/23, Cheney, 2.46M) reported, "Some Republicans – including White House aides – have complained that the protests popping up at town halls have been orchestrated by liberal activists, perhaps by paying out-of-district residents to pack GOP events. But lawmakers who showed up weren't so sure they were facing an artificial resistance."

In another report, Politico (2/23, Nelson, 2.46M) said that Counselor to the president Kellyanne Conway, appearing Thursday on Fox News, "dismissed the angry crowds that have filled town hall meetings hosted by GOP lawmakers across the country as little more than the

venting of frustration by a directionless Democratic Party." Said Conway, "Some people are upset with an election result they didn't see coming. And the fact that this president, a man of action and impact is actually keeping his promises at very fast clip early in his administration."

WSJournal: Many At GOP Town Halls New To Political Activism. Under the headline "America's Rowdy Town Halls: More Organic Than Organized," the Wall Street Journal (2/23, Tau, Andrews, Subscription Publication, 6.37M) reports that the White House and leading Republicans have for the most part contended the angry crowds showing up at GOP town halls are the product of professional organizers and activists who are being paid. However, the Journal says interviews it conducted, both with attendees of a town hall held this week by Rep. Leonard Lance and audience members at similar events across the US, found that a number of those people had never taken part in a town hall or political activism of any sort.



Sen. Bernie Sanders said on CNN's Out Front (2/23, 409K), "If you don't have the guts to face your constituents, you shouldn't be in the United States Congress. If you need police at the meetings, that's fine, have police at the meetings, have security at the meetings. But don't use that as an excuse to run away from your constituents after you support repealing the Affordable Care Act, doing away with pre-existing conditions. If you're going to do all those things, answer the questions your constituents have."

Meanwhile, a number of reports on the topic focus on various GOP lawmakers across the country. CNN (2/22, Williams, Murphy, 29.79M) reported on its website, "After testy town halls" held by Republican lawmakers such as Chaffetz and Grassley "went viral, some GOP politicians are staying clear of town hall-style events in their home districts." In response, "constituents have turned to some creative ways to voice their displeasure." For example, referring to Rep. Paul Cook, CNN said, "Missing congressman notices have been photographed on milk cartons and posted to the @WhereIsPaulCook Twitter account and website."

The AP (2/23) reports that Rep. Martha McSally "held a town hall-style meeting in Sahuarita," taking "questions from a loud but largely non-confrontational audience Thursday at a church that seats about 300. Organizers of a competing town hall in Tucson had repeatedly invited McSally, but she refused to attend that event," saying "activists wanted an opportunity to verbally berate members of Congress in a public setting and" calling "the attempt a 'political ambush for political theater.'" On its website, CNN (2/23, Fox, 29.79M) reported that McSally "broke with her party and President Donald Trump on a handful of occasions and yet failed to assuage the progressives in the audience who screamed at her to 'answer the question.'"

In another dispatch, the AP (2/23) reports, "A sometimes hostile crowd peppered" Rep. David Young on Thursday "with questions about the Affordable Care Act, environment and other issues at a public forum in Urbandale." The AP says an audience member asked Young "if health care would remain affordable for his 1-year-old son, who was born with a serious health problem. The crowd jeered Young as he sidestepped giving 'a definite answer' but said the boy wouldn't be denied care."

Study: Anti-Muslim, Anti-Immigrant Hate Groups Thrive On Twitter.

USA Today (2/23, Eversley, 5.28M) reports a study released this week by the community security research organization Safe Home this week shows hate groups targeting Muslims and immigrants had the largest number of followers on Twitter, and the number of likes and comments on hate group tweets was higher in 2016 than any year since 2008. Geographically, the Southern states of Arkansas, Mississippi, and Tennessee are home to the highest number of hate groups per capita, with South Dakota and Montana not far behind.

WSJournal: Gorsuch Confirmation Will Buttress Second Amendment Rights.

The Wall Street Journal (2/23, Subscription Publication, 6.37M) editorializes that the 4th Circuit Court of Appeals' ruling this week upholding Maryland's ban on military-style weapons underscores the importance of confirming Judge Neil Gorsuch to the Supreme Court, arguing that with Gorsuch on the court, a new majority will soon be in place to reinforce the court's ruling in DC v. Heller, in which it upheld the individual right to bear arms.

WPost: Bowser's Experienced Police Chief Choice Newsham "Makes Sense."

The Washington Post (2/23, 11.43M) editorializes that Mayor Muriel Bowser's Thursday announcement that Peter Newsham will succeed Cathy Lanier as D.C. police chief, pending D.C. Council approval, "makes sense" for his help "transforming the department into a model agency." Noting his 28-year commitment to the D.C. force, the Post says he worked closely with police chiefs in the reform and professionalization of the force that has led to "a declining crime rate, the pioneering use of data and a department held out as a national example of how to make community policing work." The Post estimates that Newsham will survive inquiry into the "blemishes on his record" because he has learned lessons that put "him in good stead" to fulfill police chief responsibilities.

Arkansas Supreme Court Strikes Down City's LGBT Protections.

The AP (2/23, DeMillo) reports from Little Rock, AR that the Arkansas Supreme Court on Thursday "struck down a city's ordinance banning discrimination based on a person's sexual orientation or gender identity, but it stopped short of saying whether a state law aimed at prohibiting such local LGBT protections is constitutional." The court "reversed a judge's decision that Fayetteville's anti-discrimination ordinance didn't violate a state law prohibiting cities from enacting protections not covered by state law." The AP adds that Fayetteville, "a liberal enclave in northwestern Arkansas, is one of several cities that approved local protections for lesbian, gay, bisexual and transgender people in response to the 2015 law." In the unanimous ruling, "the justices rejected the argument that Fayetteville and other cities with such ordinances have made, that such protections are covered elsewhere in state law."

SCOTUS Will Not Hear Ohio Man's Amish Hair-Cutting Case.

The AP (2/23) reports that the Supreme Court "won't review the case of the Ohio leader of a breakaway group that was accused in hair- and beard-cutting attacks on fellow Amish." Defense attorneys "challenged the constitutionality of the federal hate crimes law and how a kidnapping allegation was used to stiffen the sentence for 71-year-old Samuel Mullet Sr.," who "petitioned the Supreme Court after a federal court rejected his appeal last May." Mullet's attorney, Ed Bryan, said "he is disappointed by the high court's decision this week not to take up the case." Prosecutors "said some of the victims in the 2011 attacks were awakened in the middle of the night and restrained as others cut their hair and beards, which have spiritual significance in the Amish faith," and "prosecutors alleged the motive was religious, while the defense attributed it to family disputes."

Cruz Predicts Another SCOTUS Vacancy Later This Year.

The Washington Post (2/23, Sullivan, 11.43M) reports that in "one of his most prominent political appearances in months," Sen. Ted Cruz predicted at the Conservative Political Action Conference

Thursday "that there will be another vacancy on the Supreme Court later this year" and "appeared to suggest that a departure of one of justices from the liberal wing of the court would trigger the opening." Cruz said, "The Scalia seat is defense. ... We're not going to get any better than Justice Scalia. The best we can do is preserve constitutional victories like upholding the Second Amendment. . . . I think we'll have another Supreme Court vacancy this summer. If that happens, as much as the left is crazy now, they will go full Armageddon." Cruz reiterated those comments in an interview with Fox News' Special Report  (2/23, 1.53M), saying, "I think the odds are very good we will see a [Supreme Court] vacancy this summer. If not this summer, next summer. ... The next vacancy, which is going to be the opportunity to shift the course of this court, to put a five justice majority of constitutionalists on the court – that's going to be Armageddon and we need to be prepared to make the case to the American people."

INTERNATIONAL NEWS

Military Leaders Want Higher Level Talks With Russia About Air Operations Over Iraq, Syria.

The Washington Post (2/23, Lamothe, 11.43M) reports that senior US military officials "want to elevate talks with Russia about air operations over Iraq and Syria" in an effort to prevent mid-air collisions. However, the Post says that the prospect of discussions on the issue are "complicated by concerns at the Pentagon that doing so will make it look like Washington and Moscow have begun to collaborate on the battlefield." A 2015 agreement between the US and Russia "called for the use of specific communication frequencies and the establishment of a phone hotline" to deconflict operations, but Lt. Gen. Jeffrey Harrigian indicated the existing agreement has not provided US officers many options when there are points of contention between the two military forces. Harrigian said, "Our perspective has been that there needs to be another layer that allows us to have a more senior-level discussion, and we've got to work through where that layer is."

Treasury Department Sanctions Two Nusra Front In Syria Leaders.

The AP (2/23, Schectman) reports the Treasury Department on Thursday placed two Nusra Front in Syria leaders – Iyad Nazmi Salih Khalil and Bassam Ahmad al-Hasri – on its sanctions blacklist. The US says the men helped oversee the group's operations in Syria, with Khalil acting as its third-highest ranking official.

Syrian Peace Talks Resume.

The AP (2/23, Soguel, Keaten) reports talks to end the Syrian conflict restarted on Thursday with UN envoy Staffan de Mistura saying the negotiations present an opportunity to end the war and give hope to country's population. Mistura said, "The Syrian people all want an end to this conflict and you all know it." Mistura added, "They are waiting for a relief of their own suffering, and the dream of a new road out of this nightmare to a real and normal future in dignity." Mistura indicated that he will hold separate talks with each side as they try to create a plan that would lead to discussions about governance, a new constitution, and elections.

Iraqi Forces Seize Most Of Mosul Airport.

ABC World News Tonight  (2/23, story 9, 0:45, Muir, 14.63M) reported that Iraqi forces on Thursday were "taking control" of the airport in Mosul, and the New York Times (2/23,

Callimachi, Gordon, Subscription Publication, 13.9M) says the troops seized most of the facility. The Times says the progress is "an important milestone" in the effort to recapture the western half of Mosul and "is a promising start to what is expected to be a difficult and bloody fight." US Brig. Gen. Matthew Isler said Iraqi forces are "most of the way through the airfield," which New Zealand Brig. Gen. Hugh McAslan said is "ahead of schedule of where we thought they would be."

NBC Nightly News  (2/23, story 7, 1:45, Holt, 16.61M) reported "the offensive is not over" and it "could take another two or three days to secure the airport." The CBS Evening News  (2/23, story 7, 2:10, Pelley, 11.17M) showed CENTCOM Commander Gen. Joseph Votel saying that while the operation "might" go "faster if we did it ourselves," he is "pretty convinced the way we are approaching this, this campaign this time, working through our partners, is kind of the right way of doing it." Votel added that the Iraqis "own this" and "we are helping them, helping them to fight, but we are not fighting for them."

Trump Wants US Nuclear Capabilities To Be At "Top Of The Pack."

NBC Nightly News  (2/23, story 3, 0:55, Holt, 16.61M) reported that in an interview with Reuters on Thursday, President Trump "doubled down in his desire to beef up the nation's nuclear punch." ABC World News Tonight  (2/23, story 2, 1:15, Muir, 14.63M) said Trump "declared he wants the United States to be the world's dominant nuclear power." Trump: "It would be wonderful. A dream would be that no country would have nukes, but if countries are going to have nukes, we're going to be at the top of the pack." Jonathan Karl said Trump's comment comes after Russia violated a 1987 nuclear treaty by deploying a new cruise missile, which the President called "a big deal." In his interview with Reuters (2/23, Holland), Trump called New START "a one-sided deal." Said the President, "Just another bad deal that the country made, whether it's START, whether it's the Iran deal. ... We're going to start making good deals."

Trump Likes Two-State Solution, But Will Leave It Up To Israelis, Palestinians.

In an interview with Reuters (2/23, Holland), President Trump said Thursday that he "likes the concept of a two-state solution to the Israel-Palestinian conflict," but "stopped short of reasserting a US commitment to eventual Palestinian statehood and instead said again" he would be "satisfied with whatever makes both parties happy." Said the President, "I like the two-state solution. But I ultimately like what the both parties like." Reuters says the comments "put a new twist" on a statement he made earlier this month at a news conference with Israeli Prime Minister Benjamin Netanyahu that could "send a signal to both sides, as well as the international community, that the principle...will not be discarded if the Trump administration moves forward, as he has promised, with an initiative to restart long-stalled peace efforts."

Haley Meets With Parents Of Slain Israeli Soldier. The AP (2/23) reports Ambassador Haley met Wednesday with the parents of an Israeli soldier "whose remains have never been returned after he was killed in Gaza." Haley told Leah and Dr. Simcha Goldin "that she'd work with them and Israeli diplomats to advocate for the return, the US Mission said."

Israel Bars Human Rights Watch. The Washington Post (2/23, Booth, 11.43M) reports Israeli has barred an American investigator from Human Rights Watch from entering the country, saying Thursday that the group is "systematically anti-Israel" and works as a propaganda tool for

the Palestinians. Officials at the rights group "denounced the decision to deny entry to Omar Shakir," an Iraqi-American.

Trump "Not Liking" Chinese And North Korean Military Moves.

In an interview with Reuters (2/23) on Thursday, the President said he is "not liking" recent military moves by China and North Korea. Said Trump, "I know exactly what's going on between China and North Korea and everybody else. But I don't like talking about military strategy in newspapers. ... I'm not liking it. This didn't take place under the Trump Administration, this took place under the Obama Administration. Many things took place that should not have been allowed. One of them is the building of a...massive military complex in the middle of the South China Sea." Politico (2/23, Lima, 2.46M) reports that while Trump "praised China for halting coal imports from North Korea, he stressed the country's importance in avoiding escalating matters" with Pyongyang, saying, "Whether they say so or not is up to them, but they have tremendous control over North Korea. I think they could solve the problem very easily if they want to."

Satellite Images Show Reinforced Chinese Surface-To-Air Missile Sites On Disputed Islands. The Washington Post (2/23, Gibbons-Neff, 11.43M) reports on its website that new satellite images show the Chinese military "shoring up its defenses on a disputed island chain in the South China Sea, adding what appears to be reinforced launch sites for surface-to-air missiles on at least three atolls." The existence of the new launch sites was first reported by Reuters on Wednesday, and on Thursday, "photos of the nearly completed structures were obtained" by CSIS.

North Korea Mocks China For "Dancing To US Tune." The Wall Street Journal (2/23, Cheng, Wong, Subscription Publication, 6.37M) reports North Korea criticized long-time ally China in a state-media commentary published Thursday. The commentary, published by the state-controlled Korean Central News Agency, didn't specifically name China, instead referring to "a neighboring country, which often claims itself to be a 'friendly neighbor'." According to the piece, the unnamed country is "styling itself a big power, is dancing to the tune of the US."

Malaysia: Kim Jong-Nam Killed By VX Nerve Agent. The New York Times (2/23, Paddock, Sang-Hun, Subscription Publication, 13.9M) reports Malaysian police announced Friday that the poison used to kill Kim-Jong-Nam, the half-brother of the North Korean leader Kim Jong-Un, was VX nerve agent, which is considered a chemical weapon under Chemical Weapons Conventions of 1997 and 2005. Police said samples taken from Kim's skin and eye were identified as the deadly nerve agent. The Washington Post (2/23, Fiffield, 11.43M) says the finding adds "to the increasing pile of evidence suggesting that Kim Jong Un's regime in North Korea was behind the brazen and public attack on Kim Jong Nam in a Kuala Lumpur airport terminal last week."



CNN's Situation Room (2/23, 554K), however, reported that North Korea is "pushing back strongly" against claims that the regime ordered Kim Jong-Nam's assassination.

A Wall Street Journal (2/23, Subscription Publication, 6.37M) editorial urges the Trump Administration in the wake of Kim Jong-Nam's assassination to label North Korea a state sponsor of terrorism.

Kushner, Ivanka Trump Pushed To Remove Climate Deal Criticism From Executive Order.

The Wall Street Journal (2/23, Harder, Nicholas, Subscription Publication, 6.37M) reports President Trump's son-in-law, Jared Kushner, and daughter Ivanka Trump pushed to have language critical of an international climate deal removed from a soon to be released executive

order, according to multiple sources. The President s expected to sign within days at least two executive orders dismantling former President Obama's climate and environmental regulations.

UN Climate Chief Seeks Meeting With Tillerson. Bloomberg News (2/23, Shankleman, 2.41M) reports UN climate chief Patricia Espinosa "is not taking no for an answer as she travels next week to Washington in the hope of meeting" with Secretary of State Tillerson. But so far, she has not received a response. "The process has been difficult for them to get started, so I don't know if I will be able to see the Secretary of State this time," Espinosa told reporters. State Department spokesman Noel Clay "said he had nothing to confirm at this time."

Scientists Urge Trump To Withdraw From UN Climate Agency. According to the Washington Times (2/23, Richardson, 272K), "more than 300 scientists have urged President Trump to withdraw from the UN's climate-change agency, warning that its push to curtail carbon dioxide threatens to exacerbate poverty without improving the environment." In a letter to the President, MIT professor emeritus Richard Lindzen called on the US and other nations to "change course on an outdated international agreement that targets minor greenhouse gases," starting with carbon dioxide.

Swedish Minister Hits Back At Trump Criticism.

Reuters (2/23, Ahlander) reports Sweden "hit back" on Thursday at criticism from President Trump, "defending its generous immigration policies and saying the diversity from thousands of asylum seekers would build a stronger society." Justice and Migration Minister Morgan Johansson told Reuters in an interview, "The next time I hope the president, if he's going to speak about Sweden, is better informed about what the conditions really are here," noting that unemployment figures continue to fall and public finances are in sound order, despite record number of immigrants.

Max Karlsson, a 22-year-old Swede who has been running the @Sweden account on Twitter since Monday, writes in the Washington Post (2/23, 11.43M) that "fact-checking a president is an unusual task, but even people in power have to be held responsible for making unverified claims — and President Trump is no exception." Karlsson says "Trump's remarks, echoing those of high-level xenophobes, are reckless and not to be thrown around lightly. It's surreal seeing the leader of the free world actually believing that Sweden in going down the drain, making comments that risk increasing polarization and, on a larger scale, dehumanizing migrants and ignoring the human right to asylum."

Lebanon Fearful Being Caught Up In Trump's Iran Push.

The Wall Street Journal (2/23, Trofimov, Subscription Publication, 6.37M) reports that as President Trump seeks to step up pressure on Iran, Lebanon – home to Tehran ally Hezbollah – fear it will get caught up. Ali Bazzi, a lawmaker from the Shiite Amal bloc allied with Hezbollah, warned that it would be counterproductive for the US to halt aid to the Lebanese army.

Duterte Critic Arrested On Corruption Charges.

The New York Times (2/23, Villamor, Subscription Publication, 13.9M) reports that a Philippine court on Thursday ordered the arrest of a senator who had been "the leading domestic critic" of President Rodrigo Duterte and his anti-drug campaign "on charges that she took bribes from imprisoned drug traffickers." The senator, Leila de Lima, denied the charges, "saying they amount to political persecution."

France's Le Pen Endorses Trump With "Nothing But Praise."

French "far-right" presidential candidate Marine le Pen told the AP (2/23, Ganley) Thursday she "has nothing but praise" for President Trump, citing "the promotion of a form of intelligent protectionism, of economic patriotism" and his "rupture with total free trade imposed on the world." Le Pen said, "There is no (untoward) international fallout" from the President's actions, after laying out her proposed foreign policy approach that focuses on "France going it alone."

Juncker: EU Will Work With Ireland To Prevent Hard Border Post-Brexit.

The AP (2/23) reports EU Commission President Jean-Claude Juncker said Thursday the commission and "the Irish government will work closely" to avoid the establishment of "hard borders" on the island post-Brexit. Irish Prime Minister Enda Kenny says the peace accord with the UK does not allow for a hard border that would restrict travel.

NYTimes Analysis: European Governments, Like America, Less Welcoming To Migrants.

The New York Times (2/23, Smale, Subscription Publication, 13.9M) interprets Germany's wiretapping approval and mass deportation Wednesday as "a clear sign of the stiffening political headwinds that have made Europe, like America, a less welcoming place for migrants." Although Sweden, the UK, Italy, and Hungary are all "restricting their welcome to strangers," Germany's steps are "more assertive," says the Times, noting this is a year in which Chancellor Angela Merkel faces a tough election challenge. Amnesty International is among the organizations who criticize European states for being too harsh on migrants "simply seeking a better life or striving to escape war and persecution."

Danish Man Who Burned Quran Charged With Blasphemy.

The New York Times (2/23, De Freytas-Tamura, Subscription Publication, 13.9M) reports that a Danish man who burned a Quran and posted a video of it on Facebook has been charged with blasphemy, "a striking decision by prosecutors in a country that is largely secular but has grappled with the role of Islam in public life." According to the Times, the decision "stunned many" in the country, which has not convicted anyone of blasphemy since 1946.

Congress Urged To Withhold UN Funding.

Ron Prosor, a former Israeli ambassador to the UN, writes in the Wall Street Journal (2/23, Prosor, Subscription Publication, 6.37M) that Congress should withhold its funding to the UN until the world body returns to its core values, becomes more efficient, and halts its frequent attacks on American values and allies.

Krauthammer: Trump's "Two-Track" Foreign Policy May Work.

Charles Krauthammer writes in his column for the Washington Post (2/23, 11.43M) that the set-up of the Administration is "a glaring contradiction," with the heads of State, Homeland Security, the CIA, and especially Defense and the national security adviser representing "mainstream American internationalism," while the President is "inexperienced, untraditional, unbounded" in his approach to foreign policy. Krauthammer argues that so far, the "good-cop, bad-cop" maneuvering seems like it might work a la Nixionian "madman theory," like in cases of China, NATO, free trade, and the Israeli-Palestinian resolution. The risk is that "a two-track, two-policy,

two-reality" approach to foreign policy is "unsettling and has the potential to go totally off the rails."

Zakaria: US Can Help Save The Center.

Fareed Zakaria writes in his column for the Washington Post (2/23, 11.43M) that amidst the "rise of radical forces on the left and right around the globe," "the center is rising again." Zakaria presents the likelihood that France's Emmanuel Macron will win the second round of the presidential election as a primary example. Macron is "emphatically in favor of free markets, globalization, the European Union and the transatlantic alliance," meanwhile being "an outsider, a reformer and a charismatic politician." German Chancellor Angela Merkel, with her 11-year reign, is also a bastion of centrism, says Zakaria, who notes she lags behind a left-of-center Martin Schulz, "who is even more pro-European, cosmopolitan and globalist." The US will play a critical role in maintaining, or not, an environment where the center can flourish.

Super PAC Begins Ads Urging Flake, Heller To Back Investigation Into Trump's Russia Ties.

Roll Call (2/23, Pathé, 63K) reports the Democratic super PAC American Bridge 21st Century is launching a two-week digital ad campaign that targets Sens. Jeff Flake and Dean Heller, "urging them to back an independent investigation into President Donald Trump's ties to Russia." The super PAC, Roll Call says, plans to expand the campaign to other platforms as it targets "engaged voters" of all parties. The ads call on voters to petition the senators to seek the investigation.

Trump Says China "Grand Champions" Of Currency Manipulation.

Reuters (2/23, Holland, Lawder) reports President Trump on Thursday characterized China as the "grand champions" of currency manipulation. Trump said during an interview with Reuters that he has not "held back" in accusing China of manipulating the yuan, despite "not acting on a campaign promise to declare" Beijing a currency manipulator on its first day. Reuters adds that Trump's comments came hours after Treasury Secretary Mnuchin "pledged a more methodical approach to analyzing Beijing's foreign exchange practices." Mnuchin told CNBC that he is not prepared at this time to make a determination on China's currency practices.

China Replacing Three Senior Economic Officials. The Wall Street Journal (2/23, A1, Wei, Wong, Subscription Publication, 6.37M) reports that people familiar with the matter say that Chinese President Xi Jinping will be announcing changes to his economic team as China contends with domestic financial risk and tension with trading partners. The Journal says that with China's top banking regulator, commerce minister, and top economic planning official all at the retirement age of 65, two close associates of Xi and a well-known technocrat will replace them. Shandong Province Governor Guo Shuquing is expected to become the commissioner of the China Banking Regulatory Commission (replacing Shang Fulin), Vice Commerce Minister Zhong Shan will become Commerce Minister (replacing Gao Hucheng), and He Lifeng will head the National Development and Reform Commission (replacing Xu Shaoshi).

Trump Convenes Meeting Of Executives To Shape Economic Policies.

NBC Nightly News  (2/23, story 6, 2:05, Holt, 16.61M) reported President Trump "met with the CEO of two dozens manufacturing companies" on Thursday and "asked for their help in coming up with the ways to bring back jobs that are lost to foreign competitions." The New York

Times (2/23, Davis, Subscription Publication, 13.9M) reports the meeting is "giving powerful business leaders a potentially influential hand in shaping his still-evolving economic policies." Trump told the group, "My administration's policies and regulatory reform, tax reform, trade policies will return significant manufacturing jobs to our country." Trump added, "Everything's going to be based on bringing our jobs back – the good jobs, the real jobs. They've left and they're coming back. They have to come back." Trump said his campaign vow on taxes, jobs, and infrastructure helped him win the election and he "dispatched his cabinet and senior staff to gather input from the executives on what those packages should look like." Reuters (2/23, Shepardson, Gibson) reports the executives each attended one of four breakout sessions with Administration officials to discuss a variety of topics including conflict minerals regulations, a lack of qualified workers, export regulations for defense products, vocational training and business taxes.

Javers: Trump Was "Suggesting That A Strong Dollar Could Be Bad" For Caterpillar. Eamon Javers said on CNBC's Closing Bell  (2/23, 142K) that "we saw the President making some comments" during the meeting "that you don't typically hear from the President of the United States." Javers added that "to my ear that sounded a little bit like the President was suggesting that a strong dollar could be bad for Caterpillar in terms of the exports that the President's trying to encourage here. That's not something you usually hear from presidents." Javers continued, "Typically Treasury secretaries say the United States has a strong dollar and that's our policy, but here you're seeing a little bit of a shift here on the part of a White House that wants to emphasize exports over imports."

GE CEO Recounts Trump's Golf Hole-In-One During "The Apprentice" Negotiations. The Washington Times (2/23, Boyer, 272K) reports that during the meeting with executives, the President "prodded" General Electric CEO Jeffrey Immelt to talk about the time Trump shot a hole-in-one on the golf course. The Times says that Immelt "dutifully told the tale of their golf outing in 2004" during negotiations between Trump and NBC for "The Apprentice" show. Immelt said, "President Trump goes up to a par three on his course. He looks at the three of us and says, 'You realize, of course, I'm the richest golfer in the world.' And then gets a hole-in-one." Immelt added, "I have to say, you know, I've seen the magic before." Trump then explained that he "actually said I was the best golfer of all the rich people, to be exact. But then I got a hole-in-one. So it was sort of cool."

NYTimes Analysis: Trump's Economic Policies Leading To "Fear" In Aerospace Industry. The New York Times (2/23, Johnson, Subscription Publication, 13.9M) reports that President Trump's discussion of "border tariffs and new trade deals" has led to "fear" in the aerospace industry that the policies "could raise the cost of American airplanes bought by foreign airlines or governments," leading to a trickle-down impact on the entire supply chain. The Times highlights Boeing as an example, saying that suffering sales or profits could impact the company's "nerve-system supply chain" which is composed of "more than 13,000 companies" in the US and "more than 1.5 million jobs."

Lane: US Business Leaders Must Speak Out Against Harmful Policies. In a Wall Street Journal (2/23, Subscription Publication, 6.37M) op-ed, Bill Lane – Caterpillar's former director of global government affairs – says that while US business leaders are praising or at least not pushing back against President Trump's efforts to prevent jobs from leaving the country, they realize that the approach would hurt their companies in the long run. Lane says the time has come for corporate America to speak out against policies that could hurt the US economy, while also continuing to support beneficial strategies.

THE BIG PICTURE

Headlines From Today's Front Pages.

Wall Street Journal:
China Shakes Up Top Economic Team Ahead Of Power Shuffle
US Talks With Mexico Clouded By Mixed Message
Where Are The Toilets? Order Glut Stretches Giant Jet Makers To Limit
America's Rowdy Town Halls: More Organic Than Organized

New York Times:
Weakened Democrats Bow To Voters, Opting For Total War On Trump
Stephen Bannon Reassures Conservatives Uneasy About Trump
Trump Vowed To Protect The Safety Net. What If His Appointees Disagree?
As Kelly And Tillerson Visit Mexico, Their Reassurances Differ From Trump's Stance
Bathroom Case Puts Transgender Student On National Stage
South Korea, Next Olympics Host, Went Shopping In North America To Build Its Hockey Teams

Washington Post:
Extremists Gain Strength In Syria As Rebels Falter
Few Homes Available For Millennials Ready To Buy
Cancer Patients Fear Possible Repeal Of Health Act
New Bethesda Project Stirs Up Old Ghosts
Bannon Presses "Deconstruction"

Financial Times:
Geert Wilders Suspends Dutch Election Appearances
Electric Carmakers On Alert As Funds Hoard Cobalt
Trump Appointee Gary Cohn To Stay Clear Of Goldman Matters
US Retreats From Trump Pledge On China Currency
Washington Times:
Advisers Assure Conservatives Trump Will Press On "Promises" That Got Him Elected
Mexico Chides US Immigration Policies, Admits Route For Illegal Immigrants
Trump's Order Gives A Boost To Bathroom Bills In 12 States
CPAC Expels "Alt-Right" Leader, Declares War On Movement
As Other Countries Eye Exit, Iceland Debates Joining EU
Mood In Benghazi Optimistic As Authorities Slowly Defeat Militants

Story Lineup From Last Night's Network News:
ABC: Trump-Immigration Crackdown; Trump-Nuclear Arsenal; Bannon-Trump Comment; Trump-LGBT Bathroom Guidelines; Kansas Racial Shooting; California Officer-Teen Feud; Teenage Hikers Murder Investigation; Chicago Deadliest Day; Iraq Mosul Offensive; Severe Weather; Landing Gear Failure; Female Jogger Murder Investigation; Whale Sighting; Powerball Lottery; Oscars Award.
CBS: Bannon CPAC Appearance; Trump-Immigration Crackdown; Deportation Rate; Town Hall Protests; Wall Street-Trump Rally; US Farming Crisis; Iraq Mosul Offensive; Gymnastics Team Doctor Sexual Abuse; Georgia Teacher Murder Investigation; Teenage Hikers Murder

Investigation; North Dakota Pipeline Protest; Alan Colmes Dies; NCAA Basketball News; Civil Rights Photographer.
NBC: California Officer-Teen Feud; Conservative Political Action Conference; Trump-Nuclear Arsenal; Trump-Immigration Crackdown; Treasury Secretary-Tax Reform; US Manufacturing Jobs; Iraq Mosul Offensive; Severe Weather; Powerball Lottery; Health-Migraines; Alan Colmes Dies; Landing Gear Failure; Tiger Drone Attack; Grey Garden For Sale.

Network TV At A Glance:
Trump-Immigration Crackdown – 6 minutes, 15 seconds
Iraq Mosul Offensive – 4 minutes, 40 seconds
California Officer-Teen Feud – 4 minutes, 20 seconds
Bannon CPAC Appearance – 4 minutes, 20 seconds
Teenage Hikers Murder Investigation – 3 minutes, 35 seconds
Trump-Nuclear Arsenal – 2 minutes, 10 seconds
Severe Weather – 1 minute, 25 seconds

Story Lineup From This Morning's Radio News Broadcasts:
ABC: Trump-Nuclear Arsenal; DC Officers Shot; Conservative Political Action Conference; Kansas Racial Shooting.
CBS: Trump-Nuclear Arsenal; Kim Jung-Nam Assassination; Marijuana Legalization; Trump-Immigration Crackdown; Private Prison; Wall Street News.
FOX: Conservative Political Action Conference; Trump-Manufacturing Meeting; Trump-LGBT Bathroom Guidelines; DC Officers Shot.
NPR: Conservative Political Action Conference; Trump-Immigration Crackdown; Marijuana Legalization; Kim Jung-Nam Assassination.

WASHINGTON'S SCHEDULE

Today's Events In Washington.

White House:
PRESIDENT TRUMP — Makes remarks at CPAC; signs an Executive Order; meets with Governor John Kasich of Ohio; meets with President Pedro Pablo Kuczynski of Peru.
VICE PRESIDENT PENCE — Hosts the Governors Luncheon; delivers keynote remarks at the Republican Jewish Coalition Annual Shabbat Dinner.
US Senate: On recess from 17 Feb – 27 Feb.
US House: 9:30 AM House of Representatives convenes for pro forma session Location: Washington, DC http://www.house.gov/
On recess from 17 Feb – 27 Feb.
Other: 8:30 AM POLITICO State Solutions Conference – POLITICO Seventh Annual State Solutions Conference, featuring conversations with governors on approaches their states have taken to address complex problems. Speakers at morning session (8:30 AM EST) are Puerto Rico Governor Ricky Rossello, Colorado Governor John Hickenlooper, Alaska Governor Bill Walker, Utah Governor Gary Herbert, and Kansas Governor Sam Brownback. Speakers at afternoon session (1:30 PM EST) are Florida Governor Rick Scott, Arkansas Governor Asa Hutchinson, New Hampshire Governor Chris Sununu, Connecticut Governor Dannel Malloy, Montana Governor Steve Bullock, and Idaho Governor Butch Otter Location: Microsoft Innovation & Policy Center, 901 K St NW, Washington, DC www.politico.com https://twitter.com/POLITICOEvents #POLGOvs

Republican Governors Association Winter Meeting – Republican Governors Association Winter Meeting, with speakers including U.S. Ambassador to the U.N. and former South Carolina Governor Nikki Haley and Wisconsin Governor Scott Walker Location: Fairmont Hotel, Washington, DC www.rga.org https://twitter.com/The_RGA

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Friday, February 24, 2017 7:53 PM
To:	James B. Comey
Subject:	Fwd: Expected WP story

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" <[redacted]> b7E
Date: 2/24/17 7:49 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" <[redacted]>, "Bowdich, David L. (DO) (FBI)" <[redacted]>, "Priestap, E. W. (CD) (FBI)" <[redacted]>, "Rybicki, James E. (DO) (FBI)" <[redacted]>, "Ghattas, Carl (CTD) (FBI)" <[redacted]>
Subject: Expected WP story

All:

The Washington Post is prepared to write a story as early as this weekend that will discuss the so-called "Trump dossier" and how it was handled. The Washington Post has confirmed through a number of sources that a former MI-6 intelligence officer prepared the alleged dossier in 2016 that contained information about then-presidential candidate Trump, his associates and Russia. The story draws upon non-government sources in describing how the FBI and Christopher Steele, known to us for his work in the FIFA investigation, discussed payment for his services including the dossier. It will say that the money has never been paid. It will make clear he worked for opponents of President Trump and had provided credible information during the FIFA investigation. It will also discuss the intelligence community's ability to corroborate some aspects of the dossier but not others. It will include a quote from former DNI Clapper that was released at the time the IC briefed President-elect Trump in NYC.

Importantly, it will not include the FBI agent's name who received the dossier nor the location of the where agent is located or where the meeting took place. It will state that FBI declined to comment for the story.

A second story will detail an individual named Sergey Milian as a main source for some of the information included in the dossier. It will discuss his background and credibility. It will state that he was associated with an organization with ties to Russia that had been investigated by the FBI. The association with this organization will suggest that he did have connections to Russia. At the same time, it will quote associates and acquaintances of Milian that will raise doubts about his credibility.

M.

James B. Comey

From: James B. Comey
Sent: Friday, February 24, 2017 8:02 PM
To: Rybicki, James E. (DO) (FBI)
Subject: RE: Expected WP story

Thanks.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" <[redacted]> b7E
Date: 2/24/17 7:52 PM (GMT-05:00)
To: "James B. Comey" <[redacted]>
Subject: Fwd: Expected WP story

-

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" <[redacted]> b7E
Date: 2/24/17 7:49 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted], "Bowdich, David L. (DO) (FBI)" <[redacted]>, "Priestap, E. W. (CD) (FBI)" <[redacted]>, "Rybicki, James E. (DO) (FBI)" [redacted], "Ghattas, Carl (CTD) (FBI)" <[redacted]>
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M.

From: Rybicki, James E. (DO) (FBI)
Sent: Tuesday, February 28, 2017 7:36 AM
To: James B. Comey
Subject: Fwd: FBI Public Affairs News Briefing Tuesday, February 28, 2017

-------- Original message --------
From: Bulletin Intelligence <[redacted] b7E
Date: 2/28/17 7:05 AM (GMT-05:00)
To: [redacted]
Subject: FBI Public Affairs News Briefing Tuesday, February 28, 2017

Mobile version and searchable archives available at [redacted]

FBI News Briefing

TO: THE DIRECTOR AND SENIOR STAFF

DATE: TUESDAY, FEBRUARY 28, 2017 7:00 AM EST

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- WPost: DC Court Ruling Allows For A "Fair," "Reasonable End" To Mortgage-Finance Lawsuit.
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- US-Backed Iraqi Forces Seize Key Bridge In Western Mosul.
- UN To Vote On Resolution To Impose Sanctions Against Syria.
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- Trump, Chinese Top Diplomat Meet At White House.
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- Today's Events In Washington.

LEADING THE NEWS

Pressure Grows For Independent Investigation Into Trump-Russia Ties.

In the wake of former House Oversight Chairman Darrell Issa's call for a special prosecutor, the debate over how – or whether – to probe the Trump Administration's ties to Russia continued to intensify on Monday, and was covered by all three broadcast network newscasts. ABC World News Tonight (2/27, story 2, 2:40, Muir, 14.63M) reported, "The White House is pushing back against the idea from Democrats, and at least one top Republican, now calling for a special prosecutor to investigate any possible ties between the President's campaign and Russia." ABC's Jonathan Karl: "The White House today firmly rejected calls for a special prosecutor to investigate Russian influence into the presidential campaign." White House press secretary Sean Spicer: "I guess my question would be, a special prosecutor for what? ... We have now for six months heard story after story come out about unnamed sources saying the same thing over and over again. And nothing's come of it."

NBC Nightly News (2/27, story 3, 2:20, Holt, 16.61M) similarly reported that "pressure is intensifying for an independent investigation on Russia, including a call from a leading Republican. There's also new resistance to those calls by the White House." Issa: "You're going to need to use the special prosecutor's statute and office." Welker: "The President declining to directly weigh in today. Do you support a special prosecutor on Russia? As the press was hustled out, whispering he hasn't spoken to Russia in years." President Trump: "I haven't called Russia in ten years." Welker: "That contradicts Mr. Trump's own public statements. This 2014 speech one of many in which he's touted his ties to Russian President Vladimir Putin." Trump: "As an example I own the Miss Universe, I was in Russia, I was in Moscow recently. And I spoke indirectly and directly with President Putin, who could not have been nicer."

USA Today (2/27, Jackson, 5.28M) says it is "hard to know what Trump meant by his comment" given his 2013 trip to Russia and his conversation with Putin one month ago. The Huffington Post (2/27, Wilkie, 237K) reports that Spicer said on Monday, "The President has said time and time again that he has no [business] interests in Russia, and hasn't talked to people from Russia for years."

The CBS Evening News (2/27, story 3, 2:10, Pelley, 11.17M) focused its coverage on questions of White House pressure on Congress, reporting, "There are questions tonight about whether the White House is trying to influence congressional investigations of the 2016 presidential election and possible contacts between Russia and the Trump campaign." CBS' Nancy Cordes: "[House] Intelligence Chair and Republican Devin Nunes is leading the House investigation in possible collusion between Trump campaign officials and Russian operatives, but he insisted today there was nothing wrong with him and his Senate counterpart Richard Burr making a few calls at the request of Trump's aides." Nunes: "All it was was a White House communications person passing a number and name of a reporter

over, if I would talk to them." Cordes: "But that, combined with reports that White House officials made similar requests of the CIA director and FBI officials, prompted fresh accusations from Democrats about White House tampering."

Axios (2/27, Allen) reports in an exclusive that Spicer "personally picked up the phone" and connected CIA Director Pompeo and Senate Intelligence Chairman Richard Burr "with reporters to try to discredit a New York Times article about Trump campaign aides' contact with Russia, then remained on the line for the brief conversations." Spicer "provided reporters' phone numbers" to Nunes, "who offered to make the calls himself." In its top story Monday night, the Huffington Post (2/27, Linkins, 237K) writes that while it is "only natural that Spicer, as press secretary, would try to enable pushback by putting reporters in touch with those who could dispute the story...many of these specific moves Spicer made will have the unintended effect of diminishing the perceived integrity of these sources."

Schiff Questions Comey's Commitment To Probe Of Trump's Ties To Russia. The Hill (2/27, Lillis, 1.25M) reports that Rep. Adam Schiff on Monday questioned FBI Director Comey's desire to cooperate with the House Intelligence Committee's investigation into possible ties between President Trump's campaign and Russia. "I have yet to be convinced … by the director of the FBI that we will have the fulsome kind of cooperation that we will need," said Schiff, top-ranking Democrat on the panel. Without the FBI, Schiff warned, the House Intelligence Committee may not have the resources to conduct the investigation. "We can't become the FBI, we can't send out our own investigators spanning all over the globe," he said. "We will need their cooperation, and whether we will get that in as fulsome a manner as we need has yet to be determined, in my view." Schiff says his committee has requested a "full debriefing on everything that the FBI has looked at" in the Trump campaign case.

Nunes, Schiff At Odds On Scope And Specifics Of Investigation. The AP (2/27, Riechmann) reports that House Intelligence Chairman Nunes said Congress "should not begin a McCarthy-style investigation based on news reports that a few Americans" with ties to Trump "had contacted Russians during the 2016 presidential campaign." Reuters (2/27, Zengerle) reports that Nunes told reporters that "the 'only serious crime' was leaks of information from the Trump administration to the news media and others." The Washington Post (2/27, Demirjian, 11.43M) says it was "the first time a leading House Republican – in this case, the lawmaker who is leading the investigation in the lower chamber – has said flatly that he has not seen any evidence of inappropriate communications between Trump aides and Russia." The Hill (2/27, Williams, 1.25M) also reports on Nunes' remarks.

The New York Times (2/27, Schmidt, Subscription Publication, 13.9M) reports that Nunes and the Intelligence Committee's ranking Democrat, Rep. Adam Schiff, "gave sharply conflicting views" of the investigation, "raising questions about whether they will be able to work together on the inquiry." Schiff said, "We don't know whether there were US persons involved, but it is our responsibility to find out. And I don't think anyone on the committee, or our chairs in the House or Senate, ought to be stating a conclusion or deeming it their responsibility to push back on unfavorable press stories." Schiff said on CNN's OutFront (2/27, 409K), "Let's make sure there is a fully independent commission set up. Let's make sure that the House and Senate Intelligence Committees are free to do their work unfettered by interference from the White House. I think that really has to be the most immediate priority."

Durbin Calls For Independent Commission And Special Prosecutor. Bloomberg Politics (2/27, Dennis, 201K) reports, "The second-ranking US Senate Democrat called Monday for an independent commission as well as a special prosecutor to investigate Russian interference." Senate Minority Whip Durbin told Bloomberg News, "It has to reach a point where we have public sentiment strong enough that we launch an independent, transparent investigation of what the Russians did to us. Think 9/11." Durbin said on MSNBC's Morning Joe (2/27, 270K), "I think we need a special prosecutor or independent commission." Durbin added, "I believe that the venue they have chosen guarantees the American people

will not know what is said and ultimately, months from now, maybe years from now, they will produce a classified report which they will say is available to the American people if the approval is gained from the White House."

Other Democrats also weighed in. Senate Intelligence Vice Chairman Mark Warner said on CNN's The Lead (2/27, 320K), "I have said from the outset that I think this committee is the way to go. But if there is any indication that there is an effort to try to stymie or stop us from getting access to information, then we've got to look at other options."

Rep. Kathleen Rice (D-NY) said on CNN's Situation Room (2/27, 554K), "The Trump Administration needs to just bite the bullet and support an independent commission. ... You can't have an Administration leaning on chairmen of relevant committees of jurisdiction that are supposed to be looking into this in order to get their help in a PR campaign."

Sessions Pledges To Preserve DOJ's Independence. Politico (2/27, Gerstein, 2.46M) reports that Attorney General Sessions "is vowing to preserve the independence of the Justice Department in the wake of reports of White House efforts to get the FBI to issue statements to the press about an investigation into alleged Russian influence on the 2016 presidential election," but "speaking to reporters Monday, Sessions cautioned that not all such exchanges between White House officials and law enforcement are automatically unethical." Politico adds that "asked if he had advance knowledge about the exchanges between the White House and the FBI, Sessions said he did not." Sessions "also continued to be cagey about whether he will accede to calls from some lawmakers that he bow out of any decisions related to that probe because of the prominent role he played in President Donald Trump's campaign. 'I will recuse myself on anything that I should recuse myself from. That's all I can tell you,' the attorney general said."

The Washington Times (2/27, Noble, 272K) reports that Sessions said "he had not examined in detail recent interactions between top FBI officials and the White House regarding alleged connections between Trump administration officials and Russia, nor has he decided whether or not to recuse himself from any potential Justice Department investigation of the matter." Bloomberg Politics (2/27, Strohm, 201K) reports Sessions' Monday comments marked the first time the Attorney General suggested he might recuse himself from the investigation into Trump's ties to Russia.

Bush Says "We All Need Answers" On Russia Ties. Bloomberg Politics (2/27, Epstein, 201K) reports that ex-President George W. Bush, "in his first interview since the start of Donald Trump's administration, said he sees a need for an investigation into the Trump team's ties to Russia." He told NBC's Today Show, "We all need answers." However, Bush "declined to say whether he thinks a special prosecutor should be named and said he trusted congressional committees to make that call."

CNN Discusses Ability Of White House To Communicate With FBI. In an analysis piece, the CNN (2/27, Jarrett, 29.79M) website evaluates whether "the White House and FBI [are] permitted to talk about an ongoing criminal investigation." According to the network, "While no law in the US code prohibits communications between the White House and the Justice Department, guidance issued by the DOJ in 2007 and 2009 explicitly limits communications on pending investigations to avoid any appearance of improper political influence." A 2009 memo says communications between the White House and DOJ should only occur when it is "important for the performance of the President's duties and appropriate from a law enforcement perspective." The White House has defended Chief of Staff Reince Priebus' recent contact with the FBI, claiming Priebus and FBI officials did not discuss the investigation into contacts between Trump associates and Russia, but rather media reports surrounding the alleged contacts.

NYTimes Analysis: Russia Exploiting "Weakness In Washington." The New York Times (2/27, Macfarquhar, Subscription Publication, 13.9M) reports, "The Kremlin, increasingly convinced that President Trump will not fundamentally change relations with it, is instead seeking to bolster its global influence by exploiting what it considers weakness in

Washington," according to various analysts and observers. Russia "has continued to test the United States on the military front," and "any turbulence that Russia foments" in Washington "also gives the Kremlin leverage that it can try to trade in the global arena at a time when it does not have much that others want."

Jarrett: Pelosi Wrong To Claim Priebus Acted Illegally. In an op-ed for Fox News (2/27, Jarrett, 11.07M), former defense attorney Gregg Jarrett disputes a claim by Rep. Nancy Pelosi that Priebus' conversation with top FBI officials was "a grave abuse of power...which may also be illegal." Priebus, Jarrett says, was simply asking the FBI to refute a false news story when he spoke with the FBI. "It is not a crime to solicit the truth. Honesty is not a felony," Jarrett says. "Reince Priebus may have been naïve to think that the FBI would get involved in rebutting a false narrative. But Nancy Pelosi is the one who is guilty of making a false accusation."

COUNTER-TERRORISM

Flight Attendant Accused In Bomb Scares To Plead Guilty.

The AP (2/27) reports that Arizona man Justin Cox-Sever "A flight attendant accused of making bogus bomb threats on two Skywest flights in 2015," "has signed a plea deal to avoid trial, but he could still end up spending decades in prison." Cox-Sever will admit to several charges accusing him of interfering with aircraft. Prosecutors will agree to drop an additional charge, thereby reducing the maximum sentence to 50 years imprisonment.

Former Neo-Nazi Warns Of Dangers Of Ignoring White Extremism.

Vox (2/27, 1.15M) interviews Christian Picciolini, former Neo-Nazi and founder of the Life After Hate nonprofit group. Picciolini is at the "forefront of warning Americans against the growing threat from white nationalists." Picciolini warned that putting fewer resources into monitoring white extremism is a "mistake," because it is "denying that we have a problem with our own borders," and it's "also marginalizing other people." Picciolini added, "And if you remove white extremism from the focus of terrorism and counterterrorism, we're only setting ourselves up for failure because we'll only embolden that side. And it will only marginalize the others."

Eco-Terrorist Admits To Bombing Facility 25 Years Ago.

The Washington Post (2/27, Hawkins, 11.43M) reports that in a Thursday interview, animal rights activist Rodney Coronado admitted responsibility for a 1992 explosion at the office of a Michigan State University animal science professor. Though Coronado, a spokesman for the Animal Liberation Front at the time, pleaded guilty and was sentenced to nearly five years in prison following in the attack, until Thursday he had maintained his innocence. "There are no looming criminal charges against me," Coronado said of his decision to admit guilt. "I won't sugar coat it; we were about psychological warfare," he said. "We wanted researchers like Aulerich never to know when they came to work and opened their office door whether there had been an attack. We wanted them to live in fear."

Pentagon Probing Yemen Raid Amid Claims It Yielded No Significant Intel.

ABC World News Tonight (2/27, story 3, 0:30, Muir, 14.63M) reported White House Press Secretary Sean Spicer is "defending the secret military raid in Yemen" last month, saying the White House is "very comfortable with what it achieved." Navy SEAL William "Ryan" Owens was killed in the raid, and over the weekend his father criticized the raid in an interview with the Miami Herald and called for an investigation. The CBS Evening News (2/27, story 5, 2:10, Pelley, 11.17M) reported the White House said Monday "that the military is conducting three investigations" into the raid. CENTCOM Commander Gen. Joseph Votel told CBS that the timing of the raid "was linked to a broader offensive that we're

pursuing in Yemen." Asked if he agrees with the White House's assessment that the raid was a success, Votel said, "The object was to go in and collect intelligence. We accomplished that. From that perspective it was successful. I certainly understand how the family would look at this in a different light." But on NBC Nightly News (2/27, lead story, 2:55, Holt, 16.61M), Cynthia McFadden said that "multiple officials tell NBC News that...the raid has yielded no intelligence of value, at least not yet." NBC News (2/27, McFadden, Arkin, Dilanian, 2.67M) reports on its website that "a senior Congressional official briefed on the matter said the Trump administration has yet to explain what prompted the rare use of American ground troops in Yemen."

Abu Sayyaf Posts Video Believed To Depict Beheading Of German Hostage.

The Washington Post (2/27, Schemm, Murphy, 11.43M) reports Abu Sayyaf posted a video on Monday that, while not independently confirmed, seemingly depicted the beheading of 71-year-old German hostage Jürgen Kantner. The militants captured Kantner and killed his wife, Sabine Merz, in a November attack on their sailboat in the southern Philippines. On Feb. 14, Abu Sayyaf demanded a $600,000 ransom by Monday in exchange for Kantner's release. The suspected beheading was condemned by both Philippine President Rodrigo Duterte and German Chancellor Angela Merkel.

CRIMINAL INVESTIGATIONS

FBI Probing Latest Outbreak Of Threats Against Jewish Targets.

ABC World News Tonight (2/27, story 5, 1:55, Muir, 14.63M) reported that the FBI is investigating "a new outbreak of threats against the Jewish targets, including schools with young children." ABC (Benitez) added that preschool children were "evacuated from a Jewish community center in south Florida after a bomb threat was called in," and "similar scenes unfolding in Alabama, Michigan, Rhode Island, and New York."

The CBS Evening News (2/27, story 2, 1:35, Pelley, 11.17M) reported that police in Philadelphia "are hunting for whoever damaged more than 100 headstones at a Jewish cemetery on Saturday night." CBS (Pegues) added that in Cherry Hill, NJ, "another Jewish community center was evacuated this morning after a threatening call," and that "since the beginning of the year, there have been at least 90 similar phone calls across 30 states and one Canadian province." According to CBS News, "a US official says the calls appear to be coordinated," and that "some may be originating from overseas." TIME (2/27, Chan, 6.98M) reports that the FBI is also investigating the vandalism of the Philadelphia grave sites. "The FBI will collect all available facts and evidence," the bureau said of its probe.

NBC Nightly News (2/27, story 2, 1:55, Holt, 16.61M) reported that "as happened in St. Louis last week, when Jewish graves there were desecrated, today an offer of help from the Muslim community." Salaam Bhatti, Ahmadiyya Muslim Community Spokesperson: "I'm worried more that it's being seen as it's okay to do. So whoever did it, we hope that you're watching, we hope that you're caught."

USA Today (2/27, Bacon, 5.28M) reports that White House spokesman Sean Spicer said on Monday that President Trump "was 'deeply disappointed and concerned' by the cemetery vandalism and other acts. 'The president continues to condemn these and any other forms of anti-Semitic and hateful acts in the strongest terms,' Spicer said." Reuters (2/27, Ainsley) reports that Attorney General Sessions told reporters on Monday "that recent bomb threats made against Jewish groups are 'unacceptable' and a 'very serious and destructive practice.'" The AP (2/27) quotes Sessions as saying, the Justice Department will "do what it can to assist in prosecuting anybody" proven to have taken part in the bomb threats or vandalism.

The Washington Post (2/27, Shapiro, 11.43M) reports that two Jewish schools in the Washington, DC area "received bomb threats Monday, disrupting classroom activities and

leading police to sweep the campuses in Maryland and Virginia." The threats "came to both schools through what seemed to be an automated voice message system, school officials said."

The AP (2/27, Rubinkam) reports that a total of 13 community centers and eight schools were searched by authorities following Monday's wave of threats. No explosives were found and the institutions had returned to normal by the afternoon. The bomb threats have prompted outrage among members of the Jewish community who are now seeking a federal response. "The Justice Department, Homeland Security, the FBI, and the White House, alongside Congress and local officials, must speak out — and speak out forcefully — against this scourge of anti-Semitism impacting communities across the country," said JCC Association of North America official David Posner. "Members of our community must see swift and concerted action from federal officials to identify and capture the perpetrator or perpetrators who are trying to instill anxiety and fear in our communities."

Politico (2/27, Quigley, 2.46M) reports that Sen. Bernie Sanders (I-VT) said on Monday "that the 'entire world is watching' the reaction of President Donald Trump and his chief strategist Steve Bannon to the waves of anti-Semitic bomb threats and vandalisms across the country." Sanders said "since Trump's election there has been 'a significant outbreak of anti-Semitism in our country,' saying he was 'alarmed' by the string of bomb threats targeting Jewish Community Centers across the country and Jewish cemetery vandalisms in Philadelphia and St. Louis during the past two weeks. 'These attacks must be condemned at the highest levels of government,' Sanders said during his address to J Street, a group promoting the two-state solution in the Israeli-Palestinian conflict." Noting Bannon's former affiliation with right-wing website Breitbart News, the Christian Science Monitor (2/27, Thomson, 387K) reports that some observers have claimed that the election of Trump "has empowered the extreme right in general."

The Miami Herald (2/27, Smiley, 856K) reports that in comments Monday, Rep. Debbie Wasserman Schultz labeled the anti-Semitic incidents "nothing short of domestic terrorism" an call for the capture of the culprits. "I'm here today to channel my anger, so that we can make sure that first and foremost we find these bastards and we make sure that we don't rest, and there is nowhere that they think they can hide that we won't hunt them down and find them," he congresswoman said. The Baltimore Jewish Times (2/27, 16K) reports that in response to reports of rising anti-Semitism, a group of congressmen "on Monday announced the relaunch of the Bipartisan Taskforce for Combating Anti-Semitism."

Providing similar coverage are the Charlotte (NC) Observer (2/27, 656K), the Baltimore Sun (2/27, 714K), the Huffington Post (2/27, 237K), USA Today (2/27, Burgess, Boyle, 5.28M), NPR (2/27, 1.92M), the New York Post (2/27, Steinbuch, 3.82M), MLive (MI) (2/27, 878K), The Guardian (UK) (2/27, 4.07M), the Jewish World Review (2/27, 5K), NJ News (2/27, Duhart, Everett, 952K), and the CNN (2/27, Ellis, Levenson, 29.79M), ABC News (2/27, 3.09M), and WWJ-TV Detroit (2/27, 34K) websites.

Suspect In Kansas Bar Shooting Thought Victims Were Iranian.

NBC Nightly News' (2/27, story 5, 1:45, Holt, 16.61M) Blake McCoy reported Adam Purinton, accused of shooting two Indian immigrants in Kansas last week, was appointed a public defender in "his first court appearance via CCTV" on Monday. Purinton waived the judge's formal reading of charges against him, ABC World News Tonight (2/27, story 6, 0:20, Muir, 14.63M) reported.

The AP (2/27) reports Purinton faces first-degree murder and first-degree attempted murder charges for allegedly shooting and killing Srinivas Kuchibhotla and shooting Alok Madasani. According to the 911 call made to a Henry County, Missouri dispatcher, a bartender claimed Purinton told her he did something "really bad," and eventually confessed "that he shot and killed two Iranian people." Authorities have not disclosed a possible motive or confirmed whether they are investigating the case as a hate crime, but the shooting "has

raised concern about the treatment of immigrants, who feel targeted by President Donald Trump's promises to ban certain travelers, build a wall along the Mexico border and put 'America first.'" Yahoo! News (2/27, Goodwin, 8.62M) reports the FBI is probing to determine whether a hate crime to place. "Our role in this investigation is to see if anyone's civil rights were violated," said FBI spokeswoman Bridget Patton.

Hillary Clinton Criticizes Trump For Silence Over Kansas Hate Crime. Politico (2/27, Quigley, 2.46M) reports that Hillary Clinton criticized President Trump on Monday "for not speaking out against a hate crime." Linking to a report on the shooting of two Indian men in Kansas last week, Clinton tweeted, "With threats & hate crimes on rise, we shouldn't have to tell @POTUS to do his part. He must step up & speak out." Politico says that Clinton "also criticized Trump's travel ban executive order that impacted those from seven Muslim-majority countries" in a subsequent tweet.

Bribery Trial Paints Dallas Commissioner As Generous Public Servant, Greedy Crook.

The Associated Press (2/27) reports Dallas County (TX) Commissioner John Wiley Price accepted about $1 million in bribes in return for giving county contracts to specific companies, according to claims by federal prosecutors during the trial's opening statements Monday. WFAA-TV Dallas (2/27, Trahan, Shipp, 252K)reports federal prosecutor Nicolas Bunch acknowledged the positive work Price has done in his 30-year tenure as commissioner, but "at some point, [Price decided] he was entitled to something more" than his $100,000 salary. Bunch then told jurors to "follow the money" in his one-and-a-half-hour long presentation that showed how Price received over $1 million in cash, cars, and land over more than a decade with the help of executive assistant Dapheny Fain, political consultant, Kathy Nealy, and friend and art gallery owner Karen Manning. Bunch noted the discovery of about $230,000 in cash by a 2011 FBI raid of Price's home. The money trail is "tedious," said Bunch, because it consisted primarily of small and difficult-to-track banking transactions.

According to the Dallas (TX) Morning News (2/27, Krause, 1.12M), Price's attorney Shirley Baccus-Lobel portrayed Price as a generous public servant. She accused the government's case of allowing nine years to pass between the events and the indictment, which at 26,000 words "reads like a mantra" and constitutes "brainwashing." The prosecutor misconstrued the nature of Price's relationships with the three women accused of funneling money to Price from companies seeking influence, which were "minor ordinary transactions between close friends."

Former Utah AG Requests Clarification Of Racketeering Allegations.

The Salt Lake (UT) Tribune (2/27, Dobner, 426K) reports former Utah Attorney General John Swallow's attorney Scott Williams requested Monday that a judge make the Salt Lake County district attorney's office decide whether Swallow's racketeering charge is for bribery or extortion because the two are "mutually exclusive." Court filings say businessman Marc Sessions Jenson bribed Swallow, his predecessor Mark Shurtleff, and his predecessor's late "fixer" Time Lawson, but Jenson has twice testified to being extorted by the three men. The contradictory allegations deny "a criminal defendant his right to adequate notice" and burden the defense, wrote Williams.

Prosecutors Seek Prison Time For Friend Failing To Report Dylann Roof's Plot.

According to the Charleston (SC) Post and Courier (2/27, Knapp, 300K), federal prosecutors are seeking up to eight years in prison for Joey Meek, who pleaded guilty to misprision of a felony and lying to federal agents after the June 2015 hate crime perpetrated by white supremacist Dylann Roof. It would be "just punishment" for Meek's offense and engender "respect for the law," Assistant US Attorney Nathan Williams wrote in the motion filed Monday. The Post and Courier reports that recently unsealed court documents show Meek's

admission of having lied to federal agents when the FBI approached him three days following the attack.

De Blasio: Meeting With Federal Prosecutors Went "Fine."

The New York Daily News (2/27, Durkin, 4.45M) reports that New York City Mayor Bill de Blasio "said he told federal investigators 'everything I know' about probes into his fundraising during a questioning session Friday and believes the meeting went 'fine.' 'My goal was to be open and transparent and communicative and to be cooperative. And I think it's quite clear a four-hour interview is a good faith effort to try to provide information,' de Blasio said in his first comments since being grilled by U.S. Attorney Preet Bharara's office. 'I believe when all the facts are looked at, it will be quite clear that we've handled things appropriately.'" De Blasio "met for four hours at his Midtown attorney's office with investigators who are looking into whether donors to his campaigns and his now-defunct non-profit, the Campaign for One New York, got special favors in return."

Newsday (NY) (2/27, Figueroa, 1.3M) reports that de Blasio "told cable network NY1 the four-hour meeting signaled his willingness to 'cooperate' with authorities as they reportedly investigate allegations that contributors to his first mayoral campaign were given preferential treatment by City Hall officials. 'I want to emphasize from the beginning, when the investigation began, we said "I want to cooperate. My team's going to cooperate in every way. We want to provide all the information the U.S. attorney needs,"' de Blasio told NY1 Political Reporter Errol Lewis, during his weekly 'Mondays with the Mayor' segment." De Blasio "said he was unsure when U.S. Attorney Preet Bharara's office will wrap up its investigation."

FBI: Missing Boy May Have Been Spotted Near Birmingham, AL.

The AP (2/27) reports, "The FBI says a 4-year-old boy who was reported missing in Maryland last October may have been spotted over the weekend in the Birmingham area." According to the bureau, Matthew Carrington may have been seen in Alabama on Saturday in the company of people considered armed and dangerous. "Carrington was last seen in the Birmingham area Oct. 15. He was reported missing in Severn, Maryland, Oct. 1," the AP says.

The Birmingham (AL) News (2/27, Robinson, 157K), and the WHNT-TV Huntsville, AL (2/27, 85K), WSFA-TV Montgomery, AL (2/27, 37K), and WBMA-TV Birmingham, AL (2/27, 76K) websites report similarly.

Defense Lawyer Casts Doubt On Prosecutors' DNA Evidence In California Murder Case.

The San Jose (CA) Mercury News (2/27, Kaplan, 654K)reports prosecutors relied heavily on DNA evidence Monday in the ongoing trial of Antolin Garcia-Torres for the murder of Sierra LaMar, who was reported missing from Morgan Hill, California on March 16, 2016. The Mercury News says "it is too soon to tell whether" Garcia-Torres' lawyer Al Lopez undermined the prosecution's case by casting doubt on the original presence of the missing girl's hair on piece of rope, the certainty of carpet fibers originating from the defendant's car, and the possibility of verifying whether Garcia-Torres used bleach to clean up his alleged deed.

US Will Not Prosecute Wisconsin Officer In Shooting Death.

The Milwaukee Journal Sentinel (2/27, Garza, 513K) reports that the Justice Department "will not prosecute a Wauwatosa police officer for fatally shooting a Milwaukee man at a park in June, the attorney for the man's family announced Monday." Officer Joseph Mensah "will not be charged in the death of Jay Anderson Jr., 25, attorney Jonathan Safran said." The Sentinel adds that "according to Wauwatosa police, Anderson was sleeping in his car about 3 a.m. June 23 in a parking lot at Madison Park when he was approached by Mensah, who

woke him up and shot him after Anderson reached for a gun that was on the front seat." The Sentinel notes that "a letter to Safran from U.S. Attorney Gregory Jay Haanstad said federal investigators concluded there is 'no reasonable likelihood' that a federal charge against Mensah could be proven beyond a shadow of a doubt."

Minnesota Officer Pleads Not Guilty In Shooting Death Of Philando Castile.

USA Today (2/27, Madhani, 5.28M) reports that "a suburban St. Paul, Minn., police officer on Monday pleaded not guilty to manslaughter and other charges for the controversial shooting death of a black man in July that spurred nationwide protests." St. Anthony Police Department officer Jeronimo Yanez "is now tentatively set to face trial May 30 for second-degree manslaughter and two counts of dangerous discharge of a firearm for the shooting death of Philando Castile." USA adds that "the aftermath of the controversial shooting was broadcast on Facebook Live by Castile's girlfriend, Diamond Reynolds, who along with her daughter were passengers in the vehicle." USA notes that earlier this month, Judge William Leary III "refused a request by defense attorneys for Yanez to dismiss the charges."

Oversight Agency: Police Misused Crowd-Control Devices At Inauguration Protests.

According to the Washington Post (2/27, Hermann, 11.43M), the Police Complaints Board civilian oversight agency issued a report Monday criticizing the Metropolitan Police Department for non-regulation use of pepper spray and "sting grenades" for crowd control when inauguration protests turned violent at Franklin Square. Investigators said that in some cases, MPD governance for day-to-day policing contradicts First Amendment gathering regulations. DC police released a statement Monday that defends officers' actions as responsible and professional, but they will consider the Police Complaints Board's recommendations.

FINANCIAL CRIME & CORPORATE SCANDALS

Georgia Woman Sentenced To Prison For Filing Fraudulent Loan Applications.

The Atlanta Journal-Constitution (2/27, 1.41M) reports that Georgia woman Andrea Williams was sentenced to six years and seven months behinds bars for filing fraudulent loan applications using stolen identities. "Williams stole the identities of dozens of innocent victims, using them to file fraudulent student aid applications," US Attorney John Horn said. Three of the victims, prosecutors claim, were Williams' own young children. Williams, who had fraudulently received $200,000 as a result of her scheme, admitted to stealing identities from a healthcare company she worked for.

VW Exec Pleads Not Guilty In Emissions Scandal.

According to Green Car Reports (2/27, Edelstein, 46K), Volkswagen executive Oliver Schmidt pleaded not guilty in Detroit federal court on Thursday "on charges related to the automaker's diesel-emissions cheating." Schmidt once headed the VW Group's US regulatory compliance division. "He was arrested by the FBI in Florida last month, while attempting to return home to Germany from a vacation," GCR says. "Prosecutors allege that Schmidt played a role in deceiving regulators about VW's use of illegal 'defeat device' software in its diesel cars to enable them to comply with emission tests while emitting up to 35 times as many nitrogen oxides as permitted by law," GCR reports.

Maryland Man Sentenced For Stealing From Labor Union.

The AP (2/27) reports that "the owner of a Maryland building contracting company has been sentenced to 5 ½ years in prison for stealing roughly $1.7 million from a labor union." The Justice Department announced on Monday that Gary Amoes Cooper, 57, of Kettering, MD "was the owner and CEO of STS General Contracting. He was sentenced Monday in federal

court in Washington." Cooper "was also ordered to pay restitution to Local 657 of the Laborers Union of North America, and to forfeit the stolen money." Federal prosecutors said Cooper "funneled $1.7 million in Local 657 funds to his contracting company for projects his firm did not work on." The AP notes that "Cooper's co-defendants, Christopher Kwegan and Anthony Frederick, previously pleaded guilty."

WPost: DC Court Ruling Allows For A "Fair," "Reasonable End" To Mortgage-Finance Lawsuit.

In an editorial, the Washington Post (2/27, 11.43M) lauds the DC Circuit Court of Appeals' ruling last Tuesday that dismissed hedge funds' "most consequential argument" against Fannie Mae and Freddie Mac's statutory authority in its 2012 profit sweep. The ruling "basically confirmed" the reasoning of a 2014 ruling that denies a court's ability to restrain the regulator. The Post says Congress might now "bring a fair and reasonable end" to the "endless limbo" of the mortgage-finance giants because the appeals court ruled against the attempt by "Wall Street gamblers" gain control of them "for a pittance."

Subcontractor Pleads Guilty In $4.4M Fraud Case.

The Augusta (GA) Chronicle (2/27, Gardiner, 173K) reports Phillip Thompson, 67, pleaded guilty on Monday in federal court Monday to charges of conspiracy to commit theft of more than $4.4 million from the government. Thompson led Shaw AREVA MOX Services subcontractor Wise Services when he conspired with Ohio hardware store owner Aaron Vennefron to create fake invoices beginning in 2009. The Aiken (SC) Standard (2/27, Girardeau, 41K) reports that according to a release, Thompson admitted that no goods were ever received and that the loss in the case was more than $5 million. Vennefron is also charged and has pleaded not guilty. The AP (2/27) also reports.

CYBER DIVISION

Administration Cybersecurity Order To Remain On "Back Burner."

Politico (2/27, 2.46M) "Morning Cybersecurity" reports, "The Trump administration's upcoming cybersecurity order is expected to remain on the back burner until the White House gets out its updated travel ban, according to multiple people tracking its development." The cyber order is "expected to include a revised section on how the government will help bolster the digital defenses protecting the country's 'critical infrastructure.'" A "more controversial portion" would direct the Commerce Department to "explore ways that 'core communications infrastructure' companies could better combat botnets." Politico adds, "Several people working with [the] industry have expressed concerns that this passage ignores the fact that botnets are an issue for many sections, not just the communications industry."

Google Releases Experimental End-To-End Encryption Tool.

eWeek (2/27, 668K) reports, "Google has released an experimental version of its E2EMail end-to-end encryption technology to the open-source community." The intent of the tool is to "give users a way to more easily encrypt their email beyond what Google already offers by default with Gmail." The tool "is not a full-featured OpenPGP or email client," it "offers no protection against attacks on the local device, and neither can it be used to conceal user identity or the subject line of the email, according to Google."

Cybersecurity Firm Offers "Secure Phone" For Government, Business Leaders.

Reuters (2/27) reports, "Abu Dhabi-based cyber security firm DarkMatter presented a secure phone on Monday for politicians and business leaders, tapping into a growing market as governments are revealed to be snooping on citizens and hacking attacks are on the rise."

The phone "offers end-to-end protection at four levels: the phone, its operating systems, applications and cyber command." DarkMatter founder and CEO Faisal Al Bannai is quoted saying at the Mobile World Congress, "I am not talking about a phone for the average consumer. ... We are addressing heads of state, government entities, large enterprises, who really hold sacred security and confidentiality."

Ohio Community College At National Center Of Academic Excellence In Cyber Defense.

The Port Clinton (OH) News Herald (2/27, 9K) reports DHS and the NSA have designated Terra State Community College "as a National Center of Academic Excellence in Cyber Defense Two-Year Education (CAE2Y) through the 2022 academic year." The school is "the third community college in Ohio to get the designation, [information technology professor Sara] Akers said."

DC-Based Cybersecurity Investors Herald "Maturation" In Local Tech Industry.

The Washington Post (2/27, Gregg, 11.43M) reports DC-based investment firm Strategic Cyber Ventures "recently added a second local cybersecurity start-up to its portfolio," investing $3.5 million in "a four-person start-up called Polarity, which also received funding from Tenable Network Security founder Ron Gula." SCV and Gula's Gula Tech Adventures "are both part of new crop of cybersecurity investors that have popped in the D.C. area within the last 18 months, signaling what some see as a maturation in the local technology industry." Investors "are hoping to commercialize the talent and intellectual property seeping out of the region's military and intelligence agencies, applying government cybersecurity solutions to giant corporations that are devoting increasingly-large budgets to information security."

House, Senate Aides For Cybersecurity Oversight Committee Placing "Bigger Focus" On Workforce Makeup, Training.

Federal News Radio (DC) (2/27, 16K) reports, "House and Senate staff members working for committees overseeing federal cybersecurity efforts are placing a bigger focus on the makeup and training of agency workforces this year." The House Homeland Security Committee and the intelligence committees in both chambers "want more action from agencies in how they hire and train their workforces to deal with cybersecurity." FNR says legislators "have required agencies to understand the makeup of their workforces and have given DHS more authorities to hire qualified cyber employees. Both initiatives, to the displeasure of the committees, are slow to materialize."

Gizmodo Analysis: Questions About Timing Of Charges In Russian Treason Case.

Treason charges against Ruslan Stoyanov, head of the computer incidents investigation team at Russian cybersecurity firm Kaspersky Lab, and Russian FSB agents Sergei Mikhailov and Dmitry Dokuchayev continue to garner coverage. Gizmodo (AUS) (2/27, Jones, 1K) discusses revelations from a recent Reuters report, which said the charges stem from a seven-year-old allegation by Russian businessman Pavel Vrublevsky. Gizmodo says some speculate "that the suspects might be the sources that led to all 17 US intelligence services unanimously concluding that Russia deliberately tried to aid Donald Trump's presidential campaign." One of Reuters' anonymous sources "suggested there was more to the recent treason case and that 'Russian authorities at times use old cases as a way of charging people suspected of later crimes.'" Gizmodo, referring to that suggestion, concludes that "the idea that an ancient accusation can turn into a legitimate case will undoubtedly make anyone question their own past if they are considering opposing the Kremlin."

LABORATORY

Orlando Fingerprint Examiner Suspended, Thousands Of Cases Potentially Impacted.

The Washington Post (2/27, Jackman, 11.43M) reports that Marco Palacio, an Orange County Sheriff's Office fingerprint examiner who has handled more than 2,600 cases, "has been removed from duty for reasons that aren't totally clear." The suspension of Palacio may imperil the cases he handled and adds "to the list of jurisdictions plagued by potential misdeeds in the crime lab," the Post says. Crime labs in Oregon, Ohio, Texas, and California have all had problems with thefts, faulty testing, or other occurrences.

OTHER FBI NEWS

Silberman: Ginsburg, Comey Acted Improperly In 2016.

In an op-ed for the Wall Street Journal (2/27, Gershman, 6.37M), US Circuit Court Judge Laurence Silberman criticizes Justice Ruth Bader Ginsburg and FBI Director Comey for allowing the Supreme Court and Justice Department to "bend in the political winds" in 2016. According to Silberman, Ginsburg was wrong to comment negatively about President Trump and Comey was wrong to announce "essentially, the prosecutorial decision" in the Clinton email case. "His performance was so inappropriate for an FBI director that I doubt the bureau will ever completely recover," says Silberman.

OTHER WASHINGTON NEWS

Media Analysis: Trump's Speech To Congress Is Opportunity To "Refocus" Administration.

Media coverage of President Trump's scheduled speech to a joint session of Congress tonight characterizes the address as an opportunity for the President to "refocus" and highlight a "concrete blueprint" for his Administration and its goals. The Los Angeles Times (2/27, Bierman, 4.52M) reports Trump "vowed to use" his first joint speech to Congress on Tuesday to call for a $54 billion increase in military spending that is accompanied by significant cuts to domestic programs. The Times says the speech is "setting up [the President's] most concrete blueprint yet for reordering the nation's priorities." Trump said, "This is a landmark event, a message to the world in these dangerous times – of American strength, security and resolve." USA Today (2/27, Jackson, 5.28M) reports that Trump "previewed" his Tuesday night address to a joint session of Congress during a Monday meeting with governors. Trump said his budget proposal "will be a public safety and national security budget," adding that the US is "going to start spending on infrastructure – big."

Politico (2/27, Kim, 2.46M) says that it obtained "a list of 11 key bullet points outlining" the speech that says Trump will provide an "optimistic vision" for the country that includes a "bold agenda" on tax and regulatory reform, changes in the workplace, and a vow to "sav[e] American families from the disaster of Obamacare." According to Politico, Trump will also "paint his agenda with broad, unifying tones, saying he will 'invite Americans of all backgrounds to come together in the service of a stronger, brighter future for our nation.'" One of the bullet points, Politico adds, indicates that Trump will urge Congress to act, saying he is eager to partner with lawmakers to fix the country's problems.

The AP (2/27, Pace) says Trump's address "gives him a welcome opportunity to refocus his young administration on the core economic issues that helped him get elected" and his supporters "hope" it also provides him with the chance "to move beyond the distractions and self-inflicted wounds that have roiled his White House." The AP says Trump's advisers indicate the President will use tonight's speech "to declare early progress on his campaign promises" and "map a path ahead on thorny legislative priorities." The White House, according to the AP, indicated that Trump has been using listening sessions with law

enforcement officials, union representatives, coal minors and other groups to compile ideas for the address. Gloria Borger said on CNN Wolf (2/27, 224K) that the speech is "important because" it "really provides a blueprint for what they want to do for the country." Borger said the speech is "an opportunity for President Trump to look forward as opposed to looking to the past and how large his victory was, how large the crowds were at the inauguration, and talk about the media." Reuters White House correspondent Jeff Mason said on CNN Wolf (2/27, 224K) that a question is whether the President will "reach out to both sides, which I think would be welcomed by both sides? Will he set a tone of unity?"

Wall Street Billing Speech As "Most Important" For Markets Since Trump Took Office. USA Today (2/27, Shell, 5.28M) reports that Trump's speech "is being billed by Wall Street as the most important speech – at least for markets" since the President took office. USA today says Wall Street "is hungry for details" about Trump's vow to reduce taxes for corporations, his views on taxes connected to trade, and his plans to increase growth by spending money on infrastructure. Investors, according to USA Today, are "beginning to get impatient" after being "willing to wait for specifics." USA Today adds that "the stock rally could falter" if the President "disappoints Wall Street by getting off message or by putting key pro-growth plans like tax cuts on the back burner." Bloomberg News (2/27, McCormick, Burger, 2.41M) similarly reports that Trump's speech is "taking on the importance of a State of the Union" address for the financial markets. Bloomberg says that "adding to the anxiety" is the presence of "differing views on how to proceed on tax reform" as Trump has called House Republicans adjustment-tax proposal that shifts the burden from exporters to importers "too complicated."

Pelosi, Schumer Criticize Trump At National Press Club Forum. The Washington Examiner (2/27, Scarry, 400K) reports House Minority Leader Pelosi and Senate Minority Leader Schumer on Monday – during comments at the National Press Club Forum – "condemned" Trump's presidency, "hinted they might eventually seek to impeach him," and said they anticipate that his Tuesday address to Congress would include empty promises. Pelosi said Trump has misled the public to the extent that "there are plenty of grounds right now" for impeachment. However, Pelosi said the American public is not ready for that step, because "many of the president's supporters are not ready to accept the fact that their judgment may not have been so great in voting for him." Schumer said Tuesday's speech "will be the usual bluster and blame," adding, "Populist platitudes will be a dime a dozen, but the focus should be on the president's actions rather than his empty words."

Dems Seek To Capitalize On Beshear's ACA Experience By Tapping Him To Respond To Trump. McClatchy (2/27, Roarty, 74K) reports that while former Kentucky Gov. Steve Beshear – at 72-years-old and on "nobody's shortlist of presidential contenders" – is a "seemingly odd choice" by Democrats to respond to Trump's address, his supporters believe that his experience leading the "health care law's model state" makes him the ideal choice "to rebut Trump" as the GOP seeks to repeal the Affordable Care Act. McClatchy says Democrats view Kentucky as the state "where the ACA has done the most good and had the fewest problems" and party officials "say that success is thanks to Beshear." Kentucky's uninsured rate, according to a Census Bureau report released last year, dropped from 14 percent in 2013 to six percent in 2015. The Wall Street Journal (2/27, Epstein, Subscription Publication, 6.37M) quotes Colorado Gov. John Hickenlooper as saying Beshear "is going to talk about jobs and job creation." Hickenlooper said Beshear "knows the Affordable Care Act inside and out, as well as any governor" and "Kentucky's killed it on job creation."

Democratic Lawmakers To Highlight Legislation Aimed At Working-Class Voters. USA Today (2/27, Przybyla, 5.28M) reports Democratic lawmakers from "at least 30 states" will announce or highlight legislation this week "aimed at President Trump's working class voters" as part of a "nationwide coordinated rebuttal to the agenda" that Trump is expected to outline during his speech. USA Today says "the timing creates a juxtaposition between Democratic economic security prescriptions for workers" and Trump's tax and budget proposals that Democrats claim "are at odds with his populist campaign oath

to prioritize 'forgotten' Americans."

Democrats Inviting Immigrants To Speech. McClatchy (2/27, Douglas, 74K) reports that Congressional Democrats are "bringing immigrants, refugees or advocates" to the speech "to protest" the President's immigration policy. Rep. Alma Adams invited after-school program ourBRIDGE founder Sil Ganzo, Rep. Marc Veasey invited two Syrian refugees, and Sen. Kamala Harris invited Mexican-born Rush Medical College instructor Yuriana Aguilar.

Female Democratic House Members To Honor Women's Suffrage Movement By Wearing White. The AP (2/27, Jalonick) reports Democratic women in the House "are planning to wear white in honor of women's suffrage" during Trump's speech. Rep. Lois Frankel, the chairwoman of the Democratic Women's Working Group, and other female members sent a letter to their colleagues on Monday "reminding them to wear white" to "stand in solidarity with the women of our nation."

Rosie O'Donnell To Lead Protest Before Trump's Speech. The Washington Times (2/27, Dinan, 272K) reports Rosie O'Donnell will lead a Tuesday night protest outside the White House prior to Trump delivering his speech. The Times says "a number of liberal groups are hosting" the demonstration and indicated they expect thousands to attend. The groups said in a statement that Trump "is expected to articulate a discriminatory agenda that continues to put people in harm's way, undermines equality and our shared values, and damages our environment."

Thiessen: Trump Should "Dare" Democrats To Refuse Bipartisan Efforts. In his Washington Post (2/27, 11.43M) column, Marc Thiessen says Trump should use his speech to extend "his hand in a spirit of bipartisan cooperation" and "dar[e]" Democrats "to refuse it." Thiessen argues that Democrats are utilizing the "single theme" of "Resist!" and that is their "Achilles heal" as "they are so blinded by hate they cannot bring themselves to work with Trump" on issues where agreement is possible. Thiessen continues that while this position may receive support from the Democrats' base, "it is only serving to further alienate millions of once-Democratic voters in middle America who abandoned the party in the last election."

Udall Floats Proposal To Confirm Gorsuch And Garland At Same Time.

Politico (2/27, Kim, 2.46M) reports that Sen. Tom Udall (D-NM) met with Supreme Court nominee Neil Gorsuch on Monday, "but the senator's mind was still on Merrick Garland," so he "pitched an unusual proposal during his private meeting" with President Trump's nominee: "Have both Gorsuch and Garland – whose nomination by Barack Obama was blockaded by Senate Republicans for nearly a year – simultaneously confirmed to the Supreme Court. 'You had President Trump saying, "I want to unite the country, I'm a deal-maker, I'm going to bring people together,"' Udall told reporters following his meeting with Gorsuch on Monday. 'Well, the deal right now for President Trump, if he wanted to do it, would be to put Gorsuch and Merrick Garland on the court at the same time.'"

The Washington Post (2/27, Sullivan, 11.43M) reports that Udall said his proposal "would begin with Trump visiting privately with current justices mulling retirement. 'If one of those judges decided that they would be willing to retire…and would agree to that, then what they would do is submit a resignation contingent upon the approval of Merrick Garland as their replacement,' explained Udall," and "if that happens, both Gorsuch and Garland could be confirmed by the Senate in bipartisan fashion. 'That's, to me, presidential leadership,' he added."

Sessions Says He Will Focus On Violent Crime Reduction.

USA Today (2/27, Johnson, 5.28M) reports that Attorney General Sessions "reaffirmed a commitment Monday to elevate violent crime reduction as one of his top priorities," suggesting that a "recent uptick in murder likely foreshadowed deeper public safety problems across the country." Sessions said, "We're going to focus on some things to reduce

crime in America. ... Something is happening out there." Sessions will today address the National Association of Attorneys General.

The AP (2/27, Gurman, Tucker) reports that Sessions also said the Justice Department "will try to adopt 'responsible policies' for enforcement of federal anti-marijuana laws. ... Sessions says he's heard from experts that there's more violence around marijuana than 'one would think.'" Politico (2/27, Gerstein, 2.46M) reports that Sessions said, "Most of you probably know I don't think America is going to be a better place when more people of all ages and particularly young people start smoking pot."

Illinois' Rauner In Talks With Administration On "Violence Issues." The Chicago Tribune (2/27, Geiger, 2.54M) reports that Illinois Gov. Bruce Rauner "kept his distance" from President Trump while in Washington this weekend for the National Governors Association meeting. Rauner was one of just four governors to skip the White House dinner for the governors. Trump "has made a habit of bashing Chicago over its persistent problems with violent crime," and Rauner "has often avoided the topic, even veering away from uttering the president's name." But he said Monday that he has "been in 'communication' with members of the 'Trump administration' on 'violence issues.'"

Sessions Undecided On Imposing Chicago Police Reforms. Reuters (2/27) reports that Attorney General Sessions said on Monday that the Justice Department "was still deciding whether it would seek to impose reforms on the Chicago police force, which was the subject of a critical report by the former Obama administration." Reuters adds that "in a report issued on Jan. 13, a week before President Donald Trump took office, the Justice Department said Chicago police routinely violated the civil rights of people," and "it cited excessive force, racially discriminatory conduct and a 'code of silence' to thwart investigations into police misconduct." Chicago "and federal officials signed an agreement in principle to create a court-enforced consent decree addressing the issues revealed by the probe when the report was released." Sessions "has not committed to entering into negotiations with the department to determine what reforms, if any, should follow. 'I have not made a decision about that, but I am really worried about Chicago,' Sessions said told reporters at a briefing."

Sessions Says Marijuana Use Can Lead To Violence. The AP (2/27, Gurman, Tucker) reports that Sessions also said the Justice Department "will try to adopt 'responsible policies' for enforcement of federal anti-marijuana laws. ... Sessions says he's heard from experts that there's more violence around marijuana than 'one would think.'" Politico (2/27, Gerstein, 2.46M) reports that Sessions said, "Most of you probably know I don't think America is going to be a better place when more people of all ages and particularly young people start smoking pot."

INTERNATIONAL NEWS

Pentagon Delivers Draft Plan To Defeat ISIS To White House.

Reuters (2/27, Ali) reports the Pentagon on Monday delivered a "preliminary plan" to defeat ISIS to the White House. Pentagon spokesman Capt. Jeff Davis "told reporters that it was the framework for a broader plan and looked at Islamic State around the world, not just Iraq and Syria." He added that Defense Secretary Mattis would discuss the plan with members of the Principals Committee on Monday afternoon. According to the AP (2/27, Burns, Baldor), the plan to "rapidly defeat" ISIS includes "significant elements of the approach President Donald Trump inherited, while potentially deepening US military involvement in Syria." While it is "unclear" whether Trump attended Monday's Principals meeting, White House Press Secretary Sean Spicer "said Mattis was ensuring that he had input from other Cabinet agencies."

Drone Strike Reportedly Kills Al Qaeda Figure Linked To US Embassy Bombings.

ABC World News Tonight (2/27, story 4, 0:25, Muir, 14.63M) said there are unconfirmed reports that a US drone strike killed Abu al-Khayr al-Masri – Osama bin Laden's son-in-law and a "top al Qaeda official" – in Syria on Sunday. Masri was linked to the 1998 bombings of the US Embassies in Tanzania and Kenya.

US-Backed Iraqi Forces Seize Key Bridge In Western Mosul.

The AP (2/27, Abdul-Zahra) reports US-backed Iraqi forces seized a damaged bridge along the Tigris River in Mosul on Monday. Maj. Gen. Thamir al-Hussaini said Iraq's militarized Federal Police first advanced against ISIS snipers, anti-tank missiles, and suicide car bombs in "fierce" clashes. Reuters (2/27, Kalin, Coles) reports the damaged bridge, once repaired, will help Iraqi forces transport reinforcements and supplies from eastern Mosul into the western districts, furthering efforts to defeat the terror group. Meanwhile, at least 10,000 western Mosul residents have fled ISIS-held areas since Thursday, and about 1,000 civilians seeking food, water, and medical assistance reached a sector held by Iraq's Counter Terrorism Services on early Monday morning.

UN To Vote On Resolution To Impose Sanctions Against Syria.

Reuters (2/27, Nichols) reports that on Tuesday, the UN Security Council will vote on a draft resolution submitted by Britain and France to prohibit the supply of helicopters to Syria's government, and impose sanctions against 10 government entities and 11 military commanders and officials. The resolution stems from an international inquiry that found Syrian government forces conducted three chlorine gas attacks, which are banned under the Chemical Weapons Convention. Russian Ambassador Vladimir Safronkov pledged to veto the measure.

Clashes In Syria Escalate As Peace Negotiations Continue.

The AP (2/27, Issa) reports the Syrian Observatory for Human Rights said Monday that separate airstrikes in Idlib, presumably from the Russian or Syrian government, killed at least 11 people as UN-brokered peace discussions continue in Geneva. The Syrian government and opposition delegations have not resolved ongoing disagreements over the agenda, delaying progress in peace negotiations.

Meanwhile, in the rebel-held city of al-Bab, clashes between Turkish-backed rebel groups and Syrian government forces erupted late on Sunday for the second time this month, Reuters (2/27, Perry, Pamuk) reports. A Syrian military source accused the Free Syrian Army rebel factions, which the source described as "terrorist groups that belong to Turkey," of targeting "our forces in Tadef with artillery and machine guns." The source maintained the incident evidenced the rebels' main goal is not fighting ISIS, but to obstruct the Syrian army's operation against the militant group. A rebel official conceded FSA factions opened fire, but accused Syrian government forces of attempting to advance closer to al-Bab. The official said Turkish forces were not involved in the incident. Russia mediated an end to the confrontation.

Trump, Chinese Top Diplomat Meet At White House.

Reuters (2/27, Holland, Brunnstrom) reports President Trump held his "first face-to-face talks with a member of the Chinese leadership" on Monday, and the White House "said it was a chance to discuss shared security interests and a possible meeting with President Xi Jinping." State Councilor Yang Jiechi met Trump "briefly" after talks with National Security Adviser McMaster, senior adviser Jared Kushner and Chief Strategist Steve Bannon. A senior Administration official said the meeting with Trump lasted five to seven minutes, and press secretary Sean Spicer called it "an opportunity to say 'hi' to the president." The Wall Street Journal (2/27, Schwartz, Subscription Publication, 6.37M) reports Yang will meet Tuesday with Secretary of State Tillerson, who spoke with the Chinese diplomat by phone last week.

US, Japan, South Korea Discuss Tensions With North Korea.

The AP (2/27, Pennington) reports as President Trump met China's State Councilor Yang Jiechi on Monday, "US officials huddled with key Asian powers to discuss tensions with North Korea." US Special Representative for North Korea Joseph Yun met at the State Department with his Japanese and South Korean counterparts, Kenji Kanasugi and Kim Hong-kyun, as "part of continued US efforts to get its main allies in Asia to cooperate more closely on security." In a joint statement, Reuters (2/27, Wroughton) reports, the three said they "discussed ways to further restrict funding for North Korea's weapons programs."

Former CIA Director James Woolsey and former CIA analyst Peter Vincent Pry write in the Wall Street Journal (2/27, Woolsey, Pry, Subscription Publication, 6.37M) of the dangers they say North Korea poses. They argue that the North probably has nuclear arms specialized for electromagnetic pulse, or "Super-EMP" weapons, and calls on the US to protect its electric grid against a possible EMP attack.

Seoul: Kim Jong-Nam Assassination Organized By North Korean Ministries.

The New York Times (2/27, Choe, Subscription Publication, 13.9M) reports South Korean intelligence officials said Monday that "officials from North Korea's secret police and Foreign Ministry were involved in the killing" of Kim Jong-Nam, the half-brother of leader Kim Jong-Un. South Korea's National Intelligence Service said four of the eight North Koreans identified as suspects by Malaysian authorities "were agents from North Korea's Ministry of State Security, the country's secret police."

Palestinian Envoy Warns US Against Moving Embassy.

The AP (2/27, Lardner) reports the Palestinians' top envoy to the US, Maen Areikat, on Monday warned that moving the US Embassy in Israel from Tel Aviv to Jerusalem could disrupt efforts to secure a peace deal. Areikat said an "emotional decision" to move the Embassy "is going to have very, very negative repercussions" and could complicate future peace efforts.

US Embassy Condemns Neo-Nazi March In Croatia.

The AP (2/27) reports on Monday, the US Embassy in Croatia "strongly denounced a march by far-right nationalists...who waved an American flag and reportedly voiced support for President Donald Trump." In a statement, the Embassy said it "rejects, in the strongest terms, neo-Nazi and pro-Ustasha views expressed during the demonstration of a few people in Zagreb on Sunday." Ustasha refers to the "pro-Nazi World War II Ustasha regime" that "killed tens of thousands Jews, Serbs, Gypsies and anti-Nazi Croats."

Germany Reports "Alarmingly High" Number Of Crimes Against Migrants.

Using figures from 16 German states, the nation's Interior Ministry compiled a report detailing crimes against migrants in 2016, the AP (2/27, Rising) reports. Threats, slander, far-right graffiti, and vandalism-related crimes constituted most attacks against asylum-seekers, according to the report, but more serious incidents like arson, assault, and attempted murder caused injuries to at least 560 people, including 43 children. Interior Ministry spokesman Johannes Dimroth "condemned" the "alarmingly high" number of crimes as a "cause for concern." He conceded the "trend is downward," but added a "ban" against extremism was impossible.

"Dutch Trump" Politician Builds Unlikely Far-Right Movement Ahead Of "Pivotal" Elections.

The New York Times (2/27, Rubin, Subscription Publication, 13.9M) reports far-right politician Geert Wilders, coined the "Dutch Trump," is campaigning for prime minister on an anti-immigration, anti-European Union platform in the Netherlands, a nation with low unemployment and a "centuries-long tradition of promoting religious tolerance and

welcoming immigrants." Wilders "lives as a political phantom under police protection" but "is omnipresent on social media," and he has "managed to build a movement despite his infrequent public appearances." Wilders has also succeeded in pushing the nation's politics "to the right" and made possible once unheard-of conversations about bloc membership and immigrant prohibitions. The success of Wilders and his far-right party in the Mar. 15 elections could foreshadow "how the far right will do in pivotal elections in France, Germany and possibly Italy later this year, and ultimately determine the future of the European Union."

UN Experts Call On China To Address Allegations Of Repression Against Tibetans.

The New York Times (2/27, Wong, Subscription Publication, 13.9M) reports six UN experts who "each specialize in a single aspect of human rights" collaborated on a "sharply worded statement" in which they expressed "grave concern" over the Chinese government's "serious repression of the Buddhist Tibetans' cultural and religious practices and learning in Larung Gar and Yachen Gar." The experts called on Beijing to address the allegations of evictions and demolitions at the Tibetan enclaves and urged officials to take "all necessary interim measures...to halt the alleged violations and prevent their reoccurrence." The experts sent the statement to the Chinese government in November, but its recent public release ahead of the UN's Human Rights Council session in Geneva on Monday "puts more pressure on China to explain the actions taking place at the two Tibetan Buddhist institutions."

Japan's Abe Faces "Burgeoning Scandal" Involving New School.

The Washington Post (2/27, Fifield, 11.43M) reports a new school slated to open this April in Osaka, which "is home to a high proportion of the ethnically Korean residents of Japan," self-identifies on its website as the "first and only Shinto elementary school" and pledges to "foster children who hold pride in being Japanese and have a solid backbone." The educational organization behind the school, Moritomo Gakuen, purchased land appraised at $8.4 million for only $1.2 million, triggering suspicions of political collusion. Prime Minister Shinzo Abe is also under scrutiny for alleged ties to another Moritomo Gakuen-run school that promoted anti-Chinese and anti-Korean ideologies. The "burgeoning scandal" prompted the prime minister's wife, Akie Abe, to resign on Friday as the planned school's "honorary principal." Analysts believe if Abe played a larger role in the land deal or has closer ties to Moritomo Gakuen than he disclosed, it could cause "a diplomatic firestorm" and "gravely hurt the prime minister."

NYTimes A1: Witnesses Accuse Nigerian Army Of Killing Unarmed Civilians.

The New York Times (2/28, A1, Searcey, Subscription Publication, 13.9M) reports on its front page that witnesses are accusing the Nigerian army of killing unarmed civilians amid efforts to defeat Boko Haram. The Times says the "reports of civilian massacres have emerged in recent weeks as residents" from regions previously cut off by Boko Haram "start to stream out." Nigerian Director of Defense Information Brig. Gen. Rabe Abubakar denied the accusations and said his country's army is "guided by rules and guided by our transparency of operations."

NYTimes Urges US To "Step Up" In Efforts To Address Global Food Shortages.

In an editorial, the New York Times (2/27, Subscription Publication, 13.9M) outlines efforts by the UN, South Sudanese President Salva Kiir, European Commission, and Britain to address the famine in South Sudan and the escalating food crises in Yemen, northern Nigeria, and Somalia. The Times notes the US supports the Saudi-led coalition against Houthi rebels in Yemen, where "more than seven million people are in urgent need of food," and is the UN's biggest donor at a time when the organization "says it needs $4.4 billion by the end of March to avert famine, yet barely 2 percent is in hand." The Times warns that

"this is no time for the United States to abandon its commitments" and adds, "It will be an unconscionable failure of moral leadership if the United States does not step up."

THE BIG PICTURE

Headlines From Today's Front Pages.

Wall Street Journal:
Trump Is Set To Boost Military Spending
Paul Tudor Jones' New Hedge Fund Pitch: Low, Low Prices
Snap IPO: A $22 Billion Test For The Unsocial Social Network And Its Elusive Founder
The Accountant, The Tweet And The Oscar: Inside The Best-Picture Snafu

New York Times:
Trump Concedes Health Law Overhaul Is "Unbelievably Complex"
Trump To Seek $54 Billion Increase In Military Spending
Hunting Boko Haram, Nigeria's Army Is Accused Of Massacring Civilians
What It Was Like Onstage During The Oscars 2017 Best Picture Mistake
Clashing Agendas: Antidoping Officials Vs. US Olympics Leaders
Fight Looms As Bill De Blasio Plans To Seek 90 New Homeless Shelters
Different Women's March, Same Message

Washington Post:
Trump Touts Spending Plan
Justice Dept. Shifts On Texas Voting Law
Widespread Sex Harassment Alleged At Jewelry Giant
The Reason For The Oscar Night Debacle Is
Here, 2 Teens And A Dad, Across The Border, A Mom.

Financial Times:
Trump Wants $54bn Increase In Military Spending
PwC Faces Review After Best Picture Mix-up At Oscars
Can A Pro-EU Party Thrive In Dutch Elections?
LSE Balked At Brussels Demand On D Börse Link-Up
Washington Times:
Trump To Propose Military Buildup, Cuts In Foreign Aid In First Address To Congress
Justice Department Withdraws Obama-Era Challenge To Texas Voter ID Law
Calls Grow For Special Prosecutor On Russia Meddling Despite No Evidence
Democrats Claim Victory In Trump's First Month
Trump Pestered To Deliver On Promise To Deal With North Korea
Sanders Under Rising Pressure To Form Third Party

Story Lineup From Last Night's Network News:
ABC: Trump-Healthcare; Trump-Russia Connection; Navy SEAL Raid-Father; Syria-US Drone Strike; Anti-Semitism Investigation; Kansas Bar Shooting; Academy Awards; Birthday Party-Racist Display; Severe Weather; Colorado Plane Crash; SpaceX-Moon Trip; Bill Paxton Tribute.
CBS: SpaceX-Moon Trip; Anti-Semitism Investigation; Trump-Russia Connection; Trump-Domestic Agenda; Navy SEAL Raid-Father; First Family-Security Expenses; Takata Airbag Plea; Academy Awards; Border Security-Muhammad Ali Jr.; Academy Awards Film.
NBC: Navy SEAL Raid Investigation; Anti-Semitism Investigation; Trump-Russia Connection; Trump-Defense Spending; Kansas Bar Shooting Trial; Takata Airbag Plea;

Academy Awards; Health-Heart Attack; SpaceX-Moon Trip; California SUV Accident; Refugee Charity.

Network TV At A Glance:
Trump-Russia Connection – 7 minutes, 10 seconds
Navy SEAL Raid Investigation – 5 minutes, 35 seconds
Anti-Semitism Investigation – 5 minutes, 25 seconds
SpaceX-Moon Trip – 3 minutes, 55 seconds
Kansas Bar Shooting Trial – 2 minutes, 5 seconds
Takata Airbag Defect Fraud – 55 seconds

Story Lineup From This Morning's Radio News Broadcasts:
ABC: California Plane Crash; Trump-Congress Speech; Trump-Healthcare; Commerce Secretary Confirmation; Egg Carton Label Lawsuit; Wall Street News.
CBS: California Plane Crash; SpaceX-Moon Trip; Trump-Congress Speech; Trump-Budget Plan; Commerce Secretary Confirmation; Takata Airbag Defect Fraud.
FOX: California Plane Crash; California Tour Bus Crash; Commerce Secretary Confirmation; Trump-Congress Speech; Wall Street News.
NPR: Trump-Budget Plan; Anti-Semitism Investigation; Commerce Secretary Confirmation; California Plane Crash.

WASHINGTON'S SCHEDULE

Today's Events In Washington.

White House:
PRESIDENT TRUMP — Meets with the National Association of Attorneys General; has lunch with members of the press; signs H.R. 321 and H.R. 255; signs the WOTUS Executive Order; signs the HBCU Executive Order; addresses the Joint Session of Congress.
VICE PRESIDENT PENCE — Participates in a swearing-in ceremony for Secretary of Commerce Wilbur Ross; joins the President to meet with the National Association of Attorneys General; joins the President to meet with the National Association of Attorneys General; joins the President as he signs the WOTUS Executive Order; joins the President as he signs the HBCU Executive Order; attends the President's first address to a Joint Session of Congress.
US Senate: 9:30 AM 'Restoring American Seapower' CSBA report release – Center for Strategic and Budgetary Assessments releases 'Restoring American Seapower: A New Fleet Architecture for the US States Navy' report, with speakers including Republican Sen. John McCain, CSBA President and CEO Dr Thomas Mahnken, and Senior Fellow Bryan Clark Location: Rm 236, Russell Senate Office Bldg, Washington, DC www.csbaonline.org https://twitter.com/CSBA_

10:00 AM Press Conference On Bill To Halt Palestine Funding – US Senators Lindsey Graham (R-South Carolina) and Roy Blunt (R-Missouri), and Congressmen Doug Lamborn (CO-05) and Lee Zeldin (NY-01) will hold a press conference to announce the reintroduction of The Taylor Force Act. This legislation would cut off funding to the Palestinian Authority if they "continue their policy of paying monetary rewards to terrorists and their surviving family members". Participants also include: Stuart and Robbi Force, parents of Taylor Force – (In March 2016, Taylor Force, a Vanderbilt University graduate student and former US Army officer, was stabbed to death in a "terror attack in Tel Aviv by a Palestinian terrorist". The attack left ten other people grievously wounded) Location: 220 Russell Senate Office Building

10:00 AM Senate Judiciary Committee hearing on improving the juvenile justice system – Hearing on 'Improving Outcomes for Youth in the Juvenile Justice System', with

testimony from Rights4Girls Executive Director Yasmin Vafa; Pew Charitable Trusts Public Safety Performance Project State Policy Director Jake Horowitz; Iowa Department of Human Rights Division of Criminal and Juvenile Justice Planning Juvenile Justice Specialist Dave Kuker; and PACE Center for Girls' Jinique Blyden Location: Rm 226, Dirksen Senate Office Bldg, Washington, DC http://judiciary.senate.gov/

10:00 AM GOP Sen. Lindsey Graham announces reintroduction of bill to cut Palestinian Authority funding – Republican Sen. Lindsey Graham announces reintroduction of the Taylor Force Act – which would cut off funding to the Palestinian Authority 'if they continue their policy of paying monetary rewards to terrorists and their surviving family members' – via press conference Location: Rm 220, Russell Senate Office Bldg, Washington, DC lgraham.senate.gov https://twitter.com/LindseyGrahamSC

10:00 AM Senate Foreign Relations Committee hearing on Iraq – Hearing on 'Iraq After Mosul', with testimony from The Washington Institute Fellow Dr Michael Knights; and Center for American Progress Senior Fellow Hardin Lang Location: Rm 419, Dirksen Senate Office Bldg, Washington, DC http://foreign.senate.gov/

2:00 PM Senate Intelligence Committee considers Dan Coats to be DNI – Nominations hearing considers Dan Coats to be Director of National Intelligence * Then-President-elect Donald Trump announced the nomination of the former senator last month Location: Rm 106, Dirksen Senate Office Bldg, Washington, DC http://intelligence.senate.gov

2:00 PM House / Senate Veterans' Affairs Committees hear legislative presentation from vets group – House Committee on Veterans Affairs and Senate Committee on Veterans Affairs joint hearing on 'Legislative Presentation of Disabled American Veterans', with testimony from DAV National Commander David Riley, National Service Director Jim Marszalek, National Legislative Director Joy Ilem, Washington Headquarters Executive Director Garry Augustine, National Adjutant J. Marc Burgess, National Headquarters Executive Director Barry Jesinoski, National Director of Voluntary Service John Kleindienst, National Director of Employment Jeffrey Hall, and Auxiliary National Commander Frances Costa Location: Rm G50, Dirksen Senate Office Bldg, Washington, DC http://veterans.house.gov/ https://twitter.com/HouseVetAffairs

4:00 PM Closed Briefing: Intelligence Matters Location: Rm 219, Hart Senate Office Bldg, Washington, DC http://intelligence.senate.gov

9:00 PM President Trump addresses joint session of Congress – President Donald Trump addresses a Joint Session of Congress, having been invited by House Speaker Paul Ryan, on 'his agenda to tackle the critical challenges faced at home and abroad' * Follows a similar formal invitation issued by Congressional leaders to then-President Barack Obama in 2009, and roughly coincides with the time of year the president gives his annual State of the Union address * Former Kentucky Governor Steve Beshear delivers Democratic response, and immigration activist and DREAMer Astrid Silva delivers Spanish language response Location: U.S. Capitol, Washington, DC http://www.whitehouse.gov/president https://twitter.com/WhiteHouse

US House: 10:00 AM House Transportation and Infrastructure mark up. http://transportation.house.gov/calendar/eventsingle.aspx? EventID=401153 – Full committee markup Location: 2167 Rayburn House Office Building http://transportation.house.gov/ https://twitter.com/Transport

10:00 AM House Science subcommittees joint hearing on 'the social cost of carbon' – Environment Subcommittee and Oversight Subcommittee joint hearing on 'At What Cost? Examining the Social Cost of Carbon', with testimony from Brookings Institution Vice President and Director of Economic Studies Dr Ted Gayer; Heritage Foundation Center for Data Analysis Senior Statistician and Research Programmer Dr Kevin Dayaratna; University of Chicago Interdisciplinary Energy Policy Institute Director Dr Michael Greenstone; and Cato Institute Center for the Study of Science Director Dr Patrick Michaels Location: Rm 2318, Rayburn House Office Bldg, Washington, DC http://science.house.gov https://twitter.com/HouseScience

10:00 AM House Education and the Workforce subcommittee hearing on strengthening career and technical education – Early Childhood, Elementary, and Secondary Education Subcommittee hearing on 'Providing More Students a Pathway to Success by Strengthening Career and Technical Education' Location: Rm 2175, Rayburn House Office Bldg, Washington, DC http://edworkforce.house.gov/ https://twitter.com/EdWorkforce

10:00 AM House Appropriations subcommittee oversight hearing on the FCA – Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee 'Farm Credit Administration Oversight Hearing', with testimony from FCA Chairman and CEO Dallas Tonsager, and Board Member Jeffery Hall Location: Rm 2362-A, Rayburn House Office Bldg, Washington, DC http://appropriations.house.gov/ https://twitter.com/HouseAppropsGOP

10:00 AM House Financial Services Committee marks up its views and estimates letter – Markup hearing on 'The Committee's views and estimates on the budget for fiscal year 2018, as required by clause (f)(1) of Rule X of the House of Representatives and section 301(d) of the Congressional Budget Act' and 'A motion to authorize the release of excerpts, with certain redactions, of the transcript of the deposition of Patrick Pinschmidt, former Deputy Assistant Secretary for the Financial Stability Oversight Council, Treasury Department' Location: Rm 2128, Rayburn House Office Bldg, Washington, DC http://financialservices.house.gov https://twitter.com/FinancialCmte

10:00 AM House Homeland Security subcommittee hearing the future of counterterrorism – Counterterrorism and Intelligence Subcommittee hearing on 'The Future of Counterterrorism: Addressing the Evolving Threat to Domestic Security' Location: CVC 210, U.S. Capitol, Washington, DC homeland.house.gov https://twitter.com/HouseHomeland

10:00 AM House Judiciary Committee marks up its views and estimates letter – Markup hearing on 'Committee's Budget Views and Estimates', 'H.R. 372, Competitive Health Insurance Reform Act', 'H.R. 1215, Protecting Access to Care Act', and 'H.Res. 111, Resolution of Inquiry' Location: Rm 2141, Rayburn House Office Bldg, Washington, DC http://judiciary.house.gov/ https://twitter.com/HouseJudiciary

10:00 AM Conservation and Forestry Subcommittee hearing on 'The Next Farm Bill: Conservation Policy' Location: Rm 1300, Longworth House Office Bldg, Washington, DC http://agriculture.house.gov/

10:00 AM Bipartisan representatives host industrial hemp expo at U.S. Capitol – Democratic Reps. Jared Polis and Earl Blumenauer and Republican Reps. James Comer and Thomas Massie host 'Hemp on the Hill' – an industrial hemp expo – to bring lawmakers and entrepreneurs together in the movement to restore industrial hemp to U.S. agriculture. Democratic Sen. Ron Wyden and Republican Sen. Rand Paul serve as honorary co-hosts Location: Rayburn Foyer, U.S. Capitol, Washington, DC polis.house.gov https://twitter.com/RepJaredPolis

10:15 AM Michael Phelps testifies to House Commerce subcommittee hearing on the international anti-doping system – Oversight and Investigations Subcommittee hearing on 'Ways to Improve and Strengthen the International Anti-Doping System', with testimony from American Olympic gold medalists Michael Phelps and Adam Nelson; International Olympic Committee Medical and Scientific Director Dr Richard Budgett; World Anti-Doping Agency Deputy Director General Rob Koehler; and U.S. Anti-Doping Agency CEO Travis Tygart Location: Rm 2123, Rayburn House Office Bldg, Washington, DC http://energycommerce.house.gov/ https://twitter.com/HouseCommerce

10:30 AM House Appropriations subcommittee 'Members' Day' hearing – Commerce, Justice, Science, and Related Agencies Subcommittee 'Members' Day' hearing, with testimony from Members of Congress on the agencies and programs under the jurisdiction of the subcommittee Location: H-309, U.S. Capitol, Washington, DC http://appropriations.house.gov/ https://twitter.com/HouseAppropsGOP

11:00 AM House Minority Whip Steny Hoyer regular pen-and-pad briefing Location: H-144, U.S. Capitol, Washington, DC www.democraticwhip.gov/ https://twitter.com/WhipHoyer

12:00 PM House meets for legislative business – House of Representatives meets for legislative business, with agenda including 'H.R. 998 – SCRUB Act' * Chamber recesses at 5:00 PM EST at the latest and reconvenes at approximately 8:35 PM EST for joint session of Congress Location: Washington, DC http://www.house.gov/

1:00 PM House Dems hold press conference with their 'diverse' guests for President Trump's address to Congress – House Democrats 'demonstrate the importance of inclusion and equality' via press conference with 'community members who represent diversity in America', who will sit in the House gallery as guests for President Donald Trump's address to a Joint Session of Congress in the evening. Participants are Democratic Reps. Jim Langevin, Judy Chu, Jared Polis, David Cicilline, Jan Schakowsky, Stephanie Murphy, Hank Johnson, Jr., Pramila Jayapal, Mark Pocan, Nydia Velazquez, and Jerrold Nadler, Muslim-American immigrant Dr Ehsun Mirza, Iranian graduate student Sara Yarjani, disabilities advocate Jeannine Chartier, Syrian Community Network founder Suzanne Akhras Sahloul, pediatric surgeon Dr Marc Levy, student and activist Asma Elhuni, American Muslim Empowerment Network founder Aneelah Afzali, Iraqi immigrant Hameed Darweesh, and DACA recipients Oscar Juarez-Luna, Lupe Salmeron, and Martin Batalla Vidal Location: Rm 2456, Rayburn House Office Bldg, Washington, DC http://langevin.house.gov/ https://twitter.com/jimlangevin

1:30 PM House Appropriations subcommittee 'member day' hearing – Interior, Environment, and Related Agencies Subcommittee 'member day' hearing, with testimony from Members of Congress on the agencies and programs under the jurisdiction of the subcommittee Location: Rm 2007, Rayburn House Office Bldg, Washington, DC http://appropriations.house.gov/ https://twitter.com/HouseAppropsGOP

2:00 PM Livestock and Foreign Agriculture Subcommittee hearing on 'The Next Farm Bill: International Market Development'. Http://agriculture.house.gov/calendar/eventsingle.aspx? EventID=3679 Location: Rm 1300, Longworth House Office Bldg, Washington, DC http://agriculture.house.gov/

2:00 PM House / Senate Veterans' Affairs Committees hear legislative presentation from vets group – House Committee on Veterans Affairs and Senate Committee on Veterans Affairs joint hearing on 'Legislative Presentation of Disabled American Veterans', with testimony from DAV National Commander David Riley, National Service Director Jim Marszalek, National Legislative Director Joy Ilem, Washington Headquarters Executive Director Garry Augustine, National Adjutant J. Marc Burgess, National Headquarters Executive Director Barry Jesinoski, National Director of Voluntary Service John Kleindienst, National Director of Employment Jeffrey Hall, and Auxiliary National Commander Frances Costa Location: Rm G50, Dirksen Senate Office Bldg, Washington, DC http://veterans.house.gov/ https://twitter.com/HouseVetAffairs

2:00 PM House Homeland Security subcommittee hearing on the future of FEMA – Emergency Preparedness, Response, and Communications Subcommittee hearing on 'The Future of FEMA: Recommendations of Former Administrators' Location: CVC 210, U.S. Capitol, Washington, DC homeland.house.gov https://twitter.com/HouseHomeland

2:00 PM House Rules Committee hearing – Hearing on 'H.R. 1009, the OIRA Insight, Reform, and Accountability Act' and 'H.R. 1004, the Regulatory Integrity Act of 2017' Location: H-313, U.S. Capitol, Washington, DC http://www.rules.house.gov/ https://twitter.com/RulesReps

2:00 PM House Foreign Affairs subcommittee hearing on 'issues and opportunities in the Western Hemisphere' – Western Hemisphere Subcommittee hearing on 'Issues and Opportunities in the Western Hemisphere', with testimony from Caribbean-Central American Action Executive Director Sally Yearwood; Center for a Secure Free Society Executive Director Joseph Humire; former USAID Acting Assistant Administrator for Latin America and the Caribbean Jose Cardenas; and Harvard Kennedy School Ash Center for Democratic Governance and Innovation Non-Resident Senior Fellow Peter Quilter Location: Rm 2200, Rayburn House Office Bldg, Washington, DC http://www.hcfa.house.gov

https://twitter.com/HFACrepublicans

2:00 PM House Foreign Affairs subcommittee hearing on 'Checking China's Maritime Push' – Asia and the Pacific Subcommittee hearing on 'Checking China's Maritime Push', with testimony from Heritage Foundation Asian Studies Center Senior Research Fellow Dean Cheng; American Enterprise Institute Director of Japan Studies Dr Michael Auslin; and Carnegie Endowment for International Peace Asia Program Senior Fellow Dr Michael Swaine Location: Rm 2172, Rayburn House Office Bldg, Washington, DC http://www.hcfa.house.gov https://twitter.com/HFACrepublicans

3:30 PM House Armed Services subcommittee hearing on DoD IG report on U.S. Central Command intelligence products – Oversight and Investigations Subcommittee hearing on 'Department of Defense Inspector General Report 'Investigation on Allegations Relating to USCENTCOM Intelligence Products', with testimony from DoD Acting IG Glenn Fine; Joint Staff Director of Intelligence Maj. Gen. James Marrs; U.S. Central Command Director of Intelligence Maj. Gen. Mark Quantock; Office of the Under Secretary of Defense for Intelligence Director of Defense Analysis Jacques Grimes; and Defense Intelligence Agency Director of Defense Analysis Neil Wiley Location: Rm 2118, Rayburn House Office Bldg, Washington, DC www.armedservices.house.gov ttps://twitter.com/HASCRepublicans

4:00 PM Addiction Policy Forum holds hearing with testimony from impacted families – Addiction Policy Forum, in cooperation with the Bipartisan Heroin Task Force and the Addiction, Treatment, and Recovery Caucus, hold hearing featuring testimony from families impacted by addiction. Task force co-chairs bipartisan Reps. Tom MacArthur and Annie Kuster lead hearing, with panelists Shanna Marshall of Marietta, GA, Lorraine McNeill Popper of New York, Aimee D'Arpino of Mansfield, MA, Sharon Blair of Spencer, IN, Chelsea Laliberte of Arlington Heights, IL, Steve Terrill of Huntsville, OH, Adrienne Smith of Tarentum, PA, and Lauryn Wicks of Mechanicsburg, PA Location: Rm 2237, Rayburn House Office Bldg, Washington, DC addictionpolicy.org https://twitter.com/AddictionPolicy

9:00 PM President Trump addresses joint session of Congress – President Donald Trump addresses a Joint Session of Congress, having been invited by House Speaker Paul Ryan, on 'his agenda to tackle the critical challenges faced at home and abroad' * Follows a similar formal invitation issued by Congressional leaders to then-President Barack Obama in 2009, and roughly coincides with the time of year the president gives his annual State of the Union address * Former Kentucky Governor Steve Beshear delivers Democratic response, and immigration activist and DREAMer Astrid Silva delivers Spanish language response Location: U.S. Capitol, Washington, DC http://www.whitehouse.gov/president https://twitter.com/WhiteHouse

Other: 7:00 AM ARPA-E Energy Innovation Summit continues – Annual ARPA-E Energy Innovation Summit continues, co-hosted by Department of Energy Advanced Research Projects Agency – Energy (aka ARPA-E). Event also features a technology showcase with exhibits from ARPA-E-funded projects and applicants, in areas including grid-scale storage, power electronics, electric vehicle batteries, building efficiency, advanced carbon capture, and electrofuels. Agenda today includes keynotes from Republican Sen. Cory Gardner and Columbia University Center for Sustainable Development Director Dr Jeffrey Sachs Location: Gaylord National Resort and Convention Center, 201 Waterfront Street, National Harbor, MD National Harbor http://www.arpae-summit.com/ https://twitter.com/ARPAE

7:30 AM National Institute on Retirement Security Annual Retirement Policy Conference continues – National Institute on Retirement Security Annual Retirement Policy Conference, titled 'Retirement Policy Game Changers: Tackling Retirement Readiness', continues, with speakers today including Republican Sen. Bill Cassidy, Democratic Rep. Joe Crowley, and 'Hillbilly Elegy' author J.D. Vance Location: Liaison Capitol Hill Hotel, 415 New Jersey Ave NW, Washington, DC www.nirsonline.org

7:30 AM National Association of Counties Legislative Conference continues – National Association of Counties Legislative Conference continues. Day four speakers include Democratic Sen. Amy Klobuchar, Republican Rep. Rob Bishop, UnitedHealthcare Vice

President Paul Campbell, and International Association of Assessing Officers President Randy Ripperger Location: Marriott Wardman Park Hotel, Washington, DC www.naco.org https://twitter.com/NACoTweets

8:00 AM AG Sessions addresses National Association of Attorneys General – National Association of Attorneys General Winter Meeting continues, with 44 state and territorial attorneys general discussing topics including data breaches, sentencing reform, and youth programs. Day two agenda includes remarks from Attorney General Jeff Sessions, plus the U.S. Supreme Court Perspectives Luncheon, with two SCOTUS practitioners offering insight into cases before the court Location: Ritz Carlton, 1150 22nd St., NW, Washington, DC http://www.naag.org https://twitter.com/NatlAssnAttysGn #NAAGMeeting

8:00 AM VA Secretary Shulkin speaks at The American Legion Washington Conference – The American Legion annual Washington Conference continues with 'Commander's Call' event, featuring Secretary of Veterans Affairs David Shulkin, Republicans Sen. John McCain and Rep. Phil Roe, and Democratic Sen. Jon Tester Location: Washington Hilton, 1919 Connecticut Ave NW, Washington, DC http://www.legion.org/washingtonconference https://twitter.com/AmericanLegion

8:00 AM The Hill hosts discussion on 'The Value of a Cure' – The Hill hosts 'The Value of a Cure: Ensuring Access and Encouraging Innovation', a conversation with policymakers, health officials, industry representatives and patient advocates on the value of cures, their implications for society's health and public expenditures, and the path forward. Speakers include Democratic Rep. Diana DeGette, Republican Rep. Fred Upton, Gilead Executive VP of Corporate and Medical Affairs Gregg Alton, American Public Health Association Executive Director Georges Benjamin, Mount Sinai Health Systems Institute for Liver Medicine Director Douglas Dieterich, University of Southern California Distinguished Professor of Pharmacy, Public Policy, and Economics Dana Goldman, Aetna Foundation President Garth Graham, Fuerza Contra Alzheimer's President Carmen Pastor, and Regulus Therapeutics Chief R&D Officer Timothy Wright Location: The Newseum, 555 Pennsylvania Ave., NW, Washington, DC thevalueofacure.splashthat.com/ https://twitter.com/TheHillEvents #ValueofaCure

8:30 AM Community Development Financial Institutions Fund Coalition CDFI Institute – Community Development Financial Institutions Fund Coalition CDFI Institute. Day one includes keynote from CDFI Fund Director Annie Donovan and Capitol Hill Reception with Republican Rep. French Hill Location: Capital Hilton, 1001 16th St., NW, Washington, DC http://www.cdfi.org/index.php?page=institute-a https://twitter.com/CDFICoalition

9:15 AM GOP Sen. Tim Scott and Rep. Mark Walker host HBCU Leadership on Capitol Hill – Republicans Sen. Tim Scott and Rep. Mark Walker host Historically Black Colleges and Universities Leadership on Capitol Hill for a daylong conference focusing on opportunity, strengthening bilateral relationships, and celebrating the importance of the nation's HBCUs. Participants include House Speaker Paul Ryan and fellow Republicans Sen. Marco Rubio and Reps. Bradley Byrne, Trey Gowdy, and Mia Love, Thurgood Marshall Foundation President Johnny Taylor, United Negro College Fund Public Policy and Government Affairs Senior Vice President Cheryl Smith, and former Rep. J.C. Watts Location: Library of Congress, 10 1st St SE, Washington, DC www.scott.senate.gov https://twitter.com/SenatorTimScott

10:30 AM Congressional Black Caucus Chairman Dem Rep. Cedric Richmond speaks at CAP Action Fund – Congressional Black Caucus Chairman Democratic Rep. Cedric Richmond speaks at Center for American Progress Action Fund on the caucus agenda for the 115th Congress, focusing on the state of the black family and how policy choices can close the disparities that remain for African Americans in health care, jobs and the economy, education, and the criminal justice system. Rep. Richmond, Center for American Progress Action Fund President and CEO Neera Tanden and panelists National Collaborative for Health Equity Executive Director Dr Brian Smedley, National Women's Law Center Senior VP for Program Fatima Goss Graves and Open Society Foundation Advocacy Director for Criminal Justice also discuss the ways in which the CBC and other policymakers can work to reduce these disparities and push back on some of what they describe as 'the regressive policies of

the current administration' Location: CAP Action Fund, 1333 H St., NW, Washington, DC www.americanprogressaction.org https://twitter.com/CAPaction

11:00 AM AG Sessions speaks at African American History Month event – Attorney General Jeff Sessions delivers remarks at Department of Justice 2017 African American History Month Observance, which includes a showing of the documentary 'Too Important to Fail: Saving America's Boys' Location: Department of Justice, 950 Pennsylvania Ave NW, Washington, DC http://www.usdoj.gov https://twitter.com/TheJusticeDept

2:00 PM GOP Rep. French Hill keynotes release of 'Prosperity Unleashed: Smarter Financial Regulation' publication – Heritage Foundation releases 'Prosperity Unleashed: Smarter Financial Regulation', which 'provides solutions to the core regulatory problems that have existed in U.S. financial markets for decades', via event at which the publication's authors introduce their research and hold discussion on the proposals outlined within it. Republican Rep. French Hill keynotes, followed by a discussion with George Mason University Mercatus Center Financial Markets Working Group Senior Research Fellow Brian Knight, Cato Institute Associate Director of Financial Regulation Studies Thaya Brook Knight and Center for Monetary and Financial Alternatives Director George Selgin, and Heritage Foundation Senior Fellow in Economic Policy David Burton and Senior Research Fellow for Regulatory Policy Diane Katz Location: Heritage Foundation, 214 Massachusetts Ave NE, Washington, DC www.heritage.org https://twitter.com/Heritage

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James B. Comey

From: James B. Comey
Sent: Tuesday, February 28, 2017 10:02 AM
To: Campbell, Joshua S. (DO) (FBI); Rybicki, James E. (DO) (FBI)
Subject: RE: FBI Public Affairs News Briefing Tuesday, February 28, 2017

No. But I found them in a file I didn't know existed "Junk emails." I had checked "Spam" in the past and found nothing. It appears that some mornings they end up in the mysterious Junk folder. So I'm good.

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-------- Original message --------
From: "Campbell, Joshua S. (DO) (FBI)" [redacted] b7E
Date: 2/28/17 7:07 AM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Fwd: FBI Public Affairs News Briefing Tuesday, February 28, 2017

Good morning. Did the 7am clips come through for you today?

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-------- Original message --------
From: Bulletin Intelligence [redacted] b7E
Date: 02/28/2017 7:05 AM (GMT-05:00)
To: [redacted]
Subject: FBI Public Affairs News Briefing Tuesday, February 28, 2017

Mobile version and searchable archives available at [redacted]

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James B. Comey

From: James B. Comey
Sent: Tuesday, February 28, 2017 10:35 AM
To: Rybicki, James E. (DO) (FBI)
Subject: RE: FBI Public Affairs News Briefing Tuesday, February 28, 2017

The WSJ piece by Judge Silverman is odd. Remind me to discuss with you.

--

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" <[redacted]> b7E
Date: 2/28/17 7:36 AM (GMT-05:00)
To: "James B. Comey" <[redacted]>
Subject: Fwd: FBI Public Affairs News Briefing Tuesday, February 28, 2017

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-------- Original message --------
From: Bulletin Intelligence <[redacted]> b7E
Date: 2/28/17 7:05 AM (GMT-05:00)
To: [redacted]
Subject: FBI Public Affairs News Briefing Tuesday, February 28, 2017

Mobile version and searchable archives available at [redacted]

James B. Comey

From: James B. Comey
Sent: Saturday, March 4, 2017 3:50 PM
To: McCabe, Andrew G. (DO) (FBI); Brower, Gregory (OGC) (FBI); Rybicki, James E. (DO) (FBI); Baker, James A. (OGC) (FBI)
Subject: RE: This morning's activities

[redacted] b5

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-------- Original message --------
From: "McCabe, Andrew G. (DO) (FBI)" <[redacted] b7E
Date: 3/4/17 3:42 PM (GMT-05:00)
To: "Brower, Gregory (OGC) (FBI)" <[redacted]>, "Rybicki, James E. (DO) (FBI)" <[redacted]>, "Baker, James A. (OGC) (FBI)" <[redacted]>, "James B. Comey" <[redacted]>
Subject: RE: This morning's activities

Adding Director and Jim Baker

[redacted] b5

Thoughts? Also willing to jump on a call if necessary or helpful.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From: "Brower, Gregory (OGC) (FBI)" [redacted] b7E
Date: 3/4/17 3:34 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted], "McCabe, Andrew G. (DO) (FBI)" [redacted]
Subject: This morning's activities

Getting some Hill inquiries. If I don't respond, (or even if I do) I expect some members will try to reach out to D directly. Guidance?
Thx

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Saturday, March 4, 2017 3:55 PM
To:	James B. Comey; McCabe, Andrew G. (DO) (FBI); Brower, Gregory (OGC) (FBI); Baker, James A. (OGC) (FBI)
Subject:	Re: This morning's activities

[redacted] b5

From: James B. Comey
Sent: Saturday, March 4, 2017 3:49 PM
To: McCabe, Andrew G. (DO) (FBI); Brower, Gregory (OGC) (FBI); Rybicki, James E. (DO) (FBI); Baker, James A. (OGC) (FBI)
Subject: RE: This morning's activities

[redacted] b5

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-------- Original message --------
From: "McCabe, Andrew G. (DO) (FBI)" [redacted] b7E
Date: 3/4/17 3:42 PM (GMT-05:00)
To: "Brower, Gregory (OGC) (FBI)" [redacted], "Rybicki, James E. (DO) (FBI)" [redacted], "Baker, James A. (OGC) (FBI)" [redacted], "James B. Comey" [redacted]
Subject: RE: This morning's activities

Adding Director and Jim Baker

[redacted] b5

Thoughts? Also willing to jump on a call if necessary or helpful.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From: "Brower, Gregory (OGC) (FBI)" <[redacted]> b7E
Date: 3/4/17 3:34 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted], "McCabe, Andrew G. (DO) (FBI)" <[redacted]>
Subject: This morning's activities

Getting some Hill inquiries. If I don't respond, (or even if I do) I expect some members will try to reach out to D directly. Guidance?
Thx

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Saturday, March 4, 2017 4:14 PM
To:	James B. Comey; McCabe, Andrew G. (DO) (FBI); Brower, Gregory (OGC) (FBI); Baker, James A. (OGC) (FBI)
Subject:	Re: This morning's activities

[redacted] b5 b6 b7C

From: James B. Comey
Sent: Saturday, March 4, 2017 3:49 PM
To: McCabe, Andrew G. (DO) (FBI); Brower, Gregory (OGC) (FBI); Rybicki, James E. (DO) (FBI); Baker, James A. (OGC) (FBI)
Subject: RE: This morning's activities

[redacted] b5

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-------- Original message --------
From: "McCabe, Andrew G. (DO) (FBI)" <[redacted]> b7E
Date: 3/4/17 3:42 PM (GMT-05:00)
To: "Brower, Gregory (OGC) (FBI)" <[redacted]>, "Rybicki, James E. (DO) (FBI)" <[redacted]>, "Baker, James A. (OGC) (FBI)" <[redacted]>, "James B. Comey" <[redacted]>
Subject: RE: This morning's activities

Adding Director and Jim Baker

[redacted] b5

[redacted] b5

Thoughts? Also willing to jump on a call if necessary or helpful.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From: "Brower, Gregory (OGC) (FBI)" [redacted] b7E
Date: 3/4/17 3:34 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted], "McCabe, Andrew G. (DO) (FBI)" [redacted]
Subject: This morning's activities

Getting some Hill inquiries. If I don't respond, (or even if I do) I expect some members will try to reach out to D directly. Guidance?
Thx

McCabe, Andrew G. (DO) (FBI)

From:	McCabe, Andrew G. (DO) (FBI)
Sent:	Saturday, March 4, 2017 4:15 PM
To:	Rybicki, James E. (DO) (FBI); James B. Comey; Brower, Gregory (OGC) (FBI); Baker, James A. (OGC) (FBI)
Subject:	RE: This morning's activities

Thanks Jim

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 3/4/17 4:14 PM (GMT-05:00)
To: "James B. Comey" [redacted], "McCabe, Andrew G. (DO) (FBI)" [redacted],
Gregory (OGC) (FBI)" [redacted], "Baker, James A. (OGC) (FBI)"
[redacted]
Subject: Re: This morning's activities

[redacted] b5

From: James B. Comey
Sent: Saturday, March 4, 2017 3:49 PM
To: McCabe, Andrew G. (DO) (FBI); Brower, Gregory (OGC) (FBI); Rybicki, James E. (DO) (FBI); Baker, James A. (OGC) (FBI)
Subject: RE: This morning's activities

[redacted] b5

.

-------- Original message --------
From: "McCabe, Andrew G. (DO) (FBI)" [redacted] b7E
Date: 3/4/17 3:42 PM (GMT-05:00)
To: "Brower, Gregory (OGC) (FBI)" [redacted], "Rybicki, James E. (DO) (FBI)" [redacted], "Baker, James A. (OGC) (FBI)" [redacted], "James B. Comey" [redacted]
Subject: RE: This morning's activities

Adding Director and Jim Baker

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Deputy Director
Federal Bureau of Investigation
[redacted] b7E

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From: "Brower, Gregory (OGC) (FBI)" [redacted] b7E
Date: 3/4/17 3:34 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted], "McCabe, Andrew G. (DO) (FBI)" [redacted]
Subject: This morning's activities

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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Saturday, March 4, 2017 6:07 PM
To:	McCabe, Andrew G. (DO) (FBI); Baker, James A. (OGC) (FBI)
Cc:	James B. Comey
Subject:	Conference Call

Andy and Jim: We will be on the line at 7pm with [redacted] My understanding of the goals for us will be:

b5
b6
b7C

[redacted]

James B. Comey

From: James B. Comey
Sent: Saturday, March 4, 2017 6:13 PM
To: Rybicki, James E. (DO) (FBI); McCabe, Andrew G. (DO) (FBI); Baker, James A. (OGC) (FBI)
Subject: RE: Conference Call

[redacted] b5 b6 b7C

.

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" <[redacted]> b7E
Date: 3/4/17 6:07 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted], "Baker, James A. (OGC) (FBI)" [redacted]
Cc: "James B. Comey" [redacted]
Subject: Conference Call

Andy and Jim: We will be on the line at 7pm with [redacted] My understanding of the goals for us will be:

[redacted] b5 b6 b7C

..

James B. Comey

From:	James B. Comey
Sent:	Saturday, March 4, 2017 6:24 PM
To:	Baker, James A. (OGC) (FBI); Rybicki, James E. (DO) (FBI); McCabe, Andrew G. (DO) (FBI)
Subject:	RE: Conference Call

[redacted] b5

--

-------- Original message --------
From: "Baker, James A. (OGC) (FBI)" <[redacted]> b7E
Date: 3/4/17 6:15 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" <[redacted]>, "McCabe, Andrew G. (DO) (FBI)" <[redacted]>
Cc: "James B. Comey" <[redacted]>
Subject: RE: Conference Call

One thought:

[redacted] b5

--

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" <[redacted]> b6 b7C b7E
Date: 3/4/17 6:07 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" <[redacted]>, "Baker, James A. (OGC) (FBI)" <[redacted]>
Cc: "James B. Comey" <[redacted]>
Subject: Conference Call

Andy and Jim: We will be on the line at 7pm with [redacted] My understanding of the goals for us will be:

James B. Comey

From:	James B. Comey
Sent:	Sunday, March 5, 2017 6:33 PM
To:	McCabe, Andrew G. (DO) (FBI); Rybicki, James E. (DO) (FBI); Brower, Gregory (OGC) (FBI); Baker, James A. (OGC) (FBI)
Subject:	RE: This morning's activities

Team:

Just got a text to my work phone from Jason Chafetz (note to self: change my phone number) asking for me to call him. I do not intend to do so but don't want to ignore a committee chair. Leave it to you to decide how to communicate that I can't speak with him.

More opportunities for awesomeness every day.

-

-------- Original message --------
From: "McCabe, Andrew G. (DO) (FBI)" [redacted] b7E
Date: 3/4/17 4:15 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" <[redacted]>, "James B. Comey" [redacted],
"Brower, Gregory (OGC) (FBI)" <[redacted], "Baker, James A. (OGC) (FBI)"
[redacted]
Subject: RE: This morning's activities

Thanks Jim

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted]
Date: 3/4/17 4:14 PM (GMT-05:00)
To: "James B. Comey" [redacted]>, "McCabe, Andrew G. (DO) (FBI)" [redacted], "Brower,
Gregory (OGC) (FBI)" <[redacted], "Baker, James A. (OGC) (FBI)"
[redacted]> b7E
Subject: Re: This morning's activities

[redacted] b5 b6 b7C

From: James B. Comey
Sent: Saturday, March 4, 2017 3:49 PM
To: McCabe, Andrew G. (DO) (FBI); Brower, Gregory (OGC) (FBI); Rybicki, James E. (DO) (FBI); Baker, James A. (OGC) (FBI)
Subject: RE: This morning's activities

[redacted] b5

-

-------- Original message --------
From: "McCabe, Andrew G. (DO) (FBI)" <[redacted]> b7E
Date: 3/4/17 3:42 PM (GMT-05:00)
To: "Brower, Gregory (OGC) (FBI)" <[redacted]>, "Rybicki, James E. (DO) (FBI)" <[redacted]>, "Baker, James A. (OGC) (FBI)" <[redacted]>, "James B. Comey" <[redacted]>
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Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation

[redacted] b7E

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Date: 3/4/17 3:34 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" <[redacted]>, "McCabe, Andrew G. (DO) (FBI)" <[redacted]>
Subject: This morning's activities

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McCabe, Andrew G. (DO) (FBI)

From:	McCabe, Andrew G. (DO) (FBI)
Sent:	Sunday, March 5, 2017 6:41 PM
To:	James B. Comey; Rybicki, James E. (DO) (FBI); Brower, Gregory (OGC) (FBI); Baker, James A. (OGC) (FBI)
Subject:	RE: This morning's activities

Seems like Greg should reach out to staff and explain we cannot make contact [redacted] b5
[redacted]

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From: "James B. Comey" <[redacted]> b7E
Date: 3/5/17 6:32 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted], "Rybicki, James E. (DO) (FBI)" [redacted], "Brower, Gregory (OGC) (FBI)" [redacted], "Baker, James A. (OGC) (FBI)" [redacted]
Subject: RE: This morning's activities

Team:

Just got a text to my work phone from Jason Chafetz (note to self: change my phone number) asking for me to call him. I do not intend to do so but don't want to ignore a committee chair. Leave it to you to decide how to communicate that I can't speak with him.

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Date: 3/4/17 4:15 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted], "James B. Comey" [redacted], "Brower, Gregory (OGC) (FBI)" [redacted], "Baker, James A. (OGC) (FBI)" [redacted]
Subject: RE: This morning's activities

Thanks Jim

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" <[redacted]> b7E
Date: 3/4/17 4:14 PM (GMT-05:00)
To: "James B. Comey" [redacted], "McCabe, Andrew G. (DO) (FBI)" [redacted], "Brower, Gregory (OGC) (FBI)" [redacted], "Baker, James A. (OGC) (FBI)" [redacted]
Subject: Re: This morning's activities

[redacted] b5 b6 b7C

From: James B. Comey
Sent: Saturday, March 4, 2017 3:49 PM
To: McCabe, Andrew G. (DO) (FBI); Brower, Gregory (OGC) (FBI); Rybicki, James E. (DO) (FBI); Baker, James A. (OGC) (FBI)
Subject: RE: This morning's activities

[redacted] b5

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From: "McCabe, Andrew G. (DO) (FBI)" <[redacted]> b7E

Date: 3/4/17 3:42 PM (GMT-05:00)
To: "Brower, Gregory (OGC) (FBI)" <[redacted]>, "Rybicki, James E. (DO) (FBI)" b7E
<[redacted]>, "Baker, James A. (OGC) (FBI)" [redacted], "James B. Comey"
[redacted]
Subject: RE: This morning's activities

Adding Director and Jim Baker

[redacted] b5

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Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

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Date: 3/4/17 3:34 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted], "McCabe, Andrew G. (DO) (FBI)"
[redacted]
Subject: This morning's activities

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James B. Comey

From: James B. Comey
Sent: Wednesday, March 8, 2017 1:24 PM
To: Rybicki, James E. (DO) (FBI)

http://www.politico.com/story/2017/03/trump-wiretap-fbi-briefing-republicans-235824

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Thursday, March 9, 2017 9:08 AM
To:	James B. Comey
Subject:	Fwd: FBI Public Affairs News Briefing Thursday, March 09, 2017

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" <[redacted]> b6 b7C b7E
Date: 3/9/17 9:07 AM (GMT-05:00)
To: [redacted] (DO) (FBI)" <[redacted]>
Cc: "Abbate, Paul M. (DO) (FBI)" <[redacted]>, "Skule, Joshua (DI) (FBI)" <[redacted]>,
"Kortan, Michael P. (DO) (FBI)" <[redacted]>
Subject: RE: FBI Public Affairs News Briefing Thursday, March 09, 2017

Copy. Mike Kortan: If we start getting a lot of calls on this it would be nice if at least one or two of the community leaders would express appreciation for what the FBI is doing track down the threats.

-------- Original message --------
From: [redacted] (DO) (FBI)" <[redacted]> b6 b7C b7E
Date: 3/9/17 9:01 AM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" <[redacted]>
Cc: "Abbate, Paul M. (DO) (FBI)" <[redacted]>, "Skule, Joshua (DI) (FBI)" <[redacted]>,
"Kortan, Michael P. (DO) (FBI)" <[redacted]>
Subject: RE: FBI Public Affairs News Briefing Thursday, March 09, 2017

Jim,

[redacted] b5 b6 b7C

From: Rybicki, James E. (DO) (FBI)
Sent: Thursday, March 09, 2017 8:36 AM
To: [redacted] (DO) (FBI) [redacted] b6 b7C
Cc: Abbate, Paul M. (DO) (FBI) [redacted]; Skule, Joshua (DI) (FBI) [redacted] b7E
Subject: Fwd: FBI Public Affairs News Briefing Thursday, March 09, 2017

[redacted] b5

.

-------- Original message --------
From: Bulletin Intelligence [redacted]
Date: 3/9/17 7:06 AM (GMT-05:00)
To: [redacted] b7E
Subject: FBI Public Affairs News Briefing Thursday, March 09, 2017

Mobile version and searchable archives available at [redacted]

FBI News Briefing

TO: THE DIRECTOR AND SENIOR STAFF

DATE: THURSDAY, MARCH 9, 2017 7:00 AM EST

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LEADING THE NEWS

Comey Discusses Encryption, Says Country "Stuck" With Him For Rest Of His Term.

Several major print and online outlets report on FBI Director Comey's remarks before a cybersecurity conference Wednesday at Boston College. In his speech, Comey primarily discussed the importance of cybersecurity issues and the impact of strong encryption on law enforcement. Reports noted that Comey did not address recent controversies in his speech and also declined to take questions from reporters.

The Washington Times (3/8, Noble, 272K) reports that Comey said the country is "stuck with" him for "another 6½ years," indicating his plans to remain at the helm of the bureau for his full 10-year term. The FBI, he said, is working to build stronger relationships with private companies so they feel comfortable approaching the bureau when they are victims of cyber intrusion and ransomware attacks. Comey emphasized that the bureau will protect the privacy of their employees and operations. Companies, said Comey, Bloomberg Politics (3/8, Strohm, 201K) reports, should not retaliate against cybercriminals by trying to hack their attackers. "Don't do it; it's a crime," Comey said. "It's not only against the law but it runs the risk of tremendous confusion in a crowded space."

According to the Wall Street Journal (3/8, Levitz, Viswanatha, Subscription Publication, 6.37M), Comey also called for a return to the debate over how to best balance law enforcement needs with desires for encryption and privacy. "The advent of default, ubiquitous, strong encryption is making more and more of the room in which the FBI investigates dark," Comey said. The director noted that the bureau was unable to open 1,200 of the 2,800 cellphones it obtained lawfully for investigations between October and December. The Boston Globe (3/8, Vaccaro, 1.08M) reports that Comey said encryption was once used exclusively by "the sophisticated actor," but is now in use by drug dealers and similar low-level criminals.

Politico (3/8, Dezenski, 2.46M) quotes Comey as saying, "All of us have a reasonable expectation of privacy in our homes, in our cars, and in our devices. But it also means with good reason, in court, government through law enforcement can invade our private spaces." In certain circumstances, the director said, "Even our memories aren't private...a judge can compel any of us to testify in court on those private communications." He added, "There is no such thing as absolute privacy in America," because "there is no place in America outside of judicial reach."

The AP (3/8) reports that Comey also said the FBI must focus on recruiting talented computer experts who might otherwise go to work for Google or Apple. "The cyberthreats we face are enormous. I don't know if we can stay ahead of them. And I think to say otherwise would be hubris," Comey said. "We need to ensure that cybersecurity is a priority for every enterprise in the United States at all levels. We need to get better and faster at sharing information in the appropriate ways."

Following his remarks, Reuters (3/8, Finkle) reports, Comey did not speak with reporters and ignored "questions about the wiretapping accusation that [President] Trump made on Saturday without offering any evidence to support it." According to reports, Comey had asked the Justice Department to refute Trump's claims because they suggested the FBI broke the law. "The department has not acted on his request," Reuters says. "I'll avoid talking about things I don't want to talk about," Comey joked at the start of his speech, the Boston Herald (3/8, Stout, 509K) reports.

The Hill (3/8, Williams, 1.25M) reports that whereas Comey did not discuss Trump's wiretapping allegations on Wednesday, he has been invited to appear before the House Intelligence Committee on March 20, where Rep. Adam Schiff has indicated he intends to press the director to address the issue. "If the public reports are accurate and Mr. Comey wanted the Justice Department to speak out on this, he will have his own opportunity on March 20," Schiff said.

NPR (3/8, 1.92M), the New York Post (3/8, Moore, 3.82M), Roll Call (3/8, Prater, 63K), The Guardian (UK) (3/8, Borger, 4.07M), GQ (3/8, 18.73M), the Boston Business Journal (3/8, O'Brien, Subscription Publication, 90K), and the WCVB-TV Boston (3/8, 482K), CNN (3/8, Mallonee, Scott, 29.79M), NBC News (3/8, 2.67M), and Fox News (3/8, 11.07M) websites report similarly. The New York Post (3/8, 3.82M) posts the AP's coverage to its website and USA Today (3/8, 5.28M) posts a video from a portion of Comey's remarks online.

Palmieri Blasts Comey. Politico (3/8, Conway, 2.46M) reports Hillary Clinton Campaign Communications Director Jennifer Palmieri responded to Comey's remarks Wednesday by calling him a "particularly infuriating character" who cares above all about "protecting his own reputation." Palmieri stated she believes the Trump campaign did collude with Russia, or at least with WikiLeaks, based on their eagerness to "jump on" the "leak du jour" from John Podesta's email accounts.

White House Says Trump Not Under Investigation.

Media coverage of President Trump's claim that former President Obama wiretapped the phones at Trump Tower has diminished significantly. While the story continues to be a major source of discussion on cable television, print and online reporting are much lighter than in previous days. Network news coverage has markedly declined as well, with only two networks mentioning the story Wednesday evening. The reporting continues to be decidedly negative toward the White House, highlighting that the Administration has still offered no evidence to support Trump's claim, and casting a request from Sens. Lindsey Graham and Sheldon Whitehouse for the FBI and DOJ to provide proof as an effort to call "the White House's bluff" on the issue.

Typical of the ongoing coverage is Jake Tapper's statement on CNN's The Lead  (3/8, 320K) that while the White House says Trump "has no regrets about his fact-free claim that then President Obama tapped his phone last year," nearly "everyone else in this city in the know or with the power to investigate the claim says it's not true, or that they've seen nothing that can support the accusation."

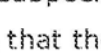
In its lead story, the CBS Evening News  (3/8, lead story, 0:30, Pelley, 11.17M) reported, "The White House said today it does not believe that the President is under investigation by the FBI" amid questions about Trump's "insistence that his phones were tapped during the campaign on orders from President Obama." The Washington Times (3/8, Boyer, 272K) says White House press secretary Sean Spicer was asked if Trump "is the target of counter-intelligence operation raising accusations about links to Russia," and he replied, "I think that's what we need to find out." However, the New York Times (3/8, Landler, Subscription Publication, 13.9M) says an aide then "slipped Mr. Spicer a note," after which "he circled back to clarify." USA Today (3/8, Jackson, 5.28M) quotes Spicer as saying, "There is no reason to believe there is any type of investigation with respect to the Department of Justice."

Margaret Brennan reported on the CBS Evening News  (3/8, story 2, 2:35, Pelley, 11.17M) that the White House says Trump "may have been swept up in surveillance that was not directly targeted at him, though the President has claimed it was his phones that were tapped, an allegation denied by former Director of National Intelligence James Clapper." The AP (3/8, Pearson) cites "three former Trump Organization executives" who say that Trump "expressed regular concern that his phone lines were not secure." Trump at times "talked about possible listening devices and worried that he was being monitored," and in other instances, "he was doing the monitoring."

Sara Murray said on CNN's The Lead  (3/8, 320K), "It's been four days since President Trump's shocking claim that President Obama spied on him and while there is still no evidence from the White House, today senators say they want proof." USA Today (3/8, Collins, 5.28M) reports that Graham and Whitehouse "are asking the Justice Department to prove" Trump's accusation that Obama wiretapped Trump Tower. In a letter to FBI Director Comey and acting Deputy Attorney General Dana Boente, the senators requested "specific information regarding the accusation." They wrote, "We request that the Department of Justice provide us copies of any warrant applications and court orders – redacted as necessary to protect intelligence sources and methods that may be compromised by disclosure, and to protect any ongoing investigations – related to wiretaps of President Trump, the Trump Campaign, or Trump Tower. ... We will be glad to review any such applications and orders once they are disclosed, and proceed as appropriate with the oversight the President has requested."

CNN's Situation Room  (3/8, 554K) showed reporter Manu Raju asking Graham about the possibility that the Administration doesn't provide the evidence. Graham responded, "Then I'll have done my job. Either they are lying to me or there is no information, and I don't believe they

would lie to me about this. I expect them to come forward as to whether or not a warrant was obtained or sought." Graham also confirmed to Raju that he will subpoena the information if the Administration doesn't comply.

David Muir said on ABC World News Tonight  (3/8, story 5, 1:15, 14.63M) that the White House is "still not providing any proof," but Jonathan Karl said Graham and Whitehouse "are calling the White House's bluff on this." The White House has argued that "it is up to Congress to investigate," so the senators "are saying they will investigate. ... They want to get the FBI on record either admitting it happened, or much more likely, saying it didn't." Reuters (3/8, Cowan) says Graham told CNN that if DOJ does not cooperate, "subpoenas would be issued." A.B. Stoddard of RealClear Politics said on CNN Wolf  (3/8, 224K) that the White House has sent the matter to Congress and "Congress is calling their bluff. ... If there's no evidence, it's going to be more than embarrassing, actually."

Meanwhile, lawmakers from both sides of the aisle said Wednesday that they have seen no evidence that would support Trump's claim. For example, Sen. Dianne Feinstein was asked on CNN's The Lead  (3/8, 320K) if she has seen any evidence that Obama tapped Trump's phones. Feinstein said, "No, I have not. And it's all rather shocking to me that a sitting President would make this kind of an allegation about a former President without any proof whatsoever."

Sen. Tim Kaine said on MSNBC's Morning Joe  (3/8, 270K), "The President's behavior...is sort of shocking but not surprising because this is a guy who said Ted Cruz's dad was involved in the JFK assassination on the campaign trail and he got a pass to that. He is saying he was wiretapped or that his inaugural crowd was bigger than it was, it shouldn't surprise us. But it is shocking. You don't want to see that behavior in the President."

Sen. Tom Cotton was asked on MSNBC's Morning Joe  (3/8, 270K) if he has seen any evidence of that Obama wiretapped Trump Tower. Cotton said, "I have seen no evidence of that. But I would also say a lot of the anonymous sources in the media are stating things that are very precise and not exactly the full picture either. When, for instance, the President's spokesman denies that either the President or White House official, quote-unquote, ordered surveillance, that doesn't really deny very much if you understand how the foreign intelligence surveillance court works. It's a judge that would order those things and it's the attorney general or her agent that would file that application."

Appearing on CNN's Situation Room  (3/8, 554K), Rep. Adam Schiff, ranking Democrat on the House Intelligence Committee, said he is "not aware of any evidence of any wiretapping," calling Trump's allegation "irresponsible." He said his panel will also look into the matter. Schiff noted that the panel has asked Clapper, former CIA Director Brennan, and FBI Directory Comey to testify on March 20, and he thinks "we'll have ample testimony that this claim was nonsensical, false, reckless, and scandalous in its breathtaking dishonesty."

Rep. Elijah Cummings said on CNN's Situation Room  (3/8, 554K) said the Congressional probes will "hopefully...get to the bottom of this, and I expect that there is absolutely no truth to" Trump's claim.

Rep. Trey Gowdy was asked on CNN's Anderson Cooper 360  (3/8, 686K) if Trump could simply declassify any evidence to back up his claim if he wants to. Gowdy, noting that he and Cooper were "speculating that [evidence] exists," replied, "That's true, in theory. ... The President has the power to both declassify it and to have it released, as long as it's not held by the judicial branch, which would be a court matter."

In an interview with the CBS Evening News  (3/8, story 3, 3:40, Pelley, 11.17M), former CIA Director Leon Panetta said there are two conclusions one can draw from Trump's claim. Said Panetta, "One is that he says these things knowing that they're not true in order to divert the public, and if he's doing that, he's misusing the powers of the presidency. Or if he truly believes that they are true, when indeed they're not true, and he has not tried to find out the truth, which then shows a real lack of judgment. Either way, I think it undermines and weakens the strength of the presidency in this country."

Obama "Irked And Exasperated" By Trump's Accusation. Jeff Zeleny said on CNN's

Situation Room (3/8, 554K) that Obama was "stunned by the allegations." Zeleny added that "we are told that the former President was irked and exasperated by yet another accusation from this President." On its website, CNN (3/8, Zeleny, Liptak, 29.79M) cited "sources close to the former president" who said his reaction "stopped short of outright fury." Those sources offered "slightly different insight into Obama's demeanor than others who told The Wall Street Journal that Obama was 'livid.'"

Residents Of Ohio Town Largely Indifferent To Trump-Russia News. The Washington Post (3/8, Gibbons-Neff, 11.43M) reports that in the town of Wilmington, Ohio, "the barrage of news coming out about the Trump administration's ties to Russia has fallen on mostly indifferent ears." The town "has been more focused on local issues" such as a decision by Amazon.com "to pull a burgeoning shipping hub and plans for as many as 3,000 new jobs at Wilmington's airpark, opting instead to take a $10 million dollar tax break to relocate to Kentucky."

NYTimes: Warner Faces "Stand-And-Deliver Moment" In Russian Inquiry. The New York Times (3/8, Fiegenheimer, Subscription Publication, 13.9M) reports that as Republicans "resist calls for a select committee or special prosecutor to oversee" the investigation into President Trump's ties to Russia, the "Democrats' best hope for acquiring answers most likely remains an investigation by the Senate Intelligence Committee," where Sen. Mark Warner – a "former rising star" in the Democratic party – is vice chairman. The result is a "spotlight trained brightly on a southern-state centrist with a nine-figure net worth, a decade-old itch to be president and, until recently, according to friends and former aides, a healthy disdain for the institution he serves."

Spicer Laments Lack Of Outrage Over WikiLeaks Release.

Media coverage of WikiLeaks recent release of more than 8,000 pages of documents it says are classified CIA files continues to garner heavy media attention. White House press secretary Sean Spicer's expression of frustration at the lack of media outrage over the release gets some attention, but the main media focus are efforts the FBI and CIA to determine the source of the leak and assess the damage it has caused.

The Washington Post (3/8, Johnson, 11.43M) reports Spicer "will not authenticate the documents released by WikiLeaks," but he is "frustrated that more people aren't more outraged about their release." Spicer told reporters, "This should be a major concern to people in terms of the leaks that are coming out and the desire to get to the bottom of them. ... I think the idea that we are having these ongoing disclosures of national security and classified information should be something that everybody is outraged about in this country." While Spicer "repeatedly said that the government's policy is to not confirm the authenticity of sensitive information that might have been leaked or hacked," he "accused the media of not focusing enough on the national security implications of the information." In addition, Spicer "reflected on how these alleged surveillance tools would have been at the disposal of the Obama administration," which President Trump accused of wiretapping the phones at Trump Tower.

USA Today (3/8, Jackson, 5.28M) reports that Spicer argued, "There is a massive, massive difference," between WikiLeaks' release of emails from Hillary Clinton campaign chairman John Podesta and leaking national security secrets. Spicer also said argued that there was more outrage from Democrats and the media over WikiLeaks at that time than now. Said Spicer, "It's interesting how there's sort of a double standard with when the leaks occur, how much outrage there is."

Meanwhile, the FBI has launched a criminal investigation into the release of the documents, USA Today (3/8, Johnson, 5.28M) reports, citing "a US official." According to the official, the inquiry "will seek to determine whether the disclosure represented a breach from the outside or a leak from inside the spy agency," and "a separate review will attempt to assess the damage caused by such a disclosure." The New York Times (3/8, Rosenberg, Shane, Goldman, Subscription Publication, 13.9M) describes the CIA as "scrambl[ing]...to assess and contain the damage" from the leak, which investigators say "was the work not of a hostile foreign power like Russia but of a disaffected insider," while the Los Angeles Times (3/8, Wilber, 4.52M) cites a CNN report which said that "the FBI and CIA 'are coordinating reviews of the matter.'" An FBI spokeswoman "referred calls on the matter to the CIA," and "a CIA spokeswoman, in a statement declined to comment 'on the status of any investigation into the source of the documents.'"

Brian Ross reported on ABC World News Tonight  (3/8, story 3, 2:45, Muir, 14.63M) that the hunt is focused on "the headquarters of the top secret center for cyber intelligence, the CCI. Officials believe whoever was responsible had to have access to one of the highly classified US spy networks, such as the one called JWICS." Andrea Mitchell reported in the lead story for NBC Nightly News  (3/8, lead story, 2:50, Holt, 16.61M) that according to "a senior US official," the documents "contain authentic information about the CIA's top secret tools for hacking." Mitchell added that "two US intelligence sources" said "Russia is suspect because of Moscow's ties to WikiLeaks, and the hacked emails during the 2016 campaign." Meanwhile, WikiLeaks "is claiming they've released only one percent of what they've got," and "inside the CIA tonight...the hunt is on."

In what Politico (3/8, Geller, 2.46M) calls a "rare step," the CIA on Wednesday "publicly defend[ed] its mission ." CIA spokesman Jonathan Liu released "an unprompted on-the-record statement" in which he "argued that the agency exists to 'aggressively collect foreign intelligence,' stressed that its agents are 'legally prohibited' from hacking Americans and emphasized that the public 'should be deeply troubled' by the WikiLeaks release." Liu said there are "critical points," but he "reiterated that the CIA will not confirm the authenticity of the WikiLeaks materials." A brief report on the CBS Evening News  (3/8, story 4, 0:30, Pelley, 11.17M) said the CIA said Wednesday that the leak "has jeopardized US personnel and operations and given US adversaries the tools to do America harm." Tom Costello reported on NBC Nightly News  (3/8, story 2, 2:05, Holt, 16.61M) that "security pros say the CIA's alleged hacking blueprints should serve as a reality check for all Americans." Georgia Weidman of Shevirah Security said, "The only secure device would be one that's turned off, stepped-on, melted down, buried, and then maybe it's secure."

In his "Talking Points Memo" on Fox News' The O'Reilly Factor  (3/8, 767K), Bill O'Reilly that "leakers of classified documents are actively committing treason. It's apparent that the federal government does not have a handle on how to apprehend these traitors, much less stop the espionage."

A Washington Post (3/8, 11.43M) editorial stresses that the CIA cyberhacking tools released by WikiLeaks "are not instruments of mass surveillance," and there is "no evidence they have been used against Americans or otherwise improperly; if there were, we can be sure that WikiLeaks, whose core mission is not transparency but undermining US national security, would have trumpeted it." The Post says "it won't be a surprise if Moscow again turns out to be the source of the leak."

Officials Focus On Contractors As Source Of Leak. Reuters (3/8, Walcott, Shalal) reports that intelligence and law enforcement officials are "focusing on contractors as the likeliest source of documents" being leaked to WikiLeaks. According to an official with knowledge of the investigation, CIA contractors "have been checking to see which of their employees had access to the material that Wikileaks published, and then going over their computer logs, emails and other communications for any evidence of who might be responsible." The Wall Street Journal (3/8, Harris, Subscription Publication, 6.37M)says the possibility that a contractor was behind the leak is certain to result in increased scrutiny of the use of outside entities to conduct classified work. While contractors are vetted like government employees, in the last four years, they have been responsible for two significant breaches.

Sen. Dianne Feinstein said on CNN's The Lead  (3/8, 320K) that "this is the third contractor now that's done this kind of leaking. ... I think we really need to take a look at the contractor portion of the employee work force because you have to be loyal to America to work for an intelligence agency. Otherwise, don't do it. Don't come aboard as a contractor."

Rep. Jackie Speier said on CNN Wolf  (3/8, 224K) that "whether it was Edward Snowden or some of the other leakers of information, they have historically been contractors, persons who have been hired by contractors who then provide services to the Central Intelligence agency. I'm concerned that we do not have a handle on making sure those persons are properly vetted in terms of whether or not they are, in fact, going to put our country first."

COUNTER-TERRORISM

Senate Panel Assessing Why Refugee Was Not Arrested Prior To The Election.

The Fox News (3/8, Lajeunesse, Zimmerman, 11.07M) website reports that the "The Senate Homeland Security and Governmental Affairs Committee has asked Attorney General Jeff Sessions to find out why the terror suspect's pending arrest was allegedly spiked just over a week before the election." In a letter to Sessions, committee Chairman Ron Johnson said, "When [Joint Terrorism Task Force]-San Antonio and the U.S. Attorney's office for the Western District of Texas sought to prosecute this refugee, the local law enforcement and prosecutors allegedly 'met resistance' from officials within the National Security Division's Counter Terrorism section in Washington DC." The suspect, an Iraqi man who entered the US using an assumed identity, is now at large, Fox says. "His real name was not released." Fox notes that President Trump ran for the presidency "on a tough-on-terror platform and had been critical of President Obama's refugee policy."

Administration Invokes State Secrets Privilege To Block Testimony In CIA Torture Case.

The New York Times (3/8, Risen, Fink, Savage, Subscription Publication, 13.9M) reports the Administration has invoked executive powers in an effort "to block the testimony of several top CIA officials," including new CIA Deputy Director Gina Haspel, in a federal lawsuit "against two psychologists who helped run the agency's harsh interrogation program, along with portions of 172 internal agency documents." The lawsuit was filed in 2015 by two former detainees at CIA secret prisons overseas "and the representative of a third man who died in custody." The Times adds that if they win the suit against former military psychologists James E. Mitchell and Bruce Jessen, "who helped devise and run the interrogation program, it would be the first time an American civilian court has held anyone accountable for a role in developing counterterrorism policies after the Sept. 11, 2001, attacks."

Lawyers Dispute Spicer's Clarification Of Trump Tweet On Gitmo Releases.

According to Politico (3/8, Gerstein, 2.46M), White House press secretary Sean Spicer's clarifications of President Trump's tweet about the release of Guantanamo prisoners under Presidents Bush and Obama "stray from the facts." Sabin Willett, "a prominent lawyer for Guantanamo detainees," said the claim that Bush released most detainees on court orders is "loony" because the number of people a district court ordered released is fewer than five. Another Guantanamo detainee lawyer, David Remes, said "the D.C. Circuit held that the courts cannot force the president to release anybody." Former Obama White House Counsel Greg Craig said Spicer "doesn't know what he is talking about."

Air Force Veteran Testifies At Trial Over 2003 Al Qaeda Ambush In Afghanistan.

The New York Post (3/8, Saul, Eustachewich, 3.82M) reports that "an Air Force veteran fought back tears on the stand Wednesday as he testified about the moment his fellow airman took a bullet to the head in Afghanistan nearly 14 years ago." The Post adds that "the chaotic scene, which left airman Raymond Losano and another serviceman dead, unfolded in just seconds, according to Master Sgt. Lee Blackwell." Blackwell "was testifying at the trial for admitted al Qaeda member Ibrahim Harun, 46, who is charged with killing Losano, 24, of Texas, and Army Pvt. Jerod Dennis, 19, of Oklahoma, in the Afghanistan ambush as well as plotting bomb strikes against US facilities in Nigeria." The trial is taking place in a Brooklyn federal court.

Gowdy Rejects Calls For Investigation Into Yemen Raid.

USA Today (3/8, Collins, 5.28M) reports Rep. Trey Gowdy is rejecting calls for a congressional investigation into a January raid in Yemen that resulted in the death of Navy SEAL William "Ryan" Owens and "perhaps more than a dozen Yemeni civilians." In an email to USA TODAY, Gowdy said, "Is there any evidence of a failure to provide information to Congress in the Yemen raid? Is there any evidence of failure to provide access to witnesses?"

COUNTER-INTELLIGENCE

US, Ukrainian Authorities Looked Into Manafort Associate.

Politico (3/8, Vogel, Stern, 2.46M) reports that the activities of Konstantin Kilimnik, "a Kiev-based operative with suspected ties to Russian intelligence who consulted regularly with Paul Manafort last year while Manafort was running Donald Trump's presidential campaign," are of interest to US and Ukrainian authorities. Kilimnik came under FBI and State Department scrutiny "partly because of at least two trips he took to the US during the presidential campaign, according to three international political operatives familiar with the agencies' interest in Kilimnik." It is not clear whether "either agency launched any kind of official inquiry into Kilimnik, nor is it clear whether the interest from the US authorities is ongoing." However, Politico cites documents which show that the Ukrainian prosecutor general "did launch a formal investigation into Kilimnik's suspected ties to Russian intelligence" and "has cleared Kilimnik, though the Ukrainian parliamentarian who requested the investigation questioned its thoroughness."

NSC Staff Allowed Back Into Oval Office For Trump's Calls With Foreign Leaders.

Politico Europe (3/8, Palmeri, 23K) reports national security adviser McMaster "has invited top National Security Council staff back into the Oval Office for calls" between President Trump and foreign leaders, "reversing a decision by his predecessor Michael Flynn to exile senior directors to the Situation Room during state calls." According to Politico, "for the first time since Trump took office, senior directors and country directors were present on Monday and Tuesday in the Oval alongside deputy national security adviser K.T. McFarland for calls with leaders from Israel, Japan, South Korea and Kenya."

Flynn Discloses Working As Lobbyist For Turkey.

The AP (3/8, Braun, Day) reports former national security adviser Michael Flynn has registered with the Justice Department "as a foreign agent for $530,000 worth of lobbying work before Election Day that may have aided the Turkish government." Paperwork filed Tuesday with the Justice Department's Foreign Agent Registration Unit said Flynn and his firm were voluntarily registering for lobbying from August through November that "could be construed to have principally benefited the Republic of Turkey." The Turkish businessman who hired Flynn's consulting firm, Ekim Alptekin, told the AP on Wednesday that the amended filings were made "in response to pressure from Justice Department officials in recent weeks." USA Today (3/8, Schouten, 5.28M) reports Flynn's lawyer, Robert Kelner, said Flynn shut down his firm last year, but decided to register because his work for Inovo BV "could be construed to have principally benefited the Republic of Turkey."

CRIMINAL INVESTIGATIONS

Jewish Community Center Leaders Ask Feds For Help Preventing Anti-Semitic Attacks.

ABC World News Tonight  (3/8, story 6, 0:30, Muir, 14.63M) reported 140 leaders of Jewish community centers spoke out against the wave of threats and asked federal law enforcement to increase efforts to thwart anti-Semitic acts. Reuters (3/8, Ax) reports that the Jewish leaders expressed their concerns in a Wednesday letter to Attorney General Sessions. "We are frustrated with the progress in resolving this situation," the leaders wrote. "We insist that all relevant federal agencies, including your own, apply all the resources available to identify and bring the perpetrator or perpetrators, who are trying to instill anxiety and fear in communities across the country, to justice." The Huffington Post (3/8, 237K) reports that the letter was also address to FBI Director Comey and DHS Secretary Kelly. The threats are currently being investigated by the FBI and Justice Department. So far, one person has been arrested for a handful of the at least 110 total "threats made to over 80 Jewish community centers...since January," the Post says.

The AP (3/8) reports that the sole individual implicated in the threats thus far, Juan Thompson, has not yet received a ruling on his request to be granted bond. His public defender, Lucille Liggett, told a judge Wednesday that he would agree to be on house arrest and refrain from

using electronics. "But Assistant U.S. Attorney Howard Marcus called Thompson 'unstable' and says he should remain jailed," the AP says.

ADL President Seeks "Inter-Agency Task Force" To Address Threats. The Times Of Israel (3/8, Frazer, 21K) reports that Anti-Defamation League President Jonathan Greenblatt has called upon the federal government to take increased steps to address the threats. "We would like to see the president convene a federal inter-agency task force, and convene all of the right players around the table: the Department of Homeland Security, the Department of Justice, the Department of State, the Department of Education and others to develop policy measures," the Times says. According to Greenblatt, though radical Islam is a problem, the scope of the government's Countering Violent Extremism program "must encompass neo-Nazis and white supremacists."

Kentucky Jewish Community Center Threatened. The Louisville (KY) Courier-Journal (3/8, Sayers, 328K) reports, "The Jewish Community Center in Louisville was evacuated Wednesday after somebody called in a bomb threat, the first reported against a Jewish center in Kentucky after more than 100 nationwide." No injuries were reported.

Minnesota Man Sentenced To Prison For Threatening Mosque.

The Minneapolis Star Tribune (3/8, Montemayor, 1.27M) reports that Daniel George Fisher, "A Minnesota man who mailed a bomb threat to a mosque under construction in his Minneapolis neighborhood in 2015," was sentenced yesterday to one year behind bars. Fisher confessed to "obstructing the Tawfiq Islamic Center's free exercise of religion by threat of force" after the FBI tracked him down last year by analyzing the fingerprints he left on the note. "My office takes very seriously any threat of violence against an individual or their place of worship based on race, religion or cultural practices. We will continue to work closely with the FBI to prosecute these types of crimes, which threaten religious freedoms and violate fundamental civil rights," said US Attorney Andrew Luger. According to FBI Minneapolis Special Agent in Charge Richard Thornton, Fisher's sentence "reflects the severity of his appalling hate crime."

US Charges Former Maryland Lawmaker In Bribery Case.

The AP (3/8) reports from Greenbelt, MD that "a grand jury has indicted a former state delegate on bribery charges in a case involving liquor sales in Prince George's County." Michael Vaughn (D), of Bowie, MD "resigned less than an hour before this year's legislative session started, citing 'health challenges.'" Federal prosecutors said Vaughn was due to appear in a Greenbelt federal court on Wednesday. Prosecutors said Vaughn "accepted more than $10,000 in cash bribes, 'influencing the performance of his official duties,' including voting for a bill to expand alcohol sales on Sundays." They also said that "from January 2015 through April 2016, Vaughn conspired with a liquor regulation official and store owners 'to enrich himself personally.'"

The Washington Post (3/8, Bui, 11.43M) reports that "a judge allowed Vaughn released on his own personal recognizance during his initial appearance in U.S. District Court in Greenbelt Wednesday." Vaughn "was indicted on eight counts of wire fraud, conspiracy and bribery in connection with actions that occurred during his time in office between 2012 and 2016." Federal prosecutors "also accuse Vaughn of illegally shifting money donated to his campaign for his personal use, according to a statement from the government."

New York Man Sentenced For Threatening To Kill Federal Prosecutor.

The AP (3/8) reports from Rochester, NY that federal prosecutors said Tony Ivey, 53, of Rochester "has been sentenced to a year and eight months in prison for threatening to kill a federal prosecutor." Federal prosecutors said Ivey "was sentenced Tuesday to 20 months in a federal prison for threats he made against an assistant federal attorney in June 2016. He pleaded guilty to the charges in December." Prosecutors said Ivey "called the U.S. Attorney's Office in Rochester twice on June 14 and threatened to kill an assistant U.S. attorney with an assault rifle." Authorities said "the threats were made after Ivey was told by the attorney that he couldn't directly help him with a complaint and referred Ivey to another agency."

Ex-Cop With Alleged Links To Murder Suspect Kills Self During Traffic Stop.

The New York Daily News (3/9, Annese, 4.45M) reports, "A former NYPD officer turned bodybuilder with ties to a quadruple-homicide suspect killed himself after FBI agents and state police pulled him over in Rockland County Wednesday morning." Gerard Benderoth shot himself in the head as New York state troopers and FBI agents converged on his vehicle. "Benderoth, a former officer with the NYPD and the Haverstraw police, was being investigated for his ties to Nicholas Tartaglione — an ex-Briarcliff manor cop accused of executing and burying four men after a cocaine deal went bad last April," the Daily News says, citing sources. Bruce Barket, Tartaglione's lawyer, confirmed having heard of Benderoth, but said he was unaware of specifics about him. The New York Post (3/8, Schram, 3.82M) reports that the FBI would not release Benderoth's name, but a spokesman did confirm a suicide had occurred while agents and task force officers were carrying out a traffic stop.

Authorities Locate Missing Girl In Oregon.

The Oregonian (3/8, Matsumoto, 894K) reports, "Police have found safe an 11-year-old girl who was reported missing and possibly endangered, officials said Wednesday." Warm Springs, Oregon police accompanied by an FBI agent located Kaitlyn Stofiel and her father, Thomas Stofiel, attempting to hitchhike on Wednesday. "The pair were wet, cold and hungry, but unharmed," the Oregonian says. The younger Stofiel is now in protective custody. "Authorities do not expect to file any charges in the case."

FBI Joins Search For Missing Ohio Teen.

The WKYC-TV Cleveland (3/8, 128K) website reports that the FBI has joined local law enforcement in their search for missing Parma, Ohio 17-year-old Katarina Bitterman. The teenager "has not been seen since last Saturday, when her parents left town and she stayed home to take care of the family dogs," WKYC says. "The FBI is going door-to-door along Augustine Drive and the surrounding neighborhood interviewing residents as they try to piece together what might have happened to Katarina." The WEWS-TV Cleveland (3/8, 99K) website reports similarly.

US Olympic Officials Urge Resignation Of Gymnastics Head Amid Sex Abuse Scandal.

USA Today (3/8, Brennan, 5.28M) reports, "Officials within the U.S. Olympic Committee say USA Gymnastics president and CEO Steve Penny must resign so the national governing body can move forward in the midst of a sex abuse scandal, two U.S. Olympic officials told USA TODAY Sports Wednesday." The FBI has launched an investigation into Larry Nassar, a gymnastics team physician accused of sexual abuse by more than 80 gymnasts. The allegations were only reported to the FBI, the Wall Street Journal reported, after USA Gymnastics concluded its own five-week-long internal probe.

Victim Of Marine Nude Photo Scandal: "We Will Not Be Silenced."

NBC Nightly News  (3/8, story 6, 1:45, Holt, 16.61M) showed excerpts of a statement by Erika Butner, one of two Marines who spoke out Wednesday night as victims of the recent nude photo scandal. The veteran said she is "disheartened and disgusted" and insisted victim blaming and the excuse "boys will be boys" need to stop. Butner encouraged others victimized to speak out because they "are not alone," and "we will not be silenced." Sen. Kirsten Gillibrand called for a congressional investigation into the scandal that has demeaned and degraded the "women who are willing to serve this country."

Cummings: Trump Should Investigate Voter Suppression.

The Washington Times (3/8, Boyer, 272K) reports that after Rep. Elijah Cummings (D-MD) told President Trump the Administration should investigate voter suppression in addition to voter fraud, Cummings said, "I think he got it." In his Wednesday afternoon meeting, Cummings also told the President his comments about the "carnage" and "depressed situations" of African American communities were "hurtful," although Cummings said he welcomes help improving the communities.

According to Baltimore Sun (3/8, Fritze, 714K) reporting of the "otherwise congenial Oval Office meeting," Cummings called for the meeting during a January cable television appearance to discuss his proposal to allow Medicare to negotiate drug prices with pharmaceutical companies. In a summary released late Wednesday, the White House said it wanted to "work with Congressman Cummings in a bipartisan fashion."

Georgia Man Arrested For Allegedly Falsely Imprisoning Eight Women.

Fox News (3/8, 11.07M) reports online that the FBI and police in Sandy Springs, Georgia have arrested Kenndric Roberts, a man accused of detaining eight women against their will. "According to police, a woman called 911 Tuesday morning asking for help getting out of a home," but said she feared her "boss" would murder her. "She said during the call that the other women in the home were being forced to dance for money," Fox says. "Police said the women were lured into the home because they were having financial problems, and then they weren't allowed to leave." Roberts has been charged with false imprisonment and human trafficking.

Florida Man Charged In 1994 Murder.

The New York Daily News (3/8, Schladebeck, 4.45M) reports that Florida man Ronald Hyde "has been arrested in connection with the murder and dismemberment" 16-year-old Fred Paul Laster in 1994. "When police discovered the dismembered remains of a teenage boy dumped behind a gas station with a set of bloody knives in 1994, they were left without any leads," the Daily News says. "It wasn't until 2015 that DNA tests confirmed the remains belonged the" Laster, who had last been seen with Hyde. "In April, police recovered nasal swabs from Hyde's trash, which ended up matching DNA samples found on a flannel shirt, discovered in a dumpster near Laster's body in 1994," the newspaper says. Hyde had been a youth pastor and a friend of Laster's family.

FBI Offers Reward In 2007 Wyoming Murder.

The AP (3/8) reports, "The FBI is offering a reward of up to $10,000 for information about a July 2007 murder on the Wind River Indian Reservation in Wyoming." The FBI is seeking information leading to the killer of 50-year-old Kim Allen Morin of North Dakota. "The agency has a person of interest but the case is still being investigated," the AP says.

Michigan Student Admits To Faking Trump-Inspired Campus Attack.

According to the Washington Times (3/8, Ernst, 272K), Halley Bass, a 21-year-old University of Michigan student, appeared in court Monday and admitted her Nov. 15 report to police that a pro-Brexit, pro-Trump stranger scratched her face with a safety pin was false. She said she was "suffering from depression" and was embarrassed by a scratch on her face, so when a friend believed her story, Halley reported the fabricated incident to the police. She faces up to 93 days in jail and a $500 fine for the false report of a misdemeanor.

Third DeploraBall Stink Bomb Planner Sentenced To Community Service.

According to the Washington Times (3/8, Richardson, Noble, 272K), Scott Ryan Charney, 34, the third protester caught on video planning to disrupt the DeploraBall with stink bombs and sprinklers, pleaded guilty Tuesday to the misdemeanor of conspiracy to commit assault. His deal with prosecutors allows for his record to be expunged in six months if he completes 48 hours of community service, is not rearrested, and formally apologizes to the event organizers.

Politico Analysis: Sessions Signals Changes To Drug-Charge Policies.

Politico (3/8, Gerstein, 2.46M) reports in its "Under The Radar" blog that Attorney General Sessions "is signaling" that the Trump Administration "plans to make changes to policies the Obama administration implemented to seek less serious charges in some drug cases." In a memo sent to federal prosecutors nationwide on Wednesday, Sessions "says changes in Justice Department charging policies are in the offing. 'I encourage you to employ the full complement of federal law to address the problem of violent crime in your district,' Sessions wrote. 'Further guidance and support in executing this priority – including an updated memo on charging for all

criminal cases – will be forthcoming.'" According to Politico, "legal experts said the language indicates that Sessions is planning to make significant revisions to policies Attorney General Eric Holder issued" in 2010 and 2013 regarding drug charges.

The AP (3/8, Gurman) reports that in the memo, Sessions "told the 94 U.S. attorneys to use 'the substantial tools at their disposal' to pursue more prosecutions and seek harsh sentences for those who commit robberies and gun crimes," and he "acknowledged that U.S. attorneys already view this as a main part of their job, but said they must do more to see a drop in violence." The AP adds that the memo "is a reiteration of Sessions' tough-on-crime stance," and that "it came two weeks after he repealed a memo that directed the department to phase out the use of private prisons, signaling he sees them as necessary for the future." In the memo, Sessions "lamented a spike in murders 'while federal prosecutions for violent crimes have been declining' and urged prosecutors to work with their local counterparts to punish criminals and dismantle drug gangs."

The Washington Post (3/8, Horwitz, 11.43M) reports that Sessions's memo "follows a speech he gave last month to state attorneys general in which he said that historically low crime rates might be coming to an end and that recent crime increases could foreshadow a violent new period in the nation's history. 'Unfortunately, the most recent crime data available shows a 10.8 percent increase in the number of murders in this country, while federal prosecutions for violent crimes have been declining,' Sessions said in his memo to prosecutors." Sessions "encouraged his prosecutors to use laws regarding firearms, robbery, carjacking and drug offenses as tools to bring investigations and prosecutions against suspected criminals," and he "said that prosecutions under the federal Controlled Substances Act 'can drive violent crime down.'"

FINANCIAL CRIME & CORPORATE SCANDALS

Former Louisiana Housing Agency Head Pleads Guilty To Stealing Government Funds.

The AP (3/8) reports from New Orleans that US Attorney Kenneth Polite "says a former head of the Ponchatoula Housing Authority has admitted spending $27,000 in federal money on herself." Polite said in a news release that Wanda Wells Cornish, 46, of Ponchatoula pleaded guilty on Tuesday to theft of government funds, and that "she could get up to 10 years in prison and a $250,000 fine" at her scheduled sentencing on June 29. Cornish "was the authority's executive director from 2011 until 2015," and "according to a court paper signed as part of her plea agreement, some of the stolen $27,600 came from agency bank accounts and some was charged on agency credit cards."

FBI Seeks Victims Of Arizona Music Promoter.

The Chicago Sun-Times (3/8, Owen, 798K) reports that the FBI is looking for victims of Arizona music promoter Frederick Stahmer who "promoted at least 23 concerts featuring 1980s rock bands in Tucson, Chicago, Tulsa, Nashville and Las Vegas." Several vendors and individuals to have worked with Stahmer say they were not repaid money advanced for goods and services related to the concerts. "While the FBI can't provide additional information regarding the ongoing investigation at this time, it does need to speak with anyone who lost money in connection with Stahmer or his company in the last five years," the bureau said.

Report Accuses Caterpillar Of Tax Fraud.

The New York Times (3/7, Drucker, Subscription Publication, 13.9M) reports that "for years, federal investigators have been scrutinizing Caterpillar's overseas tax affairs with no resolution to the examinations of the complex maneuvers involving billions of dollars and one of the company's Swiss subsidiaries," and now, "a report commissioned by the government and reviewed by The New York Times accuses the heavy-equipment maker of carrying out tax and accounting fraud." The Times notes that "it is extremely rare to accuse a big multinational company of tax fraud, which could result in high penalties. 'Caterpillar did not comply with either U.S. tax law or U.S. financial reporting rules,' wrote Leslie A. Robinson, an accounting professor at the Tuck School of Business at Dartmouth College and the author of the report." The Times notes that "no charges have been filed, and it is not clear whether investigators agree with the findings or intend to act on them."

Mnuchin Seeks Dismissal Of Fraud Suit.

USA Today (3/8, McCoy, 5.28M) reports that Treasury Secretary Mnuchin has asked New York County Supreme Court Justice Charles Ramos "to dismiss a multi-million dollar fraud case, arguing the movie industry firm that accused him has 'no legitimate claim.'" In a court filing Tuesday, defense lawyers argued that RKA Film Financing "has not identified a single contact that it ever had with Mr. Mnuchin at any time on any subject." The attorneys also asked that legal sanctions be imposed "against RKA and its lawyers for continuing its case against Mnuchin." In a separate filing last week, however, RKA argued that Mnuchin "was an active and knowing participant in a scheme to defraud."

Watchdogs Asks Bharara To Probe Trump Over Foreign Business Deals.

The Washington Post (3/8, Hamburger, 11.43M) reports that "a trio of watchdog groups has asked" Manhattan US Attorney Preet Bharara "to investigate whether President Trump has received payments or other benefits from foreign governments through his business interests in violation of an obscure clause in the U.S. Constitution." In request, sent by letter to Bharara, "is a novel strategy by ethics critics who have been pressing Trump to comply with the Constitution's 'emoluments clause,' which prohibits top officials from receiving payments or favors from foreign governments." The Post notes that "Trump's business empire stretches across the globe," and that "the letter was sent six weeks after one of the groups filed a lawsuit in federal district court making a similar claim." Trump "has said he addressed ethics concerns by turning over management of his business to his adult sons, who've said they have separated the family business from their relationship with their father and the U.S. government." NPR (3/8, 1.92M) also reports.

Lawmakers Asked To Probe Icahn's Role With Trump. MSN (3/8, Prentice, 7.46M) reports that the government watchdog group Public Citizen said on Wednesday "it will ask lawmakers to investigate whether billionaire investor Carl Icahn should have been subject to lobbying disclosure laws when he advised President Donald Trump to overhaul the U.S. biofuels program." Icahn, "an unpaid adviser to Trump on regulation, submitted a proposal to Trump last month to change the U.S. Renewable Fuel Standard by shifting the burden of blending biofuels into gasoline away from oil refining companies, and further down the supply chain to marketers." Public Citizen said that, "because Icahn owns a controlling stake in a refinery that could benefit from the proposed change, he may have been required by a 1995 lobbying disclosure law to disclose his discussions with Trump on the subject as lobbying."

CYBER DIVISION

Kentucky Man Sentenced For Hacking Into High School Sports Website.

The AP (3/8) reports Deric Lostutter of Winchester, Kentucky was sentenced to "two years in prison for hacking into a high school sports website to promote his online identity and harass and intimidate the website owner and others." A co-conspirator, Noah McHugh of Alexandria, Virginia, "was sentenced in January to eight months for accessing a computer without authorization."

Holland: Fusion Centers "Can Serve As The Cement" For Public-Private Cybersecurity Mission.

NIC Inc. chief security officer Jayne Friedland Holland writes in Government Computer News (3/8, 1K), "With the explosion of hacktivism and other forms of cyber crimes in recent years, fusion centers have increased their intelligence gathering and their focus on cybersecurity." Holland adds, "Fusion centers can serve as the cement for a shared cybersecurity mission across government, law enforcement and private industry, and state and local governments have a distinct role to play in the fusion centers' work." Furthermore, "State and local governments must interact regularly with fusion centers and encourage more private companies to share information."

Continuing Coverage: Child Pornography Case Dropped After DOJ Refuses To Show Software Code.

The AP (3/8) reports in continuing coverage that federal prosecutors "have dropped child

pornography charges against a Washington teacher after the U.S. Justice Department refused to disclose information about a software weakness it exploited during an investigation last year." The AP reports that "charges against Vancouver, Washington, teacher Jay Michaud in U.S. District Court in Seattle were dismissed Monday." In 2015, Michaud "was arrested and accused of downloading child pornography," and "during the child porn investigation, the FBI allowed a secret child porn website on the largely anonymous Tor network to run for two weeks while it tried to identify users by hacking into their computers." The website, "called Playpen, operated on Tor," and "after arresting Playpen's operator in Florida in early 2015, the FBI let the website continue running for two weeks while trying to identify users, a move the agency said was necessary to apprehend those posting and downloading images of children being sexually abused."

911 DDoS Attack Provides Evidence Of "Potentially Devastating" Smartphone Glitch.

The Christian Science Monitor (3/8, 387K) "Passcode" discusses the case of Meetkumar Hiteshbhai Desai, who faces "four counts of felony computer tampering" for a distributed denial of service attack that overwhelmed 911 systems in three states. Desi "said he didn't intend to cause any harm" but "did surface a potentially devastating glitch in smartphone software that could exact damage on any number of sensitive and critical targets." Passcode adds, "It's exactly the type of attack that national law enforcement officials have been concerned about for years," and DHS "has been working on technology to protect 911 centers from DDoS and telephone-based, or TDoS, attacks for three years." DHS S&T cybersecurity division program manager Dan Massey is quoted saying the incident proved that an attacker can "cause a large number of phones or a large number of computers or a large number of whatever connected device to start generating these calls."

Former FBI Director Discusses Bureau's IT, Cybersecurity Issues.

FedTech (3/8) reports on a speech by former FBI Director Robert S. Mueller III at the CDW Managing Risk Summit about the bureau's IT modernization. Mueller "notes that when he came on board in 2001 the FBI's IT was 'a mess' and was archaic." Upgrades of the networks and network backbone "went fine," but "the FBI's plans to upgrade its software" all at once, on one day in July 2003, "went awry." Mueller is quoted saying, "I never asked the hard questions. The lesson to me was, when it comes to IT and you're running an organization, you better ask the hard questions and it better come from the top." FedTech goes on to cite Mueller discussing the bureau's recruitment and development of cybersecurity talent, "crucial to" which was "the FBI's partnership with other federal agencies, including the National Security Agency."

Former Obama Cyber Official Discusses Technical Skills Training, International Cyberspace Agreements.

The Washington Post (3/8, Fung, 11.43M) features an interview with R. David Edelman, former National Security Council and National Economic Council member under President Obama, who was "among those responsible for crafting U.S. policies on cybersecurity, technology and innovation." Edelman says the stigmatization of non-traditional higher education is "wrong. And as long as we continue to culturally stigmatize that, we're going to have a shortage of labor in" jobs requiring technical skills. Edelman says that job retraining to fill skill gaps or replace jobs lost due to automation "is going to have to be an all-hands on deck thing," involving not just government but academia and employers. Edelman goes on to discuss international agreements over cyberspace, saying, "The way the U.S. can guarantee it won't have a say is to withdraw from everything."

Report: International Treaty Needed To Protect People From "Unfettered Cybersurveillance."

Reuters (3/8, Miles) reports, "The world needs an international treaty to protect people's privacy from unfettered cybersurveillance, which is being pushed by populist politicians preying on fear of terrorism, according to" a report "submitted to the U.N. Human Rights Council by the U.N. independent expert on privacy, Joe Cannataci." Cannataci is quoted saying, "It's time to start reclaiming cyberspace from the menace of over-surveillance."

Republicans Propose Repeal Of Obama-Era Internet Privacy Regulations.

Reuters (3/8, Shepardson) reports Sen. Jeff Flake (R-AZ) introduced a resolution Tuesday with backing from 34 other senators that proposes the undoing of Obama-era regulations that put Internet service providers under closer scrutiny than websites for consumer data protection. Rep. Marsha Blackburn (R-TN) introduced a companion bill in the House Wednesday. Reuters notes that the US Federal Communications Commission temporarily blocked some of the regulations from taking effect last Thursday. ACLU general counsel Neema Singh Giuliani criticized Flake's proposal for "essentially allowing...Comcast, AT&T, and Verizon to sell consumers' private information to the highest bidder."

OTHER FBI NEWS

Jones Named FBI Kansas Special Agent In Charge.

The Kansas City (MO) Star (3/8, Rizzo, 581K) reports that "20-year FBI veteran" Darrin Jones has been named special agent in charge of the FBI's Kansas City Division. "Jones is replacing Eric Jackson, who is leaving to head the FBI office in Dallas," the Star says. Jones, a native of Nebraska, "most recently served as an executive within the Technical Collections Branch of the FBI's Operation Technology Division in Quantico, Va," the Star reports.

AP Chronicles Levinson Case In Timeline.

The Miami Herald (3/8, 856K) posts to its website an AP timeline of events in the case of "Robert Levinson, a former FBI agent who vanished while in Iran on an unauthorized CIA mission." The timeline, which begins with Levinson's disappearance March 2007, continues through March 2017 with an entry that reads: "As Levinson's family marks 10 years since his disappearance, they say they hope President Donald Trump can draw on his background as a dealmaker to bring him home."

OTHER WASHINGTON NEWS

Media Analyses: Trump Moves To Calm GOP "Revolt" Over Healthcare Bill.

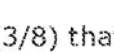
Much of the coverage of the debate over the American Health Care Act deals with efforts by House Speaker Ryan and other congressional GOP leaders to forge party unity. But there is also significant coverage of President Trump's role in trying to get conservatives to support the bill. Several reports and analysts say this is Trump's first opportunity to prove he is the dealmaker he campaigned as; analyses also cast the debate as one of the first times that Trump has been on the side of the party establishment and facing opposition from the populist wing.

Though the three broadcast networks spent more than eight minutes combined on the story, none led with it. ABC World News Tonight  (3/8, story 4, 3:35, Muir, 14.63M) reported, "With his healthcare plan under siege from Democrats and Republicans too, House Speaker Paul Ryan is trying to calm the storm." Ryan: "I have no doubt we'll pass this because we're going to keep our promises. We're going through the inevitable growing pains of being an opposition party to becoming a governing party." ABC's Mary Bruce: "But now, the nation's leading healthcare groups are piling on, joining AARP to denounce the plan. In a letter to Congress, the American Medical Association citing the 'expected decline in health insurance coverage and the potential harm it would cause to vulnerable patient populations.' President Trump has promised insurance for everybody." Kellyanne Conway: "He has committed that no one will lose their insurance and everyone will have access to coverage. Everyone will have access to coverage. He has assured that."

NBC Nightly News  (3/8, story 3, 2:25, Holt, 16.61M) said there is a "growing revolt inside the Republican Party over the GOP's plan to replace Obamacare – a hard sell for GOP leaders, stressing these are just the beginning stages, expressing confidence they'll win enough support to get it done. And President Trump getting involved in a full-court press as millions of Americans' healthcare hangs in the balance." NBC's Hallie Jackson: "After campaigning on his art of the deal..." Trump: "Everybody wants me to negotiate. That's what I'm known as, a negotiator." Jackson: "...the ultimate test now of whether he can close one. President Trump hard-selling

healthcare with the bill he backs in big trouble, even with conservatives."

The CBS Evening News  (3/8, story 5, 2:15, Pelley, 11.17M) reported, "At the White House tonight, President Trump returned to dealmaking as he tried the persuade conservative leaders to support the Republican replacement for Obamacare," which "is meeting more opposition than expected." CBS' Nancy Cordes: "Republicans began pushing their Obamacare replacement bill through two House committees today, trying to outpace mounting criticism." Phil Mattingly reported on CNN's The Lead  (3/8, 320K) that "GOP leaders blitzed their members behind closed doors today with House Majority Whip Steve Scalise placing a split-screen slide on a projection screen of Trump and House Minority Leader Nancy Pelosi. The question Scalise asked: 'Whose side are you on?' The GOP aides realize it will take more than that as conservatives continue to threaten to sink the bill altogether."

Chuck Todd said on MSNBC's MTP Daily  (3/8) that the Republican Party "has an identity crisis, at least when it comes to ideology. The healthcare fight has exposed the growing divide between the party's old fashioned movement conservative base and its new nationalist president." The Washington Post (3/8, Weigel, 11.43M) reports that the President met with conservative leaders at the White House on Wednesday evening after other meetings earlier in the day, and The Hill (3/8, Fabian, Wong, 1.25M) says that members of the House Freedom Caucus have been invited to the White House "next week for a pizza dinner and policy discussion at the bowling alley." But Axios (3/8, Swan) says "the message from the conservatives is clear: It's going to take more than schmoozing to change their minds on the Obamacare replacement plan the House Republican leadership wants. They want big, substantive changes – enough to make it a fundamentally different bill."

The Washington Post (3/8, Costa, Weigel, 11.43M) says that Trump's "salesmanship" on the bill has so far been uncharacteristically "understated. ... There is still urgency in his efforts, just markedly less Trump." There have been no "skewering tweets" or "raging news conferences." Instead, the President "is quietly courting wary conservatives in private meetings and keeping himself somewhat out of the picture as party leaders and his Cabinet officials defend the plan." Bloomberg Politics (3/8, House, 201K) reports that OMB Director Mulvaney has told House Republicans that the President "is 'agnostic' on the details of the plan, suggesting the current draft could face alterations."

Politico (3/8, Dawsey, Bade, 2.46M) reports the President on Wednesday told conservatives that the bill was "strong and necessary," though just "minutes later his top aides offered some willingness to consider changing some of the core provisions. ... In other words, Trump was ready to deal." The Hill (3/8, Roubein, Hellmann, 1.25M) reports that the conservative Republican Study Committee, which consists of 172 House members, wants to "change the structure of the tax credits in the bill to make them partially refundable" and freeze enrollment in the Affordable Care Act's Medicaid expansion.

The Washington Times (3/8, Sherfinski, 272K) reports that Kellyanne Conway told Fox News, "The President is confident that the American Health Care Act will pass the House and the Senate and [will] become the law – absolutely. He is really husbanding this through. Some people suggested that he be the closer. Some people suggested he be the leadoff batter. The President and the Vice President are all in here."

Chris Cillizza of the Washington Post (3/8, 11.43M) writes, "Donald Trump was elected president on this basic idea: Everyone currently in the government is dumb and makes bad deals. I am smart and make good deals." The healthcare bill is "where the rubber meets the road for Dealmaker Donald. If this bill goes down, it's a major political problem for Republicans," angering the base and potentially alienating "independents who voted for Trump believing he might, maybe, actually be able to change things."

Politico (3/8, Nussbaum, Haberkorn, 2.46M) says that while Trump "built his career in large part by plastering his name" on his properties, he appears to have no interest in having his name attached to the healthcare legislation. The Hill (3/8, Easley, Kamisar, 1.25M) reports that Democrats have been "branding the legislation 'TrumpCare' in their attempt to derail it," but Republicans and the White House are "rejecting the term." #TrumpCare is the emerging Twitter hashtag for critics of the legislation, though comments with the more neutral hashtag #AHCA

were also heavily negative toward the bill.

Mulvaney Says CBO Score For Bill Will Be "Really Good" Or "Great." OMB Director Mulvaney was asked on MSNBC's Morning Joe (3/8, 270K) about concerns that legislators will not know the cost of the bill before they have to vote on it. Mulvaney said, "It is not unusual for us to take up bills in committee without a CBO score. ... That CBO score will be there before the final vote. Just as importantly, however, this is a reconciliation bill. We all know it's going to score positive to helping out the deficit, to spending less money, another thing conservatives should be supportive of." The Washington Times (3/8, Sherfinski, 272K) reports that Mulvaney added that the score "will be 'really good' or 'great.'"

The Hill (3/8, Fabian, 1.25M) reports that the White House was critical of the CBO, with press secretary Sean Spicer saying the CBO "was 'way off last time' in its cost estimate of the Affordable Care Act." Spicer added, "If you're looking at the CBO for accuracy, you're looking in the wrong place."

Ryan Says He Has "No Doubt" That Bill Will Pass. The AP (3/8, Fram, Alonso-Zaldivar) reports that House Speaker Ryan and other Republican leaders are also trying to unify the GOP caucus. Ryan "praised the proposal as 'what good, conservative health care reform looks like' as lawmakers cast Congress' first votes on the GOP legislation." The AP says their goal of getting the bill through the House Ways and Means Committee and Energy and Commerce Committee by the end of the week "seemed likely." The Wall Street Journal (3/8, A1, Armour, Hackman, Rubin, Subscription Publication, 6.37M) says there was no significant dissent in committee among Republicans on Wednesday, though USA Today (3/8, Groppe, 5.28M) and Politico (3/8, Caygle, 2.46M) both report that Democrats, who know that they cannot kill the bill, are trying to delay passage for as long as possible in the hopes of exacerbating divisions in the larger GOP caucus.

The Los Angeles Times (3/8, Levey, Mascaro, 4.52M) reports that Ryan "said he had 'no doubt' the bill would pass, brushing off discontent from opponents as the 'inevitable growing pains' of tackling a difficult policy now that Republicans control the White House as well as Congress." The Washington Times (3/8, Howell, Dinan, 272K) says that Ryan "also said his troops have had months to review their blueprint and offer feedback, so it's time to get moving."

House Ways and Means Chairman Kevin Brady writes in a USA Today (3/8, 5.28M) op-ed, "Obamacare has harmed far more people than it has helped. As President Trump said in his recent address to Congress, 'Obamacare is collapsing,' and 'decisive action must be taken to protect all Americans.' With the American Health Care Act, House Republicans are answering President Trump's call to action." The Minneapolis Star Tribune (3/8, Rao, 1.27M) reports that Minnesota's three GOP members of the House said Wednesday that they support the bill.

The Wall Street Journal (3/8, Subscription Publication, 6.37M) says in an editorial that while the AHCA is flawed, it is the best available option. A repeal bill without replacement would likely fail in the Senate, and if it did pass would create chaos at the state level and among insurers. The Journal also says that the tax credits that are now angering conservatives have been a regular feature of past GOP healthcare bills. Karl Rove similarly writes in his Wall Street Journal (3/8, Subscription Publication, 6.37M) column that the bill is similar to past GOP efforts and repeals many of the worst aspects of the ACA.

House Ways And Means Approves GOP Healthcare Bill On Party-Line Vote. The AP (3/9, Alonso-Zaldivar, Fram) reports that the House Ways and Means Committee voted 23-16 along party lines to approve the American Health Care Act, "an initial triumph" for Republicans that came just before 4:30 a.m. on Thursday. The House Energy and Commerce Committee continues its work on the bill.

Cotton Warns GOP Is "Moving A Little Bit Too Quickly." Sen. Tom Cotton said on MSNBC's Morning Joe (3/8, 270K), "I think we are moving a little bit too quickly on healthcare reform. ... We have only had this bill in public 36 hours and to rush it through this week and then vote on it within the next few weeks really does hearken back to some of the problems that Obamacare was graded under." The Washington Times (3/8, Sherfinski, 272K) reports on Cotton's remarks.

Paul Calls For Vote On "Clean Repeal" Before Consideration Of Replacement. McClatchy (3/8, Tate, 74K) reports that Sen. Rand Paul has emerged as one of the most vocal critics of the bill. He "is firmly allied with members of the conservative House Freedom Caucus in a

dogged effort to defeat" the bill. Paul says the House should again vote on the same ACA repeal measure that passed last year but was vetoed by President Obama. Paul said, "We are united on repeal, but we are divided on replacement. What's the best way to get past this impasse? Let's vote on what we voted on before: a clean repeal."

The Washington Times (3/8, Sherfinski, 272K) reports Paul told MSNBC that "the White House is in the midst of a 'charm offensive' to try to cajole wary conservatives who have criticized" the House bill. Politico (3/8, Everett, 2.46M) reports under the headline "Rand Stands Up To Trump On Obamacare" that while the President has urged Paul to back the bill, he "is not backing down" and is instead pushing his own measure. Paul said on MSNBC's Morning Joe  (3/8, 270K), "The House plan is Obamacare lite. ... My plan would legalize freedom and competition. We would get rid of all the mandates so inexpensive insurance could be sold. We would allow health saving accounts to expand. Every Republican agrees with that."

Politico Analysis: Bill Puts Heritage Foundation At Odds With Trump And GOP. Politico (3/8, Cook, Restuccia, 2.46M) reports under the headline "An Outsider Becomes An Insider" that while "the Heritage Foundation has been cozying up to top Trump aides and congressional leaders for months," the "first major bill that Republicans proposed this week – to repeal and replace Obamacare – runs completely afoul of Heritage's priorities and threatens to upend a critical relationship between conservative activists and the Trump administration." Politico spoke with Heritage staff members to get "an inside look at how the group is trying find a middle ground between agitator and dealmaker."

Breitbart Goes On Attack Against AHCA. Business Insider (3/8, Darcy, 3.42M) reports that though Breitbart "has been reluctant lately to skewer former Republican National Committee members who now work inside the Trump administration," that "appeared to change" this week with the unveiling of the AHCA, "which Trump supports. The website deemed it 'Obamacare 2.0' and told its readers the legislation 'gives illegal aliens healthcare through identity fraud' and amounted to 'GOP welfare entitlement.'" A Breitbart report also "went after Spicer for 'inaccurately' claiming the bill 'fully repeals Obamacare.'"

Trump Meets With AFL-CIO's Trumka, Who Remains Strongly Opposed To Bill. Breitbart (3/8, Munro, 2.02M) reports that the President met with AFL-CIO President Richard Trumka on Wednesday afternoon, but that the meeting did little to win over the union leader. Trumka said of the AHCA, "This isn't a healthcare plan at all. It's a massive transfer of wealth from working people to Wall Street...it's bad for healthcare, It's bad for working families, it's bad for our economy and we will fully oppose it."

Major Hospital Associations Announce Opposition To Bill. USA Today (3/8, O'Donnell, 5.28M) reports, "Associations representing virtually every type of hospital wrote members of Congress Wednesday to voice their opposition to the Republican plan to replace the Affordable Care Act." A letter from seven hospital associations reads in part, "We are very concerned that the draft legislative proposal being considered by the House committees could lead to tremendous instability for those seeking affordable coverage." The New York Times (3/8, A1, Goodnough, Kaplan, Pear, Subscription Publication, 13.9M) says that "all major hospital groups, including the American Hospital Association, the Association of American Medical Colleges, the Catholic Health Association of the United States and the Children's Hospital Association, came out against the Republican bill."

In addition, McClatchy (3/8, Welsh, 74K) reports that the American Medical Association said the AHCA "endangers expanded treatment for opioid abuse, an epidemic that kills 91 Americans each day." The Wall Street Journal (3/8, Armour, Subscription Publication, 6.37M) has a feature on how those currently covered by the ACA are preparing for the potential loss of coverage. The New York Times (3/8, Quealy, Sanger-Katz, Subscription Publication, 13.9M) "The Upshot" looks at "Who Wins And Who Loses" under the GOP plan.

WPost Analysis: Bill "Would Provide Major Tax Breaks" To Wealthiest Americans. The Washington Post (3/8, Snell, 11.43M) writes that the AHCA "could create a major shift in taxes for low-and-middle income people while delivering a big tax break to the rich." The Post says the legislation "would provide major tax breaks for the wealthiest one percent of the population. Low-income people are most likely to see their credits slashed while middle-income earners could have access to bigger, better credits down the line."

LATimes Analysis: Bill's Abortion Provision "Could Make It Impossible" For Californians To Get Tax Credits. The Los Angeles Times (3/8, Mason, 4.52M) reports that an antiabortion provision in the AHCA "could make it impossible for most Californians to take advantage" of the bill's proposed tax credits. The measure would offer such credits "to people who do not get insurance from their employer, but it would prohibit that money from being spent on plans that cover abortion – a ban that would make virtually all health plans in the state ineligible for such credits." California Insurance Commissioner Dave Jones said the "House GOP proposal 'is directly at odds with California law and California's constitutional protection of an individual's right to have access to abortions.'"

Quinnipiac Poll: More Than Half Say Sessions Lied Under Oath, Should Resign.

More than half of respondents to a Quinnipiac poll released this week said Attorney Genera; Sessions "lied under oath" during his confirmation hearing and should resign, Politico (3/8, Nelson, 2.46M) reports. According to the poll, 52 percent "said Sessions was guilty of lying under oath when he told the Senate Judiciary Committee that he had not been in contact with any Russian official when he had, in fact, met twice with Russia's ambassador to the U.S. during the presidential campaign," and 51 percent "said Sessions should resign over the controversy."

However, in an analysis piece in "The Fix" blog of the Washington Post (3/8, Blake, 11.43M), Aaron Blake notes that "upon further inspection, there are a few reasons for skepticism" about the poll numbers. Blake notes that "the question Quinnipiac asked doesn't include Sessions's actual response – nor does it include the actual question that Sen. Al Franken (D-Minn.) asked him." Blake points out that Sessions "has argued that the context of the exchange is relevant here; he said that his meeting with Russian Ambassador Sergey Kislyak was in his official capacity and that his answer to Franken was in the context of the campaign." Blake also notes "a real disconnect between the number of people who think Sessions lied and those who think he broke the law," and he concludes that "this poll seems to be a great example of the way you ask the question determining the answers you get." CBS News (3/8, 4.4M), Roll Call (3/8, Chuang, 63K), Vox (3/8, Gardenswartz, 1.15M), and CNN International (3/8, Mueller, 598K) also report on the poll.

INTERNATIONAL NEWS

Coalition Airstrikes On ISIS Up Nearly 50% From Same Time Last Year.

According to USA Today (3/8, Michaels, 5.28M), the US-led coalition has dropped "a record number of bombs on Islamic State targets so far this year, a sign of intensified action even before President Trump has had a chance to deliver on his promise of ramped-up efforts to defeat the radical group." The coalition dropped "7,494 bombs, rockets and other munitions in Iraq and Syria during the first nine weeks of this year, up nearly 50% from 5,025 during the same period in 2016 and nearly double 4,100 strikes in 2015, according to statistics provided to USA TODAY." Lt. Gen. Jeffrey Harrigian, who commands US air operations in the Middle East, told USA TODAY in a phone interview, "Anytime the enemy has shown their face or provided an opportunity to identify where they were…we've targeted them."

US Drone Technology Helping In Battle For Mosul. The CBS Evening News (3/8, story 6, 2:10, Pelley, 11.17M) reported that despite ISIS' use of car bombs against the US-backed Iraqi military in Mosul, Iraqi forces are "gaining ground every day," in part because of the help of a $1.5 million US drone – known as "The Shadow" – that helps the American-led coalition call in airstrikes targeting ISIS positions.

Haley: "We Need To Get Iran" Out Of Syria.

Reuters (3/8, Nichols) reports Ambassador Haley said Wednesday that Syria can no longer be a "safe haven for terrorists" and that it was important "we get Iran and their proxies out." Speaking to reporters after UN special envoy Staffan de Mistura briefing the Security Council, Haley "did not respond to questions on whether the United States believed Syrian President Bashar al-Assad…should step down." Said Haley, "The United States absolutely supports Staffan de Mistura and the work that he's doing, we support the UN process, we support the talks in Geneva, we want

to see them continue." The AP (3/8, Lederer), meanwhile, reports that de Mistura said yesterday that he intends to hold a "fifth round of talks on March 23" in Geneva.

Opposition Group: Iran Has Spent "Up To $100 Billion" In Syria Since 2013. The Washington Times (3/8, Scarborough, 272K) reports Iran has spent "up to $100 billion the last five years financing operations in Syria that were instrumental in keeping President Bashar Assad in power, according to a new book" by an Iranian opposition group. The National Council of Resistance of Iran estimates that Tehran has paid "nearly $100 million a year in salaries to a grab-bag of mercenaries it sent to Syria" under the direction of the Quds Force.

Pentagon: Marines On The Ground In Syria Ahead Of Raqqa Offensive.

Fox News' Special Report (3/8, 1.53M) reported the Pentagon has confirmed that US Marines are on the ground in Syria. The Marines, on a "specific mission...directed by the President," are in addition to US Special Operations forces that were recently deployed to northwest Syria. Barbara Starr reported on CNN's Situation Room (3/8, 554K) that the Pentagon won't provide details on the location or exact number of Marines, but the AP (3/8, Baldor) reports the number is around "a couple hundred" and their deployment "is temporary." Still, the AP says "it is likely an early indication that the White House is leaning toward giving the Pentagon greater flexibility to make routine combat decisions" in the fight against ISIS. According to the Washington Post (3/8, Lamothe, Gibbons-Neff, 11.43M), the Marines were deployed "in support of the fight to take back...Raqqa," and are "part of the 11th Marine Expeditionary Unit, which left San Diego on Navy ships in October."

According to an exclusive Reuters (3/8, Stewart) report, the Administration is also "weighing a deployment of up to 1,000 American soldiers to Kuwait to serve as a reserve force" in the fight against ISIS. US officials said "proponents of the option...said it would provide US commanders on the ground greater flexibility to quickly respond to unforeseen opportunities and challenges on the battlefield." However, it is unclear whether the proposal had the support of Defense Secretary Mattis.

US Official: ISIS Leaders Fleeing Raqqa. The New York Times (3/8, Gordon, Subscription Publication, 13.9M) reports that as US-backed Syrian fighters close in on Raqqa, "some of the Islamic State's leaders have fled their self-declared capital and are planning to carry on the fight from other sanctuaries in Syria and Iraq, an American defense official said on Wednesday." However, the official cautioned that their departure "does not mean that the battle to take Raqqa will be easy."

WPost A1 Analysis: US Forces Drawn Into Struggle Among Kurdish, Arab Allies.

The Washington Post (3/8, A1, Sly, 11.43M) reports on its front page that the US military is "getting drawn into a deepening struggle for control over areas liberated from the Islamic State that risks prolonging American involvement" in the war long after the militants are defeated. For example, the Post says US troops "have headed in recent days to the northern town of Manbij...to protect their Kurdish and Arab allies against a threatened assault by other US allies in a Turkish-backed force." The Manbij deployment "has not yet affected US plans for taking Raqqa," according to Pentagon spokesman, Capt. Joe Davis, "but it does raise new questions about the viability of the US plan to capture Raqqa, an overwhelmingly Arab city, by a force that is commanded mostly by Kurds."

Warplanes Bomb East Of Damascus Despite Ceasefire.

Reuters (3/8, Perry, Al-Khalidi) reports warplanes bombed "rebel-held towns east of Damascus on Wednesday, striking residential areas where Russia had declared a ceasefire less than 24 hours earlier and leaving dozens injured," according to residents, rebels and the Syrian Observatory for Human Rights. "At least 30 air raids hit the region on Wednesday, along with dozens of artillery rounds and ground-to-ground missiles fired from government-held areas."

Iraqi Forces Capture Last Major Road In Western Mosul.

Reuters (3/8, Coles, Davison) reports Iraqi forces battled ISIS militants Wednesday in Mosul, capturing control of "the last major road leading west from the city." The road links Mosul to Tal Afar, another ISIS stronghold 40 miles to the west, and then to the Syrian border.

US Official: Al-Baghdadi Has Fled Mosul.

AFP (3/8) reports a US defense official said Wednesday that ISIS leader Abu Bakr al-Baghdadi "has fled Mosul and has apparently delegated tactical control of the battle for the city to local commanders." The official said Baghdadi fled "some time before Iraqi security forces surrounded the city during an offensive to retake it." The Washington Times (3/8, Muñoz, 272K) says that while US military and intelligence officials "do not have a location on al-Baghdadi's whereabouts," the Pentagon "was wary to characterize the Islamic State leader as 'on the run.'" Reuters (3/8, Coles, Walcott, Chmaytelli) reports that US intelligence sources also "point to a sharp drop in Islamic State postings on social media as evidence that Baghdadi and his circle have become increasingly isolated."

ISIS Claims Deadly Attack On Afghan Military Hospital.

ABC World News Tonight  (3/8, story 8, 0:25, Muir, 14.63M) reported ISIS has claimed responsibility for a suicide attack on a military hospital in Afghanistan that left at least 30 people dead and "some 50 wounded." NBC Nightly News  (3/8, story 5, 1:35, Holt, 16.61M) said the attack happened in Kabul, "just yards from the US Embassy." According to the CBS Evening News  (3/8, story 9, 0:20, Pelley, 11.17M), ISIS militants disguised themselves as doctors and "went floor-to-floor with automatic rifles and grenades." According to the AP (3/8, Faiez, Shah), the "brazen assault" demonstrates the capability of Afghan militants "to stage large-scale and complex attacks" in Kabul's "heavily-guarded diplomatic quarter." Afghan President Ashraf Ghani said the attack "trampled on all human values." The New York Times (3/8, Mashal, Abed, Subscription Publication, 13.9M) quotes Afghan Ambassador to the US Dr. Hamdullah Mohib calling the attack "an abhorrent new low" and "a cowardly, wicked act."

US Rejects China's Call To Halt Drills If North Korea Suspends Tests.

The AP (3/8, Lederer) reports the US on Wednesday rejected China's proposal for a halt to joint US-South Korean military exercises if North Korea suspends its nuclear and missile activities. State Department spokesman Mark Toner said, "At this point we don't see it as a viable deal." At the Pentagon, spokesman Cmdr. Gary Ross said US activities to defend South Korea "cannot be equated to North Korea's repeated violations of its obligations and agreements." Fox News' Special Report  (3/8, 1.53M) showed Toner saying, "This is apples and oranges. ... What we're doing in terms of our defense cooperation with South Korea is in no way comparable to the blatant disregard North Korea has shown with respect to international law and international concerns – repeatedly – about its nuclear weapons program."

At the UN on Wednesday, USA Today (3/8, Bacon, 5.28M) reports Ambassador Haley said North Korea's nuclear and ballistic missile programs defy international law and should not be negotiated. "I appreciate my counterparts wanting to talk about talks and negotiations, but we are not dealing with a rational person," Haley said at a news conference with the ambassadors from South Korea and Japan. Haley said Kim must take "positive action" before he can be taken seriously at the negotiating table and urged UN members to tighten sanctions against Pyongyang. Haley, Reuters (3/8, Nichols) reports, also told reporters that "all options are on the table" with regards to dealing with North Korea.

According to Bloomberg Politics (3/8, Wadhams, 201K), US officials now acknowledge "that US efforts to curtail North Korea's nuclear ambitions have failed," and Secretary of State Tillerson will use a trip to Asia next week "to look at new ways of approaching a problem that has vexed American presidents since Bill Clinton." Toner told reporters yesterday, "All of the efforts we have taken thus far to attempt to persuade North Korea to engage in meaningful negotiations have fallen short, to be honest. So we need to look at new ways to convince them, to persuade them, that it's in their interests." Bloomberg calls Toner's remarks "a rare and frank public admission from

the US government that the approach taken toward North Korea in recent years...hasn't worked and isn't likely to now."

Son Of Kim Jong-Nam Appears In New Online Video. Coverage of the alleged assassination of Kim Jong-un's half-brother continued Wednesday. CNN's Situation Room (3/8, 554K) reported Kim Han-sol, the son of Kim Jong-Nam, has appeared in a "bizarre" new video in which he acknowledges his father's death and "says...he's with his mother and sister, but doesn't say where." The video was posted online by a group called Cheollima Civil Defense, which said it had "responded to an emergency request by Kim Jong-Nam's family" after he was killed last month at the Kuala Lampur airport.

US General: Russia Has Deployed Banned Missile.

The New York Times (3/8, Gordon, Subscription Publication, 13.9M) reports Gen. Paul Selva, the vice chairman of the Joint Chiefs of Staff, told Congress Wednesday that Russia has deployed "a prohibited cruise missile, the first public confirmation by the United States that the Kremlin had fielded the weapon in violation of a landmark arms control agreement." The missile is believed to have been moved in December from a test site in southern Russia to an undisclosed operational base. "We believe that the Russians have deployed a land-based cruise missile that violates the spirit and intent of the Intermediate Nuclear Forces Treaty," Gen. Selva told the House Armed Services Committee. "The system itself presents a risk to most of our facilities in Europe," he added. "And we believe that the Russians have deliberately deployed it in order to pose a threat to NATO and to facilities within the NATO area of responsibility." The AP (3/8, Burns) reports Selva also "said he sees no indication that Moscow intends to return to compliance with the 1987 Intermediate-range Nuclear Forces Treaty," and Reuters (3/8, Ali) reports he said the US has brought up the issue with Russia.

Khodorkovsky: Window For Reaching Deal With Russia Narrow. Russian opposition leader Mikhail Khodorkovsky writes in the Wall Street Journal (3/8, Subscription Publication, 6.37M) that Russian are waiting to see if President Trump and President Vladimir Putin can reach some kind deal, but cautions that each side must understand the needs and desires of the other. He warns that the window for reaching such a deal is very narrow. Mr. Trump's brashness has stopped at attacking Mr. Putin personally. That atypical restraint horrified many Russia hawks in the West. But it may turn out that Mr. Trump took a better approach. Whether accidentally or by design, he has left the door open for Mr. Putin to make a graceful exit. That would be good for everyone.

Khodorkovsky told the Washington Free Beacon (3/8, Gertz, 115K) in an interview that the Administration has "a unique chance to persuade...Putin to give up power and return the country to the path of democratic political reform." Said the Russian opposition figure, "The only opportunity to seriously change things in the relations between Putin and America under [the Trump] administration would be to convince Putin that it is in his best interest to leave power while this administration is in power. Then all the other problems can and will be solved."

NYTimes A1: Western Governments View Russia's RT As Kremlin Tool. In a front-page story, the New York Times (3/8, A1, Erlanger, Subscription Publication, 13.9M) examines charges from Western governments that RT is "an agent of Kremlin policy and a tool directly used by President Vladimir V. Putin to undermine Western democracies" by meddling in the US presidential election and, "European security officials say, trying to do the same in the Netherlands, France and Germany, all of which vote later this year." Even as Russia insists that RT is "just another global network like the BBC or France 24," many Western countries regard it as "the slickly produced heart of a broad, often covert disinformation campaign designed to sow doubt about democratic institutions and destabilize the West."

State Department Approves Resumption Of Arms Sales To Saudi Arabia.

The Washington Post (3/8, Ryan, Gearan, 11.43M) reports that the State Department has approved a resumption of weapons sales "that critics have linked to Saudi Arabia's bombing of civilians in Yemen, a potential sign of reinvigorated US support for the kingdom's involvement" in the ongoing civil war there. According to the Post, the proposal from the State Department "would

reverse a decision made late in the Obama administration to suspend the sale of precision guided munitions to Riyadh." Secretary of State Tillerson's approval this week of the measure, "which officials say needs White House backing to go into effect, provides an early indication of the new administration's more Saudi-friendly approach to the conflict in Yemen, and a sign of its more hawkish stance on Iran." The move comes as AFP (3/8) reports Amnesty International on Thursday accused the Saudi-led coalition of using "banned cluster munitions in raids on residential areas."

Chinese Outlets Mistakenly Publish Media Satire On Trump As Real News.

The New York Times (3/8, Hernández, Subscription Publication, 13.9M) reports that several Chinese publications reported this week that a "frantic President Trump, holding court in a bathrobe, ordered his aides to wrap the White House telephones in tinfoil," citing The New Yorker. However, the article by the comedian Andy Borowitz "was satire." The Times notes that "it was not the first time that American humorists have unintentionally duped the Chinese news media." In 2012, People's Daily, reported that North Korean leader Kim Jong-un had been named "Sexiest Man Alive for 2012," based on a satirical article in The Onion.

Malaysia Airlines Marks Third Anniversary Of Plane's Disappearance.

The New York Times (3/8, Belopotosky, Subscription Publication, 13.9M) reports on the third anniversary of "one of the biggest aviation mysteries of all time" – the disappearance of Malaysia Airlines Flight 370 on a routine flight from Kuala Lumpur to Beijing. The flight's disappearance prompted "the largest and costliest search in aviation history."

Worldwide Protests Held On International Women's Day.

The CBS Evening News (3/8, story 7, 1:55, Pelley, 11.17M) reported that Wednesday marked International Women's Day, and "from New York to Los Angeles, Istanbul to St. Petersburg, women walked off their jobs to protest." Fox News' Special Report (3/8, 1.53M) said women held "rallies on almost every continent including several in the Middle East, calling attention to lower wages, sexual harassment, discrimination, and other issues women face every day." In fact, reported CNN's Situation Room (3/8, 554K), the UN held "their own series of events to promote universal paid parental leave." The New York Times (3/8, Times, Subscription Publication, 13.9M) similarly reports that "people and governments across the globe observed it in an outpouring of support for women's equality and empowerment." ABC World News Tonight (3/8, story 9, 0:25, Muir, 14.63M) noted the protests are international, while NBC Nightly News (3/8, story 7, 1:20, Holt, 16.61M) focused solely on domestic protests.

In a separate report, the New York Times (3/8, Minder, Subscription Publication, 13.9M) focuses on Spanish women, who it says "have made tremendous advances in recent years as the revolt against mainstream parties helped break down some old-boy networks," but that "upheaval, the women say, has also laid bare the deeply entrenched sexism and machismo" in the nation's political establishment.

WSJournal: UK Budget Will Not Create Growth Amid Brexit.

A Wall Street Journal (3/8, Subscription Publication, 6.37M) editorial says the budget plans released Wednesday by UK Chancellor Philip Hammond are too cautious to allow the nation to grow outside of Europe amid its exit from the EU. If the UK is going to attract investors, the Journal argues that it needs to make dramatic cuts in corporate- and personal-tax rates, create a welcoming regulatory environment, and improve its fiscal discipline.

THE BIG PICTURE

Headlines From Today's Front Pages.

Wall Street Journal:

FBI Probing How WikiLeaks Got CIA Spy Tools
Opposition Mounts As GOP's Health Bill Undergoes Review
Stocks Have Tripled Since Crisis, But Low Rates Are Still Squeezing Savers
New Force On Wall Street: The "Family Office"

New York Times:
Health Groups Denounce GOP Bill As Its Backers Scramble
Ethics Questions Dogged Agriculture Nominee As Georgia Governor
Years Of Ethics Charges, But Star Cancer Researcher Gets A Pass
Trump's New Ban Leaves Few Spots For Refugees, Even The Hunted
In Puerto Rico, Teachers' Pension Fund Works Like A Ponzi Scheme
Russia's RT Network: Is It More BBC Or KGB?
After Deadly Attack On Kabul Hospital, "Everywhere Was Full Of Blood"
"Day Without A Woman" Protest Tests A Movement's Staying Power

Washington Post:
Trump's Trillion-Dollar Promise Hits Traffic Early
Industry Players Sharply Criticize GOP Health Plan
Plan Would Cut HUD's Budget By $6 Billion
In Syria, US Forced To Play Referee
Massive Scale Of CIA's Digital Efforts Revealed

Financial Times:
US And North Korea On Collision Course, Says China
Merkel Says Government Not To Blame For VW Scandal
Tech Groups Respond To WikiLeaks Security Alert
SoftBank To Sell 25% Of Arm To Saudi-Backed Fund
Washington Times:
Green Groups Hope To Argue Environmental Cases Disregarded By Trump Administration
Trump's Get-Tough Policies Credited For Sharp Plunge In Illegal Immigration
On "A Day Without A Woman," It's Business As Usual For Most
Democrats Mount Fierce Opposition To GOP Health Care Plan
China Pivots On North Korea As US Missile Defense System Arrives In South
Iran's Leader, Military Spend Billions On Terror And Weapons, Iranian Dissidents Report

Story Lineup From Last Night's Network News:
ABC: High Winds, Wildfires; Weather Forecast; CIA-WikiLeaks Security Breach; Healthcare Reform Plan; Trump-Obama Wiretap Claim; Jewish Community Centers Threats; Mississippi Railroad Crossing Accident; Afghanistan ISIS Attack; Women's Day Protests; Cruise Ship Close Call; Florida Home Firefighting; OJ Simpson Parole Hearing; Statue Of Liberty Lights Out; Lost Dog Found.
CBS: Trump-Obama Wiretap Claim; Trump-Russia Connection Investigation; Trump-Russia-Expert Comment; CIA-WikiLeaks Security Breach; Healthcare Reform Plan; Mosul-US Drone Strikes; Women's Day Protests; Mississippi Railroad Crossing Accident; Afghanistan ISIS Attack; Wildfires; Malta Natural Landmark Collapsed; Wall Street Girl Statue.
NBC: CIA-WikiLeaks Security Breach; Cyber Security At Home; Healthcare Reform Plan; Wildfires; Afghanistan ISIS Attack; Marine-Female Photo Scandal; Women's Day Protests; Hidden Rehab Bill; High Wind Pushes Plane; Florida Home Firefighting; Arkansas Magician Pulled Over; Former NFL Player Therapist.

Network TV At A Glance:
Healthcare Reform Plan – 8 minutes, 15 seconds
CIA-WikiLeaks Security Breach – 6 minutes, 5 seconds
Wildfires – 4 minutes, 45 seconds
Mississippi Railroad Crossing Accident – 3 minutes, 40 seconds
Women's Day Protests – 3 minutes, 40 seconds

Afghanistan ISIS Attack – 2 minutes, 20 seconds
Trump-Obama Wiretap Claim – 1 minute, 45 seconds

Story Lineup From This Morning's Radio News Broadcasts:
ABC: Healthcare Reform Plan; High Wind Pushes Plane; North Korea-Missile Launch; Panamanian Dictator Health; Wall Street News.
CBS: Healthcare Reform Plan; CIA-WikiLeaks Security Breach; North Korea-Nuclear Material Sale; Syria-Marine Deployment; High Winds; Wall Street News.
FOX: Healthcare Reform Plan; CIA-WikiLeaks Security Breach; Women's Day Protests; High Winds.
NPR: Healthcare Reform Plan; House-Defense Spending Bill; US Labor Market-Immigrants; Los Angeles-Sales Tax.

WASHINGTON'S SCHEDULE

Today's Events In Washington.

White House:
PRESIDENT TRUMP — Leads an NEC listening session with CEOs of small and community banks; has a legislative affairs lunch regarding the Federal budget; meets with former Secretary of Commerce Pete Peterson; meets with Secretary of Homeland Security John Kelly and Director of the CIA Mike Pompeo; makes remarks to the Senate Youth Program.
VICE PRESIDENT PENCE — Participates in a radio interview with the Rocky Boiman Show; participates in a radio interview with West Michigan's Morning News; participates in a radio interview with Mornings with Kelly Golden; holds a series of meetings with lawmakers; gives keynote remarks at the Latino Coalition's Policy Summit; participates in an interview with FOX News Channel's Bret Baier; joins the President for a meeting with the Secretary of Homeland Security John Kelly and Director of the CIA Mike Pompeo; joins the President for a visit with the Senate Youth Program; hosts a Pro-Life listening session.
US Senate: 9:00 AM National Hemophilia Foundation Capitol Hill visits – National Hemophilia Foundation Washington Days advocacy event continues with Capitol Hill visits, with participants meeting with members of the Senate and House of Representatives to make the case that 'maintaining key Affordable Care Act provisions are essential to the health of people living with bleeding disorders as well as millions of other Americans living with life-long chronic diseases' Location: Capitol Hill, Washington, DC
http://www.hemophilia.org/NHFWeb/MainPgs/MainNHF.aspx?menuid=0&contentid=1
https://twitter.com/NHF_hemophilia

9:30 AM Senate Armed Services Committee hearing on CENTCOM and AFRICOM – Hearing on 'United States Central Command and United States Africa Command', with testimony from U.S. Central Command Commander Gen. Joseph Votel; and U.S. Africa Command Commander Gen. Thomas Waldhauser Location: Rm 216, Hart Senate Office Bldg, Washington, DC http://armed-services.senate.gov/

10:00 AM House / Senate Veterans' Affairs Committees hear legislative presentation from vets groups – House Committee on Veterans Affairs and Senate Committee on Veterans Affairs joint hearing on 'Legislative Presentations of Multiple VSO's', with testimony from Paralyzed Veterans of America National President Al Kovach, Jr.; Association of the United States Navy National Executive Director Rear Adm. (Ret.) Garry Hall; Vietnam Veterans of America National President John Rowan; Non Commissioned Officers Association of the United States of America President and National Commander, Master Chief Petty Officer (Ret.) Vincent Patton; Gold Star Wives of America's Misty Brammer; National Association of State Directors of Veterans Affairs President Randy Reeves; Wounded Warrior Project CEO Lt. Gen. (Ret.) Michael Linnington; and National Guard Association of the United States President Maj. Gen. (Ret.) Gus Hargett Location: Rm G50, Dirksen Senate Office Bldg, Washington, DC http://veterans.house.gov/
https://twitter.com/HouseVetAffairs

10:00 AM Senate Judiciary Committee Executive Business Meeting – Executive Business Meeting, with agenda including nominations of Charles Breyer (reappointment) and Danny Reeves to be U.S. Sentencing Commission members, and 'S. 419, A bill to require adequate reporting on

the Public Safety Officers' Benefits program, and for other purposes' Location: Rm 226, Dirksen Senate Office Bldg, Washington, DC http://judiciary.senate.gov/

10:00 AM Senate Banking, Housing, and Urban Affairs Committee Executive Session – Executive Session, with agenda including 'S. 327, Fair Access to Investment Research Act of 2017', 'S. 444, Supporting America's Innovators Act of 2017', 'S. 462, Securities and Exchange Commission Overpayment Credit Act', 'S. 484, U.S. Territories Investor Protection Act of 2017', and 'S. 488, Encouraging Employee Ownership Act' Location: Rm 538, Dirksen Senate Office Bldg, Washington, DC http://banking.senate.gov/

10:15 AM Senate Governmental Affairs subcommittee hearing on agency use of science in the rulemaking process – Regulatory Affairs and Federal Management Subcommittee hearing on 'Agency Use of Science in the Rulemaking Process: Proposals for Improving Transparency and Accountability', with testimony from George Washington University Regulatory Studies Center Director Susan Dudley; Union of Concerned Scientists Center for Science and Democracy Director Dr Andrew Rosenberg; and American Chemistry Council Senior Director of Regulatory Science Policy Dr Nancy Beck Location: Rm 342, Dirksen Senate Office Bldg, Washington, DC http://hsgac.senate.gov/ https://twitter.com/SenateHSGAC

10:30 AM Senate Foreign Relations Committee Business Meeting, hearing on Yemen – Business Meeting, with agenda including consideration of nomination of David Friedman to be U.S. Ambassador to Israel * Immediately followed by hearing on 'Resolving the Conflict in Yemen: U.S. Interests, Risks, and Policy', with testimony from Foundation for Defense of Democracies Senior Fellow Thomas Joscelyn; National Defense University Adjunct Senior Research Fellow Dr Dafna Rand; and Middle East Institute Center for Gulf Affairs Director Gerald Feierstein Location: Rm 419, Dirksen Senate Office Bldg, Washington, DC http://foreign.senate.gov/

2:00 PM Republicans Sen. Steve Daines and Rep. Paul Gosar hold news conference to outline vision for the Western Caucus Location: Rm 208-09, Senate Visitors Center, U.S. Capitol, Washington, DC http://www.daines.senate.gov/ https://twitter.com/SteveDaines

2:00 PM Closed Briefing: Intelligence Matters Location: Rm 219, Hart Senate Office Bldg, Washington, DC http://intelligence.senate.gov

US House: 9:00 AM National Hemophilia Foundation Capitol Hill visits – National Hemophilia Foundation Washington Days advocacy event continues with Capitol Hill visits, with participants meeting with members of the Senate and House of Representatives to make the case that 'maintaining key Affordable Care Act provisions are essential to the health of people living with bleeding disorders as well as millions of other Americans living with life-long chronic diseases' Location: Capitol Hill, Washington, DC http://www.hemophilia.org/NHFWeb/MainPgs/MainNHF.aspx?menuid=0&contentid=1 https://twitter.com/NHF_hemophilia

9:30 AM House Science Committee markup hearing – Full Committee, markup on the "Honest and Open New EPA Science Treatment Act of 2017"; and the "EPA Science Advisory Board Reform Act of 2017." Location: Rm 2318, Rayburn House Office Bldg, Washington, DC http://science.house.gov https://twitter.com/HouseScience

9:30 AM House Appropriations subcommittee 'Members' Day' hearings – Defense Subcommittee 'Members' Day' hearings, with testimony from Members of Congress on the agencies and programs under the jurisdiction of the subcommittee * Hearings at 9:30 AM EST and 1:00 PM EST Location: H-140, U.S. Capitol, Washington, DC http://appropriations.house.gov/ https://twitter.com/HouseAppropsGOP

10:00 AM House Appropriations subcommittee 'Members' Day' hearing – Transportation, Housing and Urban Development, and Related Agencies Subcommittee 'Members' Day' hearing, with testimony from Members of Congress on the agencies and programs under the jurisdiction of the subcommittee. Witnesses are Reps. Nanette Diaz Barragn, Jim Bridenstein, Bradley Byrne, Matt Cartwright, Kevin Cramer, Peter DeFazio, Adriano Espaillat, Paul Gosar, Sheila Jackson Lee, Mike Johnson, Al Lawson, Billy Long, Doris Matsui, Jimmy Panetta, Stacey Plaskett, Aumua Amata Coleman Radewagen, Tom Rice, Albio Sires, Thomas Suozzi and Peter Visclosky Location: Rm 2358-A, Rayburn House Office Bldg, Washington, DC http://appropriations.house.gov/ https://twitter.com/HouseAppropsGOP

10:00 AM House / Senate Veterans' Affairs Committees hear legislative presentation from

vets groups – House Committee on Veterans Affairs and Senate Committee on Veterans Affairs joint hearing on 'Legislative Presentations of Multiple VSO's', with testimony from Paralyzed Veterans of America National President Al Kovach, Jr.; Association of the United States Navy National Executive Director Rear Adm. (Ret.) Garry Hall; Vietnam Veterans of America National President John Rowan; Non Commissioned Officers Association of the United States of America President and National Commander, Master Chief Petty Officer (Ret.) Vincent Patton; Gold Star Wives of America's Misty Brammer; National Association of State Directors of Veterans Affairs President Randy Reeves; Wounded Warrior Project CEO Lt. Gen. (Ret.) Michael Linnington; and National Guard Association of the United States President Maj. Gen. (Ret.) Gus Hargett Location: Rm G50, Dirksen Senate Office Bldg, Washington, DC http://veterans.house.gov/ https://twitter.com/HouseVetAffairs

10:00 AM House Appropriations subcommittee hearing on the State Department and foreign operations programs – State, Foreign Operations, and Related Programs Subcommittee hearing on 'Oversight of the Department of State and Foreign Operations Programs', with testimony from USAID Inspector General Ann Calvaresi Barr; and State Department and Broadcasting Board of Governors IG Steve Linick Location: Rm 2362-A, Rayburn House Office Bldg, Washington, DC http://appropriations.house.gov/ https://twitter.com/HouseAppropsGOP

10:00 AM House Natural Resources subcommittee oversight hearing on infrastructure in Tribal and insular communities – Indian, Insular and Alaska Native Affairs Subcommittee oversight hearing on 'Improving and Expanding Infrastructure in Tribal and Insular Communities', with testimony from Hopi Tribe Chairman Herman Honanie; Northwest Portland Area Indian Health Board Chairman Andy Joseph, Jr.; National Indian Health Board Great Plains Area Representative Victoria Kitcheyan; National Congress of American Indians President Brian Cladoosby; Alaska Native Tribal Health Consortium Board Chair and President Andy Teuber; and Acting Assistant Secretary of the Interior for Insular Affairs Nikolao Pula Location: Rm 1324, Longworth House Office Bldg, Washington, DC http://naturairesources.house.gov https://twitter.com/NatResources

10:00 AM House Agriculture subcommittee hearing on the Farm Bill – Commodity Exchanges, Energy, and Credit Subcommittee hearing on 'The Next Farm Bill: Rural Development & Energy Programs', with witnesses Renville County Board of Commissioners Chair Bob Fox (on behalf of NACo); Georgia EMC President and CEO Dennis Chastain (on behalf of NRECA); Washington County Water Company Manager and Operator Steve Fletcher (on behalf of NRWA); Hill Country Telephone Cooperative COO Craig Cook (on behalf of NTCA); National Sorghum Producers Strategic Business Director John Duff; and Biotechnology Innovation Organization CEO Jim Greenwood Location: Rm 1300, Longworth House Office Bldg, Washington, DC http://agriculture.house.gov/

10:00 AM House Foreign Affairs Committee hearing on 'Russian disinformation aims' – Hearing on 'Undermining Democratic Institutions and Splintering NATO: Russian Disinformation Aims', with testimony from former Estonian President Toomas Hendrik Ilves; former Assistant Secretary of State for Political Military Affairs Lincoln Bloomfield, Jr.; Center for European Policy Analysis Executive Vice President Peter Doran; and former U.S. Representative to the Organization for Security and Cooperation in Europe Daniel Baer Location: Rm 2172, Rayburn House Office Bldg, Washington, DC http://www.hcfa.house.gov https://twitter.com/HFACrepublicans

10:00 AM House Appropriations subcommittee hearing on management challenges at DoL, HHS, ED, and SSA – Labor, Health and Human Services, Education and Related Agencies Subcommittee hearing on 'Management Challenges at the Departments of Labor, Health and Human Services, and Education and the Social Security Administration: Views from the Inspectors General', with testimony from Department of Labor IG Scott Dahl; Department of Health and Human Services IG Daniel Levinson; Social Security Administration IG Gale Stallworth Stone; and Department of Education IG Kathleen Tighe Location: Rm 2358-B, Rayburn House Office Bldg, Washington, DC http://appropriations.house.gov/ https://twitter.com/HouseAppropsGOP

10:00 AM House Transportation subcommittee hearing on the role of federal agencies in water infrastructure – Water Resources and Environment Subcommittee hearing on 'Building a 21st Century Infrastructure for America: The Role of Federal Agencies in Water Infrastructure', with testimony from Mercatus Center at George Mason University Senior Research Fellow Jerry Ellig; American Waterworks Company Senior Vice President Kathy Pape (on behalf of Bipartisan

Policy Center); Minnesota Pollution Control Agency Commissioner John Linc Stine (on behalf of Environmental Council of the States); Sutter Butte Flood Control Agency (CA) Executive Director Mike Inamine; Schenectady, NY, Mayor Gary McCarthy (on behalf of U.S. Conference of Mayors); Cycle Construction Company President Jonathan Kernion (on behalf of Associated General Contractors); and Center for American Progress Director of Infrastructure Policy Kevin DeGood Location: Rm 2167, Rayburn House Office Bldg, Washington, DC http://transportation.house.gov/ https://twitter.com/Transport

10:00 AM House Oversight Committee hearing 'Reviewing ATF's Failures in the Death of ICE Agent Jaime Zapata' – Hearing on 'Reviewing ATF's Failures in the Death of ICE Agent Jaime Zapata', with testimony from Department of Justice Inspector General Michael Horowitz; Bureau of Alcohol, Tobacco, Firearms, and Explosives Acting Director Thomas Brandon; and Associate Deputy Director Ronald Turk * Immigrations and Customs Enforcement Special Agent Jaime Zapata was shot dead in the line of duty on 15 Feb 2011 during a highway ambush in San Luis Potosi state, Mexico Location: Rm 2154, Rayburn House Office Bldg, Washington, DC http://oversight.house.gov/ https://twitter.com/GOPoversight

10:00 AM POSTPONED: Hearing on 'Examining Systemic Management and Fiscal Challenges within the Department of Justice' Location: Rm 2141, Rayburn House Office Bldg, Washington, DC http://judiciary.house.gov/ https://twitter.com/HouseJudiciary

10:00 AM House Homeland Security subcommittee hearing on DHS private sector engagement for cybersecurity – Cybersecurity and Infrastructure Protection Subcommittee hearing on 'The Current State of DHS Private Sector Engagement for Cybersecurity', with testimony from HITRUST Alliance CEO Daniel Nutkis; Intel Security Group Vice President and Chief Technical Strategist Scott Montgomery; Symantec Senior Director of Global Government Affairs & Policy Jeffrey Greene; Palo Alto Networks Vice President of Cybersecurity Strategy & Global Policy Ryan Gillis; and New America Open Technology Institute Policy Counsel and Government Affairs Lead Robyn Greene Location: CVC 210, U.S. Capitol, Washington, DC homeland.house.gov https://twitter.com/HouseHomeland

10:00 AM House Financial Services subcommittee hearing on flood insurance reform – Housing and Insurance Subcommittee hearing on 'Flood Insurance Reform: FEMA's Perspective', with testimony from Federal Emergency Management Agency Deputy Associate Administrator for Federal Insurance and Mitigation Roy Wright Location: Rm 2128, Rayburn House Office Bldg, Washington, DC http://financialservices.house.gov https://twitter.com/FinancialCmte

11:00 AM House Small Business subcommittee hearing on the SBA 7(a) Loan Program – Investigations, Oversight, and Regulations Subcommittee hearing on 'An Overview of SBA's 7(a) Loan Program', with testimony from Randolph Brooks Federal Credit Union Executive Vice President and Chief Lending Officer Sonya McDonald (on behalf of National Association of Federally-Insured Credit Unions); Bank of the West Vice Chairman Cindy Blankenship (on behalf of Independent Community Bankers of America); and National Association of Government Guaranteed Lenders President and CEO Tony Wilkinson Location: Rm 2360, Rayburn House Office Bldg, Washington, DC http://smallbusiness.house.gov/ https://twitter.com/SmallBizGOP

11:00 AM House Science and Technology subcommittee first hearing on the NSF – Research and Technology Subcommittee hearing on 'National Science Foundation Part I: Overview and Oversight', with testimony from NSF Director Dr France Cordova, and Inspector General Allison Lerner Location: Rm 2318, Rayburn House Office Bldg, Washington, DC http://science.house.gov https://twitter.com/HouseScience

12:00 PM House meets for legislative business – House of Representatives meets for legislative business, with agenda including 'H.R. 725 – Innocent Party Protection Act' and 'H.R. 985 – Fairness in Class Action Litigation and Furthering Abestos Claim Transparency Act of 2017' Location: Washington, DC http://www.house.gov/

12:00 PM Dem Rep. Robin Kelly speaks at roundtable on mental health for black women and girls – 'What Makes Black Girls, Blue? Creating Mental Wellness Climates for Black Women and Girls' roundtable discussion, with Democratic Rep. Robin Kelly, New York City First Lady Chirlane McCray, Black Women's Health Imperative CEO Linda Goler Blount, Harvard School of Public Health Associated Professor of Psychology Dr Kiberlyn Leary, Vanderbilt University Center for Medicine, Health and Society Dr Jonathan Metzl, No More Martyrs Founder Dr Nadia Richardson, DC

Department of Behavioral Health Provider Relations Specialist Lanada Williams, and 'It Starts With Me!' filmmaker Nicole Kenney Location: Rm 2044, Rayburn House Office Bldg., Washington, DC https://robinkelly.house.gov/ https://twitter.com/RepRobinKelly

1:30 PM House Financial Services Committee markup hearing – Markup hearing on 'H.R. 910, the Fair Access to Investment Research Act of 2017', 'H.R. 1219, the Supporting America's Innovators Act of 2017', 'H.R. 1257, the Securities and Exchange Commission Overpayment Credit Act', 'H.R. XXXX, the US Territories Investor Protection Act of 2017', 'H.R. 1343, the Encouraging Employee Ownership Act of 2017', and 'H.R. 1312, the Small Business Capital Formation Enhancement Act' Location: Rm 2128, Rayburn House Office Bldg, Washington, DC http://financialservices.house.gov https://twitter.com/FinancialCmte

2:00 PM Meeting to consider 'organizational matters relating to the start of the 115th Congress' Location: Rm 1015, Longworth House Office Bldg, Washington, DC http://www.house.gov/ethics/

2:00 PM Republicans Sen. Steve Daines and Rep. Paul Gosar hold news conference to outline vision for the Western Caucus Location: Rm 208-09, Senate Visitors Center, U.S. Capitol, Washington, DC http://www.daines.senate.gov/ https://twitter.com/SteveDaines

2:00 PM Muhammad Ali's son speaks at Dem forum on the impact of President Trump's immigration policies – 'Ali v. Trump: The Fight for American Values' forum on the consequences of President Donald Trump's immigration policies, with participating members of Congress including Congressional Hispanic Caucus Chair Rep. Michelle Lujan Grisham, Congressional Asian Pacific American Caucus Chair Rep. Judy Chu, Democratic Reps. John Conyers, Nita Lowey, Bennie Thompson, Zoe Lofgren, Lucille Roybal-Allard, and Elijah Cummings, boxer Muhammad Ali's son Muhammad Ali Jr. and former wife Khalilah Camacho-Ali, immigration lawyer David Leopold, and ACLU National Security Project Staff Attorney Hugh Handeyside Location: Rm 215 House Visitors Center, Washington, DC www.house.gov/conyers https://twitter.com/repjohnconyers

2:00 PM House Veterans Affairs subcommittee roundtable on making learning avenues accessible for service members and vets – House Committee on Veterans' Affairs Economic Opportunity Subcommittee hosts roundtable discussion on the Post 9/11 G.I. Bill, exploring ways to make modern-day learning avenues more accessible for service members and vets Location: Rm 334, Cannon House Office Bldg, Washington, DC http://veterans.house.gov/ https://twitter.com/HouseVetAffairs

2:00 PM House Foreign Affairs subcommittee hearing on Ethiopia – Africa, Global Health, Global Human Rights, and International Organizations Subcommittee hearing on 'Democracy Under Threat in Ethiopia', with testimony from George Mason University School for Conflict Analysis and Resolution Associate Professor Dr Terrence Lyons; Coalition of Oromo Advocates for Human Rights and Democracy President Seenaa Jimjimo; Amhara Association of America co-founder Tewodrose Tirfe; former Ethiopian National Association of the Physically Handicapped General Manager Guya Abaguya Deki; and Ethiopian Drought Relief Aid of Colorado co-founder Yoseph Tafari Location: Rm 2172, Rayburn House Office Bldg, Washington, DC http://www.hcfa.house.gov https://twitter.com/HFACrepublicans

2:00 PM Biotechnology, Horticulture, and Research Subcommittee hearing on 'The Next Farm Bill: Specialty Crops' Location: Rm 1300, Longworth House Office Bldg, Washington, DC http://agriculture.house.gov/

2:00 PM House Appropriations subcommittee 'Members' Day' hearing – Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee 'Members' Day' hearing, with testimony from Members of Congress on the agencies and programs under the jurisdiction of the subcommittee. Witnesses are Reps. Earl Blumenauer, Earl Carter, Matt Cartwright, Jim Costa, Danny Davis, Scott DesJarlais, John Faso, Gene Green, Clay Higgins, Richard Hudson, Sheila Jackson Lee, Trent Kelly, Leonard Lance, Roger Marshall, James McGovern, Richard Nolan, Jimmy Panetta, Robert Pittenger, Stacey Plaskett, Bill Posey, David Rouzer, Glenn Thompson, and Peter Welch Location: Rm 2362-A, Rayburn House Office Bldg, Washington, DC http://appropriations.house.gov/ https://twitter.com/HouseAppropsGOP

3:00 PM Congress to Honor the Life of Bob Michel – The United States Congress will celebrate the life and dedicated service of the Honorable Robert H. Michel, former Republican Leader from Illinois – the longest-serving Republican Leader of the House and recipient of the

Medal of Freedom, the nation's highest civilian honor, died on February 17. Participants include: House Speaker Paul Ryan (R-WI); Assistant Senate Minority Leader Dick Durbin (D-IL); Former Vice President Dick Cheney; House Democratic Leader Nancy Pelosi (D-CA); Former Secretary of State Jim Baker; Former Secretary of Transportation Ray LaHood; Scott Michel, son of Bob Michel. Location: Statuary Hall, United States Capitol

3:30 PM House Armed Services subcommittee hearing on nuclear deterrence – Strategic Forces Subcommittee hearing on 'Nuclear Deterrence – the Defense Science Board's Perspective', with testimony from Defense Science Board members Dr Michael Anastasio, Dr Miriam John, and Dr William LaPlante Location: Rm 2118, Rayburn House Office Bldg, Washington, DC www.armedservices.house.gov https://twitter.com/HASCRepublicans

Other: 6:30 AM Army Signal Conference Location: Waterford at Springfield, 6715 Commerce St, Springfield, VA Springfield http://www.afcea.org/ https://twitter.com/AFCEA

7:45 AM America's Health Insurance Plans' Health Policy conference continues – America's Health Insurance Plans' Health Policy conference continues. Day two speakers include Republican Rep. Kevin Brady, American Actino Forum President Douglas Holtz-Eakin, Acting CMS Administrator Patrick Conway, National Governors Association Exec Dir and CEO Scott Pattison, Consonance Capital Partners Partner and Co-Founder Nancy-Ann DeParle, and Archway Health CEO and Founder Dave Terry Location: The Ritz-Carlton, Washington DC, 1150 22nd Street Northwest, Washington, DC http://www.ahip.org/ https://twitter.com/AHIPCoverage

8:00 AM POLITICO Playbook Interview with Senate Majority Leader McConnell – POLITICO Playbook Interview, with Senate Majority Leader Mitch McConnell interviewed by POLITICO's Anna Palmer and Jake Sherman Location: Washington Court Hotel, 525 New Jersey Ave., Washington, DC www.politico.com https://twitter.com/POLITICOEvents

9:00 AM Dem Rep. Joaquin Castro keynotes CSIS event on the U.S.-Japan bilateral relationship – 'The U.S.-Japan Bilateral Economic Relationship: Past, Present, and Future' CSIS discussion, on the history of U.S.-Japan economic relations, how they have evolved through the present, and the opportunities and risks for the relationship under the new administration. Includes keynote from Democratic Rep. Joaquin Castro, and panelists including Massachusetts Institute of Technology Center for International Studies Director Richard Samuels, Wilson Center Senior Associate for Northeast Asia Shihoko Goto, OECD Tokyo Center Head Yumiko Murakami, Maryland Deputy Secretary of Commerce Benjamin Wu, and Hitachi Automotive Systems America Senior Vice President Rob Sharpe Location: CSIS, 1616 Rhode Island Ave., Washington, DC www.csis.org https://twitter.com/CSIS

10:00 AM Local restaurant announces filing of lawsuit against Donald Trump and Trump Old Post Office, LLC – A local Washington, DC, restaurant announces the filing of a lawsuit alleging 'unfair competition under DC law' against the Trump International Hotel, at National Press Club news conference. The named defendants are Donald Trump, in his individual and personal capacity, and the Trump Old Post Office, LLC, which operates the Hotel Location: National Press Club, 529 14th St., NW, Washington, DC theveritaslawfirm.com https://twitter.com/veritaslawdc

12:00 PM Israeli filmmaker screens and discusses 'Night of Fools' at Library of Congress – 'Night of Fools' – a film 'revealing the little-known story of Algeria's mostly-Jewish underground movement during World War II' screened at the Library of Congress, followed by Israeli filmmaker Rami Kimchi discussing his work. Event is sponsored by the Library's Motion Picture, Broadcasting and Recorded Sound Division and the Hebrew Language Table, in cooperation with the Embassy of Israel and the American University Center for Israel Studies Location: Library of Congress (James Madison Bldg), 101 Independence Ave SE, Washington, DC http://www.loc.gov/homepage/lchp.html https://twitter.com/librarycongress

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From: Rybicki, James E. (DO) (FBI)
Sent: Thursday, March 9, 2017 6:39 PM
To: James B. Comey
Subject: Fwd: FBI Public Affairs News Briefing Thursday, March 09, 2017

-------- Original message --------
From: [redacted] (DO) (FBI)" <[redacted]> b6 b7C b7E
Date: 3/9/17 9:01 AM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" <[redacted]>
Cc: "Abbate, Paul M. (DO) (FBI)" <[redacted]>, "Skule, Joshua (DI) (FBI)" <[redacted]>, "Kortan, Michael P. (DO) (FBI)" <[redacted]>
Subject: RE: FBI Public Affairs News Briefing Thursday, March 09, 2017

Jim,

[redacted] b5

[redacted] b6 b7C

From: Rybicki, James E. (DO) (FBI)
Sent: Thursday, March 09, 2017 8:36 AM
To: [redacted] (DO) (FBI) <[redacted]> b6 b7C b7E
Cc: Abbate, Paul M. (DO) (FBI) <[redacted]>; Skule, Joshua (DI) (FBI) <[redacted]>
Subject: Fwd: FBI Public Affairs News Briefing Thursday, March 09, 2017

[redacted] b5

-------- Original message --------
From: Bulletin Intelligence <[redacted]> b7E
Date: 3/9/17 7:06 AM (GMT-05:00)
To: [redacted]
Subject: FBI Public Affairs News Briefing Thursday, March 09, 2017

Mobile version and searchable archives available at [redacted]

TO: THE DIRECTOR AND SENIOR STAFF

DATE: THURSDAY, MARCH 9, 2017 7:00 AM EST

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LEADING THE NEWS

Comey Discusses Encryption, Says Country "Stuck" With Him For Rest Of His Term.

Several major print and online outlets report on FBI Director Comey's remarks before a cybersecurity conference Wednesday at Boston College. In his speech, Comey primarily discussed the importance of cybersecurity issues and the impact of strong encryption on law

enforcement. Reports noted that Comey did not address recent controversies in his speech and also declined to take questions from reporters.

The Washington Times (3/8, Noble, 272K) reports that Comey said the country is "stuck with" him for "another 6½ years," indicating his plans to remain at the helm of the bureau for his full 10-year term. The FBI, he said, is working to build stronger relationships with private companies so they feel comfortable approaching the bureau when they are victims of cyber intrusion and ransomware attacks. Comey emphasized that the bureau will protect the privacy of their employees and operations. Companies, said Comey, Bloomberg Politics (3/8, Strohm, 201K) reports, should not retaliate against cybercriminals by trying to hack their attackers. "Don't do it; it's a crime," Comey said. "It's not only against the law but it runs the risk of tremendous confusion in a crowded space."

According to the Wall Street Journal (3/8, Levitz, Viswanatha, Subscription Publication, 6.37M), Comey also called for a return to the debate over how to best balance law enforcement needs with desires for encryption and privacy. "The advent of default, ubiquitous, strong encryption is making more and more of the room in which the FBI investigates dark," Comey said. The director noted that the bureau was unable to open 1,200 of the 2,800 cellphones it obtained lawfully for investigations between October and December. The Boston Globe (3/8, Vaccaro, 1.08M) reports that Comey said encryption was once used exclusively by "the sophisticated actor," but is now in use by drug dealers and similar low-level criminals.

Politico (3/8, Dezenski, 2.46M) quotes Comey as saying, "All of us have a reasonable expectation of privacy in our homes, in our cars, and in our devices. But it also means with good reason, in court, government through law enforcement can invade our private spaces." In certain circumstances, the director said, "Even our memories aren't private...a judge can compel any of us to testify in court on those private communications." He added, "There is no such thing as absolute privacy in America," because "there is no place in America outside of judicial reach."

The AP (3/8) reports that Comey also said the FBI must focus on recruiting talented computer experts who might otherwise go to work for Google or Apple. "The cyberthreats we face are enormous. I don't know if we can stay ahead of them. And I think to say otherwise would be hubris," Comey said. "We need to ensure that cybersecurity is a priority for every enterprise in the United States at all levels. We need to get better and faster at sharing information in the appropriate ways."

Following his remarks, Reuters (3/8, Finkle) reports, Comey did not speak with reporters and ignored "questions about the wiretapping accusation that [President] Trump made on Saturday without offering any evidence to support it." According to reports, Comey had asked the Justice Department to refute Trump's claims because they suggested the FBI broke the law. "The department has not acted on his request," Reuters says. "I'll avoid talking about things I don't want to talk about," Comey joked at the start of his speech, the Boston Herald (3/8, Stout, 509K) reports.

The Hill (3/8, Williams, 1.25M) reports that whereas Comey did not discuss Trump's wiretapping allegations on Wednesday, he has been invited to appear before the House Intelligence Committee on March 20, where Rep. Adam Schiff has indicated he intends to press the director to address the issue. "If the public reports are accurate and Mr. Comey wanted the Justice Department to speak out on this, he will have his own opportunity on March 20," Schiff said.

NPR (3/8, 1.92M), the New York Post (3/8, Moore, 3.82M), Roll Call (3/8, Prater, 63K), The Guardian (UK) (3/8, Borger, 4.07M), GQ (3/8, 18.73M), the Boston Business Journal (3/8, O'Brien, Subscription Publication, 90K), and the WCVB-TV Boston (3/8, 482K), CNN (3/8,

Mallonee, Scott, 29.79M), NBC News (3/8, 2.67M), and Fox News (3/8, 11.07M) websites report similarly. The New York Post (3/8, 3.82M) posts the AP's coverage to its website and USA Today (3/8, 5.28M) posts a video from a portion of Comey's remarks online.

Palmieri Blasts Comey. Politico (3/8, Conway, 2.46M) reports Hillary Clinton Campaign Communications Director Jennifer Palmieri responded to Comey's remarks Wednesday by calling him a "particularly infuriating character" who cares above all about "protecting his own reputation." Palmieri stated she believes the Trump campaign did collude with Russia, or at least with WikiLeaks, based on their eagerness to "jump on" the "leak du jour" from John Podesta's email accounts.

White House Says Trump Not Under Investigation.

Media coverage of President Trump's claim that former President Obama wiretapped the phones at Trump Tower has diminished significantly. While the story continues to be a major source of discussion on cable television, print and online reporting are much lighter than in previous days. Network news coverage has markedly declined as well, with only two networks mentioning the story Wednesday evening. The reporting continues to be decidedly negative toward the White House, highlighting that the Administration has still offered no evidence to support Trump's claim, and casting a request from Sens. Lindsey Graham and Sheldon Whitehouse for the FBI and DOJ to provide proof as an effort to call "the White House's bluff" on the issue.

Typical of the ongoing coverage is Jake Tapper's statement on CNN's The Lead  (3/8, 320K) that while the White House says Trump "has no regrets about his fact-free claim that then President Obama tapped his phone last year," nearly "everyone else in this city in the know or with the power to investigate the claim says it's not true, or that they've seen nothing that can support the accusation."

In its lead story, the CBS Evening News  (3/8, lead story, 0:30, Pelley, 11.17M) reported, "The White House said today it does not believe that the President is under investigation by the FBI" amid questions about Trump's "insistence that his phones were tapped during the campaign on orders from President Obama." The Washington Times (3/8, Boyer, 272K) says White House press secretary Sean Spicer was asked if Trump "is the target of counter-intelligence operation raising accusations about links to Russia," and he replied, "I think that's what we need to find out." However, the New York Times (3/8, Landler, Subscription Publication, 13.9M) says an aide then "slipped Mr. Spicer a note," after which "he circled back to clarify." USA Today (3/8, Jackson, 5.28M) quotes Spicer as saying, "There is no reason to believe there is any type of investigation with respect to the Department of Justice."

Margaret Brennan reported on the CBS Evening News  (3/8, story 2, 2:35, Pelley, 11.17M) that the White House says Trump "may have been swept up in surveillance that was not directly targeted at him, though the President has claimed it was his phones that were tapped, an allegation denied by former Director of National Intelligence James Clapper." The AP (3/8, Pearson) cites "three former Trump Organization executives" who say that Trump "expressed regular concern that his phone lines were not secure." Trump at times "talked about possible listening devices and worried that he was being monitored," and in other instances, "he was doing the monitoring."

Sara Murray said on CNN's The Lead  (3/8, 320K), "It's been four days since President Trump's shocking claim that President Obama spied on him and while there is still no evidence from the White House, today senators say they want proof." USA Today (3/8, Collins, 5.28M) reports that Graham and Whitehouse "are asking the Justice Department to prove" Trump's accusation that Obama wiretapped Trump Tower. In a letter to FBI Director Comey and acting Deputy Attorney General Dana Boente, the senators requested "specific information regarding the accusation." They wrote, "We request that the Department of Justice provide us copies of any warrant applications and court orders – redacted as necessary to protect intelligence sources and methods that may be compromised by disclosure, and to protect any ongoing investigations – related to wiretaps of President Trump, the Trump Campaign, or Trump Tower. ... We will be glad to review any such applications and orders once they are disclosed, and proceed as appropriate with the oversight the President has requested."

CNN's Situation Room  (3/8, 554K) showed reporter Manu Raju asking Graham about the possibility that the Administration doesn't provide the evidence. Graham responded, "Then I'll have done my job. Either they are lying to me or there is no information, and I don't believe they would lie to me about this. I expect them to come forward as to whether or not a warrant was obtained or sought." Graham also confirmed to Raju that he will subpoena the information if the Administration doesn't comply.

David Muir said on ABC World News Tonight  (3/8, story 5, 1:15, 14.63M) that the White House is "still not providing any proof," but Jonathan Karl said Graham and Whitehouse "are calling the White House's bluff on this." The White House has argued that "it is up to Congress to investigate," so the senators "are saying they will investigate. ... They want to get the FBI on record either admitting it happened, or much more likely, saying it didn't." Reuters (3/8, Cowan) says Graham told CNN that if DOJ does not cooperate, "subpoenas would be issued." A.B. Stoddard of RealClear Politics said on CNN Wolf  (3/8, 224K) that the White House has sent the matter to Congress and "Congress is calling their bluff. ... If there's no evidence, it's going to be more than embarrassing, actually."

Meanwhile, lawmakers from both sides of the aisle said Wednesday that they have seen no evidence that would support Trump's claim. For example, Sen. Dianne Feinstein was asked on CNN's The Lead  (3/8, 320K) if she has seen any evidence that Obama tapped Trump's phones. Feinstein said, "No, I have not. And it's all rather shocking to me that a sitting President would make this kind of an allegation about a former President without any proof whatsoever."

Sen. Tim Kaine said on MSNBC's Morning Joe  (3/8, 270K), "The President's behavior...is sort of shocking but not surprising because this is a guy who said Ted Cruz's dad was involved in the JFK assassination on the campaign trail and he got a pass to that. He is saying he was wiretapped or that his inaugural crowd was bigger than it was, it shouldn't surprise us. But it is shocking. You don't want to see that behavior in the President."

Sen. Tom Cotton was asked on MSNBC's Morning Joe  (3/8, 270K) if he has seen any evidence of that Obama wiretapped Trump Tower. Cotton said, "I have seen no evidence of

that. But I would also say a lot of the anonymous sources in the media are stating things that are very precise and not exactly the full picture either. When, for instance, the President's spokesman denies that either the President or White House official, quote-unquote, ordered surveillance, that doesn't really deny very much if you understand how the foreign intelligence surveillance court works. It's a judge that would order those things and it's the attorney general or her agent that would file that application."

Appearing on CNN's Situation Room  (3/8, 554K), Rep. Adam Schiff, ranking Democrat on the House Intelligence Committee, said he is "not aware of any evidence of any wiretapping," calling Trump's allegation "irresponsible." He said his panel will also look into the matter. Schiff noted that the panel has asked Clapper, former CIA Director Brennan, and FBI Directory Comey to testify on March 20, and he thinks "we'll have ample testimony that this claim was nonsensical, false, reckless, and scandalous in its breathtaking dishonesty."

Rep. Elijah Cummings said on CNN's Situation Room  (3/8, 554K) said the Congressional probes will "hopefully...get to the bottom of this, and I expect that there is absolutely no truth to" Trump's claim.

Rep. Trey Gowdy was asked on CNN's Anderson Cooper 360  (3/8, 686K) if Trump could simply declassify any evidence to back up his claim if he wants to. Gowdy, noting that he and Cooper were "speculating that [evidence] exists," replied, "That's true, in theory. ... The President has the power to both declassify it and to have it released, as long as it's not held by the judicial branch, which would be a court matter."

In an interview with the CBS Evening News  (3/8, story 3, 3:40, Pelley, 11.17M), former CIA Director Leon Panetta said there are two conclusions one can draw from Trump's claim. Said Panetta, "One is that he says these things knowing that they're not true in order to divert the public, and if he's doing that, he's misusing the powers of the presidency. Or if he truly believes that they are true, when indeed they're not true, and he has not tried to find out the truth, which then shows a real lack of judgment. Either way, I think it undermines and weakens the strength of the presidency in this country."

Obama "Irked And Exasperated" By Trump's Accusation. Jeff Zeleny said on CNN's Situation Room  (3/8, 554K) that Obama was "stunned by the allegations." Zeleny added that "we are told that the former President was irked and exasperated by yet another accusation from this President." On its website, CNN (3/8, Zeleny, Liptak, 29.79M) cited "sources close to the former president" who said his reaction "stopped short of outright fury." Those sources offered "slightly different insight into Obama's demeanor than others who told The Wall Street Journal that Obama was 'livid.'"

Residents Of Ohio Town Largely Indifferent To Trump-Russia News. The Washington Post (3/8, Gibbons-Neff, 11.43M) reports that in the town of Wilmington, Ohio, "the barrage of news coming out about the Trump administration's ties to Russia has fallen on mostly indifferent ears." The town "has been more focused on local issues" such as a decision by Amazon.com "to pull a burgeoning shipping hub and plans for as many as 3,000 new jobs at Wilmington's airpark, opting instead to take a $10 million dollar tax break to relocate to Kentucky."

NYTimes: Warner Faces "Stand-And-Deliver Moment" In Russian Inquiry. The New York Times (3/8, Flegenheimer, Subscription Publication, 13.9M) reports that as

Republicans "resist calls for a select committee or special prosecutor to oversee" the investigation into President Trump's ties to Russia, the "Democrats' best hope for acquiring answers most likely remains an investigation by the Senate Intelligence Committee," where Sen. Mark Warner – a "former rising star" in the Democratic party – is vice chairman. The result is a "spotlight trained brightly on a southern-state centrist with a nine-figure net worth, a decade-old itch to be president and, until recently, according to friends and former aides, a healthy disdain for the institution he serves."

Spicer Laments Lack Of Outrage Over WikiLeaks Release.

Media coverage of WikiLeaks recent release of more than 8,000 pages of documents it says are classified CIA files continues to garner heavy media attention. White House press secretary Sean Spicer's expression of frustration at the lack of media outrage over the release gets some attention, but the main media focus are efforts the FBI and CIA to determine the source of the leak and assess the damage it has caused.

The Washington Post (3/8, Johnson, 11.43M) reports Spicer "will not authenticate the documents released by WikiLeaks," but he is "frustrated that more people aren't more outraged about their release." Spicer told reporters, "This should be a major concern to people in terms of the leaks that are coming out and the desire to get to the bottom of them. ... I think the idea that we are having these ongoing disclosures of national security and classified information should be something that everybody is outraged about in this country." While Spicer "repeatedly said that the government's policy is to not confirm the authenticity of sensitive information that might have been leaked or hacked," he "accused the media of not focusing enough on the national security implications of the information." In addition, Spicer "reflected on how these alleged surveillance tools would have been at the disposal of the Obama administration," which President Trump accused of wiretapping the phones at Trump Tower.

USA Today (3/8, Jackson, 5.28M) reports that Spicer argued, "There is a massive, massive difference," between WikiLeaks' release of emails from Hillary Clinton campaign chairman John Podesta and leaking national security secrets. Spicer also said argued that there was more outrage from Democrats and the media over WikiLeaks at that time than now. Said Spicer, "It's interesting how there's sort of a double standard with when the leaks occur, how much outrage there is."

Meanwhile, the FBI has launched a criminal investigation into the release of the documents, USA Today (3/8, Johnson, 5.28M) reports, citing "a US official." According to the official, the inquiry "will seek to determine whether the disclosure represented a breach from the outside or a leak from inside the spy agency," and "a separate review will attempt to assess the damage caused by such a disclosure." The New York Times (3/8, Rosenberg, Shane, Goldman, Subscription Publication, 13.9M) describes the CIA as "scrambl[ing]...to assess and contain the damage" from the leak, which investigators say "was the work not of a hostile foreign power like Russia but of a disaffected insider," while the Los Angeles Times (3/8, Wilber, 4.52M) cites a CNN report which said that "the FBI and CIA 'are coordinating reviews of the matter.'" An FBI spokeswoman "referred calls on the matter to the CIA," and "a CIA spokeswoman, in a statement declined to comment 'on the status of any investigation into the source of the documents.'"



Brian Ross reported on ABC World News Tonight (3/8, story 3, 2:45, Muir, 14.63M) that the hunt is focused on "the headquarters of the top secret center for cyber intelligence,

the CCI. Officials believe whoever was responsible had to have access to one of the highly classified US spy networks, such as the one called JWICS." Andrea Mitchell reported in the lead story for NBC Nightly News  (3/8, lead story, 2:50, Holt, 16.61M) that according to "a senior US official," the documents "contain authentic information about the CIA's top secret tools for hacking." Mitchell added that "two US intelligence sources" said "Russia is suspect because of Moscow's ties to WikiLeaks, and the hacked emails during the 2016 campaign." Meanwhile, WikiLeaks "is claiming they've released only one percent of what they've got," and "inside the CIA tonight...the hunt is on."

In what Politico (3/8, Geller, 2.46M) calls a "rare step," the CIA on Wednesday "publicly defend[ed] its mission ." CIA spokesman Jonathan Liu released "an unprompted on-the-record statement" in which he "argued that the agency exists to 'aggressively collect foreign intelligence,' stressed that its agents are 'legally prohibited' from hacking Americans and emphasized that the public 'should be deeply troubled' by the WikiLeaks release." Liu said there are "critical points," but he "reiterated that the CIA will not confirm the authenticity of the WikiLeaks materials." A brief report on the CBS Evening News  (3/8, story 4, 0:30, Pelley, 11.17M) said the CIA said Wednesday that the leak "has jeopardized US personnel and operations and given US adversaries the tools to do America harm." Tom Costello reported on NBC Nightly News  (3/8, story 2, 2:05, Holt, 16.61M) that "security pros say the CIA's alleged hacking blueprints should serve as a reality check for all Americans." Georgia Weidman of Shevirah Security said, "The only secure device would be one that's turned off, stepped-on, melted down, buried, and then maybe it's secure."

In his "Talking Points Memo" on Fox News' The O'Reilly Factor  (3/8, 767K), Bill O'Reilly that "leakers of classified documents are actively committing treason. It's apparent that the federal government does not have a handle on how to apprehend these traitors, much less stop the espionage."

A Washington Post (3/8, 11.43M) editorial stresses that the CIA cyberhacking tools released by WikiLeaks "are not instruments of mass surveillance," and there is "no evidence they have been used against Americans or otherwise improperly; if there were, we can be sure that WikiLeaks, whose core mission is not transparency but undermining US national security, would have trumpeted it." The Post says "it won't be a surprise if Moscow again turns out to be the source of the leak."

Officials Focus On Contractors As Source Of Leak. Reuters (3/8, Walcott, Shalal) reports that intelligence and law enforcement officials are "focusing on contractors as the likeliest source of documents" being leaked to WikiLeaks. According to an official with knowledge of the investigation, CIA contractors "have been checking to see which of their employees had access to the material that Wikileaks published, and then going over their computer logs, emails and other communications for any evidence of who might be responsible." The Wall Street Journal (3/8, Harris, Subscription Publication, 6.37M)says the possibility that a contractor was behind the leak is certain to result in increased scrutiny of the use of outside entities to conduct classified work. While contractors are vetted like government employees, in the last four years, they have been responsible for two significant breaches.

Sen. Dianne Feinstein said on CNN's The Lead  (3/8, 320K) that "this is the third contractor now that's done this kind of leaking. ... I think we really need to take a look at the contractor portion of the employee work force because you have to be loyal to America to work for an intelligence agency. Otherwise, don't do it. Don't come aboard as a contractor."

Rep. Jackie Speier said on CNN Wolf  (3/8, 224K) that "whether it was Edward Snowden or some of the other leakers of information, they have historically been contractors, persons who have been hired by contractors who then provide services to the Central Intelligence agency. I'm concerned that we do not have a handle on making sure those persons are properly vetted in terms of whether or not they are, in fact, going to put our country first."

COUNTER-TERRORISM

Senate Panel Assessing Why Refugee Was Not Arrested Prior To The Election.

The Fox News (3/8, Lajeunesse, Zimmerman, 11.07M) website reports that the "The Senate Homeland Security and Governmental Affairs Committee has asked Attorney General Jeff Sessions to find out why the terror suspect's pending arrest was allegedly spiked just over a week before the election." In a letter to Sessions, committee Chairman Ron Johnson said, "When [Joint Terrorism Task Force]-San Antonio and the U.S. Attorney's office for the Western District of Texas sought to prosecute this refugee, the local law enforcement and prosecutors allegedly 'met resistance' from officials within the National Security Division's Counter Terrorism section in Washington DC." The suspect, an Iraqi man who entered the US using an assumed identity, is now at large, Fox says. "His real name was not released." Fox notes that President Trump ran for the presidency "on a tough-on-terror platform and had been critical of President Obama's refugee policy."

Administration Invokes State Secrets Privilege To Block Testimony In CIA Torture Case.

The New York Times (3/8, Risen, Fink, Savage, Subscription Publication, 13.9M) reports the Administration has invoked executive powers in an effort "to block the testimony of several top CIA officials," including new CIA Deputy Director Gina Haspel, in a federal lawsuit "against two psychologists who helped run the agency's harsh interrogation program, along with portions of 172 internal agency documents." The lawsuit was filed in 2015 by two former detainees at CIA secret prisons overseas "and the representative of a third man who died in custody." The Times adds that if they win the suit against former military psychologists James E. Mitchell and Bruce Jessen, "who helped devise and run the interrogation program, it would be the first time an American civilian court has held anyone accountable for a role in developing counterterrorism policies after the Sept. 11, 2001, attacks."

Lawyers Dispute Spicer's Clarification Of Trump Tweet On Gitmo Releases.

According to Politico (3/8, Gerstein, 2.46M), White House press secretary Sean Spicer's clarifications of President Trump's tweet about the release of Guantanamo prisoners under Presidents Bush and Obama "stray from the facts." Sabin Willett, "a prominent lawyer for Guantanamo detainees," said the claim that Bush released most detainees on court orders is "loony" because the number of people a district court ordered released is fewer than five.

Another Guantanamo detainee lawyer, David Remes, said "the D.C. Circuit held that the courts cannot force the president to release anybody." Former Obama White House Counsel Greg Craig said Spicer "doesn't know what he is talking about."

Air Force Veteran Testifies At Trial Over 2003 Al Qaeda Ambush In Afghanistan.

The New York Post (3/8, Saul, Eustachewich, 3.82M) reports that "an Air Force veteran fought back tears on the stand Wednesday as he testified about the moment his fellow airman took a bullet to the head in Afghanistan nearly 14 years ago." The Post adds that "the chaotic scene, which left airman Raymond Losano and another serviceman dead, unfolded in just seconds, according to Master Sgt. Lee Blackwell." Blackwell "was testifying at the trial for admitted al Qaeda member Ibrahim Harun, 46, who is charged with killing Losano, 24, of Texas, and Army Pvt. Jerod Dennis, 19, of Oklahoma, in the Afghanistan ambush as well as plotting bomb strikes against US facilities in Nigeria." The trial is taking place in a Brooklyn federal court.

Gowdy Rejects Calls For Investigation Into Yemen Raid.

USA Today (3/8, Collins, 5.28M) reports Rep. Trey Gowdy is rejecting calls for a congressional investigation into a January raid in Yemen that resulted in the death of Navy SEAL William "Ryan" Owens and "perhaps more than a dozen Yemeni civilians." In an email to USA TODAY, Gowdy said, "Is there any evidence of a failure to provide information to Congress in the Yemen raid? Is there any evidence of failure to provide access to witnesses?"

COUNTER-INTELLIGENCE

US, Ukrainian Authorities Looked Into Manafort Associate.

Politico (3/8, Vogel, Stern, 2.46M) reports that the activities of Konstantin Kilimnik, "a Kiev-based operative with suspected ties to Russian intelligence who consulted regularly with Paul Manafort last year while Manafort was running Donald Trump's presidential campaign," are of interest to US and Ukrainian authorities. Kilimnik came under FBI and State Department scrutiny "partly because of at least two trips he took to the US during the presidential campaign, according to three international political operatives familiar with the agencies' interest in Kilimnik." It is not clear whether "either agency launched any kind of official inquiry into Kilimnik, nor is it clear whether the interest from the US authorities is ongoing." However, Politico cites documents which show that the Ukrainian prosecutor general "did launch a formal investigation into Kilimnik's suspected ties to Russian intelligence" and "has cleared Kilimnik, though the Ukrainian parliamentarian who requested the investigation questioned its thoroughness."

NSC Staff Allowed Back Into Oval Office For Trump's Calls With Foreign Leaders.

Politico Europe (3/8, Palmeri, 23K) reports national security adviser McMaster "has invited top National Security Council staff back into the Oval Office for calls" between President Trump and foreign leaders, "reversing a decision by his predecessor Michael Flynn to exile senior directors to the Situation Room during state calls." According to Politico, "for the first time since Trump took office, senior directors and country directors were present on Monday and Tuesday in the Oval alongside deputy national security adviser K.T. McFarland for calls with leaders from Israel, Japan, South Korea and Kenya."

Flynn Discloses Working As Lobbyist For Turkey.

The AP (3/8, Braun, Day) reports former national security adviser Michael Flynn has registered with the Justice Department "as a foreign agent for $530,000 worth of lobbying work before Election Day that may have aided the Turkish government." Paperwork filed Tuesday with the Justice Department's Foreign Agent Registration Unit said Flynn and his firm were voluntarily registering for lobbying from August through November that "could be construed to have principally benefited the Republic of Turkey." The Turkish businessman who hired Flynn's consulting firm, Ekim Alptekin, told the AP on Wednesday that the amended filings were made "in response to pressure from Justice Department officials in recent weeks." USA Today (3/8, Schouten, 5.28M) reports Flynn's lawyer, Robert Kelner, said Flynn shut down his firm last year, but decided to register because his work for Inovo BV "could be construed to have principally benefited the Republic of Turkey."

CRIMINAL INVESTIGATIONS

Jewish Community Center Leaders Ask Feds For Help Preventing Anti-Semitic Attacks.

ABC World News Tonight (3/8, story 6, 0:30, Muir, 14.63M) reported 140 leaders of Jewish community centers spoke out against the wave of threats and asked federal law enforcement to increase efforts to thwart anti-Semitic acts. Reuters (3/8, Ax) reports that the Jewish leaders expressed their concerns in a Wednesday letter to Attorney General Sessions. "We are frustrated with the progress in resolving this situation," the leaders wrote. "We insist that all relevant federal agencies, including your own, apply all the resources available to identify and bring the perpetrator or perpetrators, who are trying to instill anxiety and fear in communities across the country, to justice." The Huffington Post (3/8, 237K) reports that the letter was also address to FBI Director Comey and DHS Secretary Kelly. The threats are currently being investigated by the FBI and Justice Department. So far, one person has been arrested for a handful of the at least 110 total "threats made to over 80 Jewish community centers...since January," the Post says.

The AP (3/8) reports that the sole individual implicated in the threats thus far, Juan Thompson, has not yet received a ruling on his request to be granted bond. His public defender, Lucille Liggett, told a judge Wednesday that he would agree to be on house arrest and refrain from using electronics. "But Assistant U.S. Attorney Howard Marcus called Thompson 'unstable' and says he should remain jailed," the AP says.

ADL President Seeks "Inter-Agency Task Force" To Address Threats. The Times Of Israel (3/8, Frazer, 21K) reports that Anti-Defamation League President Jonathan Greenblatt has called upon the federal government to take increased steps to address the threats. "We would like to see the president convene a federal inter-agency task force, and convene all of the right players around the table: the Department of Homeland Security, the Department of Justice, the Department of State, the Department of Education and others to develop policy measures," the Times says. According to Greenblatt, though radical Islam is a problem, the scope of the government's Countering Violent Extremism program "must encompass neo-Nazis and white supremacists."

Kentucky Jewish Community Center Threatened. The Louisville (KY) Courier-Journal (3/8, Sayers, 328K) reports, "The Jewish Community Center in Louisville was

evacuated Wednesday after somebody called in a bomb threat, the first reported against a Jewish center in Kentucky after more than 100 nationwide." No injuries were reported.

Minnesota Man Sentenced To Prison For Threatening Mosque.

The Minneapolis Star Tribune (3/8, Montemayor, 1.27M) reports that Daniel George Fisher, "A Minnesota man who mailed a bomb threat to a mosque under construction in his Minneapolis neighborhood in 2015," was sentenced yesterday to one year behind bars. Fisher confessed to "obstructing the Tawfiq Islamic Center's free exercise of religion by threat of force" after the FBI tracked him down last year by analyzing the fingerprints he left on the note. "My office takes very seriously any threat of violence against an individual or their place of worship based on race, religion or cultural practices. We will continue to work closely with the FBI to prosecute these types of crimes, which threaten religious freedoms and violate fundamental civil rights," said US Attorney Andrew Luger. According to FBI Minneapolis Special Agent in Charge Richard Thornton, Fisher's sentence "reflects the severity of his appalling hate crime."

US Charges Former Maryland Lawmaker In Bribery Case.

The AP (3/8) reports from Greenbelt, MD that "a grand jury has indicted a former state delegate on bribery charges in a case involving liquor sales in Prince George's County." Michael Vaughn (D), of Bowie, MD "resigned less than an hour before this year's legislative session started, citing 'health challenges.'" Federal prosecutors said Vaughn was due to appear in a Greenbelt federal court on Wednesday. Prosecutors said Vaughn "accepted more than $10,000 in cash bribes, 'influencing the performance of his official duties,' including voting for a bill to expand alcohol sales on Sundays." They also said that "from January 2015 through April 2016, Vaughn conspired with a liquor regulation official and store owners 'to enrich himself personally.'"

The Washington Post (3/8, Bui, 11.43M) reports that "a judge allowed Vaughn released on his own personal recognizance during his initial appearance in U.S. District Court in Greenbelt Wednesday." Vaughn "was indicted on eight counts of wire fraud, conspiracy and bribery in connection with actions that occurred during his time in office between 2012 and 2016." Federal prosecutors "also accuse Vaughn of illegally shifting money donated to his campaign for his personal use, according to a statement from the government."

New York Man Sentenced For Threatening To Kill Federal Prosecutor.

The AP (3/8) reports from Rochester, NY that federal prosecutors said Tony Ivey, 53, of Rochester "has been sentenced to a year and eight months in prison for threatening to kill a federal prosecutor." Federal prosecutors said Ivey "was sentenced Tuesday to 20 months in a federal prison for threats he made against an assistant federal attorney in June 2016. He pleaded guilty to the charges in December." Prosecutors said Ivey "called the U.S. Attorney's Office in Rochester twice on June 14 and threatened to kill an assistant U.S. attorney with an assault rifle." Authorities said "the threats were made after Ivey was told by the attorney that he couldn't directly help him with a complaint and referred Ivey to another agency."

Ex-Cop With Alleged Links To Murder Suspect Kills Self During Traffic Stop.

The New York Daily News (3/9, Annese, 4.45M) reports, "A former NYPD officer turned bodybuilder with ties to a quadruple-homicide suspect killed himself after FBI agents and state police pulled him over in Rockland County Wednesday morning." Gerard Benderoth shot

himself in the head as New York state troopers and FBI agents converged on his vehicle. "Benderoth, a former officer with the NYPD and the Haverstraw police, was being investigated for his ties to Nicholas Tartaglione — an ex-Briarcliff manor cop accused of executing and burying four men after a cocaine deal went bad last April," the Daily News says, citing sources. Bruce Barket, Tartaglione's lawyer, confirmed having heard of Benderoth, but said he was unaware of specifics about him. The New York Post (3/8, Schram, 3.82M) reports that the FBI would not release Benderoth's name, but a spokesman did confirm a suicide had occurred while agents and task force officers were carrying out a traffic stop.

Authorities Locate Missing Girl In Oregon.

The Oregonian (3/8, Matsumoto, 894K) reports, "Police have found safe an 11-year-old girl who was reported missing and possibly endangered, officials said Wednesday." Warm Springs, Oregon police accompanied by an FBI agent located Kaitlyn Stofiel and her father, Thomas Stofiel, attempting to hitchhike on Wednesday. "The pair were wet, cold and hungry, but unharmed," the Oregonian says. The younger Stofiel is now in protective custody. "Authorities do not expect to file any charges in the case."

FBI Joins Search For Missing Ohio Teen.

The WKYC-TV Cleveland (3/8, 128K) website reports that the FBI has joined local law enforcement in their search for missing Parma, Ohio 17-year-old Katarina Bitterman. The teenager "has not been seen since last Saturday, when her parents left town and she stayed home to take care of the family dogs," WKYC says. "The FBI is going door-to-door along Augustine Drive and the surrounding neighborhood interviewing residents as they try to piece together what might have happened to Katarina." The WEWS-TV Cleveland (3/8, 99K) website reports similarly.

US Olympic Officials Urge Resignation Of Gymnastics Head Amid Sex Abuse Scandal.

USA Today (3/8, Brennan, 5.28M) reports, "Officials within the U.S. Olympic Committee say USA Gymnastics president and CEO Steve Penny must resign so the national governing body can move forward in the midst of a sex abuse scandal, two U.S. Olympic officials told USA TODAY Sports Wednesday." The FBI has launched an investigation into Larry Nassar, a gymnastics team physician accused of sexual abuse by more than 80 gymnasts. The allegations were only reported to the FBI, the Wall Street Journal reported, after USA Gymnastics concluded its own five-week-long internal probe.

Victim Of Marine Nude Photo Scandal: "We Will Not Be Silenced."



NBC Nightly News (3/8, story 6, 1:45, Holt, 16.61M) showed excerpts of a statement by Erika Butner, one of two Marines who spoke out Wednesday night as victims of the recent nude photo scandal. The veteran said she is "disheartened and disgusted" and insisted victim blaming and the excuse "boys will be boys" need to stop. Butner encouraged others victimized to speak out because they "are not alone," and "we will not be silenced." Sen. Kirsten Gillibrand called for a congressional investigation into the scandal that has demeaned and degraded the "women who are willing to serve this country."

Cummings: Trump Should Investigate Voter Suppression.

The Washington Times (3/8, Boyer, 272K) reports that after Rep. Elijah Cummings (D-MD) told President Trump the Administration should investigate voter suppression in addition to voter fraud, Cummings said, "I think he got it." In his Wednesday afternoon meeting, Cummings also told the President his comments about the "carnage" and "depressed situations" of African American communities were "hurtful," although Cummings said he welcomes help improving the communities.

According to Baltimore Sun (3/8, Fritze, 714K) reporting of the "otherwise congenial Oval Office meeting," Cummings called for the meeting during a January cable television appearance to discuss his proposal to allow Medicare to negotiate drug prices with pharmaceutical companies. In a summary released late Wednesday, the White House said it wanted to "work with Congressman Cummings in a bipartisan fashion."

Georgia Man Arrested For Allegedly Falsely Imprisoning Eight Women.

Fox News (3/8, 11.07M) reports online that the FBI and police in Sandy Springs, Georgia have arrested Kenndric Roberts, a man accused of detaining eight women against their will. "According to police, a woman called 911 Tuesday morning asking for help getting out of a home," but said she feared her "boss" would murder her. "She said during the call that the other women in the home were being forced to dance for money," Fox says. "Police said the women were lured into the home because they were having financial problems, and then they weren't allowed to leave." Roberts has been charged with false imprisonment and human trafficking.

Florida Man Charged In 1994 Murder.

The New York Daily News (3/8, Schladebeck, 4.45M) reports that Florida man Ronald Hyde "has been arrested in connection with the murder and dismemberment" 16-year-old Fred Paul Laster in 1994. "When police discovered the dismembered remains of a teenage boy dumped behind a gas station with a set of bloody knives in 1994, they were left without any leads," the Daily News says. "It wasn't until 2015 that DNA tests confirmed the remains belonged the" Laster, who had last been seen with Hyde. "In April, police recovered nasal swabs from Hyde's trash, which ended up matching DNA samples found on a flannel shirt, discovered in a dumpster near Laster's body in 1994," the newspaper says. Hyde had been a youth pastor and a friend of Laster's family.

FBI Offers Reward In 2007 Wyoming Murder.

The AP (3/8) reports, "The FBI is offering a reward of up to $10,000 for information about a July 2007 murder on the Wind River Indian Reservation in Wyoming." The FBI is seeking information leading to the killer of 50-year-old Kim Allen Morin of North Dakota. "The agency has a person of interest but the case is still being investigated," the AP says.

Michigan Student Admits To Faking Trump-Inspired Campus Attack.

According to the Washington Times (3/8, Ernst, 272K), Halley Bass, a 21-year-old University of Michigan student, appeared in court Monday and admitted her Nov. 15 report to police that a pro-Brexit, pro-Trump stranger scratched her face with a safety pin was false. She said she was "suffering from depression" and was embarrassed by a scratch on her face, so when a friend believed her story, Halley reported the fabricated incident to the police. She faces up to 93 days in jail and a $500 fine for the false report of a misdemeanor.

Third DeploraBall Stink Bomb Planner Sentenced To Community Service.

According to the Washington Times (3/8, Richardson, Noble, 272K), Scott Ryan Charney, 34, the third protester caught on video planning to disrupt the DeploraBall with stink bombs and sprinklers, pleaded guilty Tuesday to the misdemeanor of conspiracy to commit assault. His deal with prosecutors allows for his record to be expunged in six months if he completes 48 hours of community service, is not rearrested, and formally apologizes to the event organizers.

Politico Analysis: Sessions Signals Changes To Drug-Charge Policies.

Politico (3/8, Gerstein, 2.46M) reports in its "Under The Radar" blog that Attorney General Sessions "is signaling" that the Trump Administration "plans to make changes to policies the Obama administration implemented to seek less serious charges in some drug cases." In a memo sent to federal prosecutors nationwide on Wednesday, Sessions "says changes in Justice Department charging policies are in the offing. 'I encourage you to employ the full complement of federal law to address the problem of violent crime in your district,' Sessions wrote. 'Further guidance and support in executing this priority – including an updated memo on charging for all criminal cases – will be forthcoming.'" According to Politico, "legal experts said the language indicates that Sessions is planning to make significant revisions to policies Attorney General Eric Holder issued" in 2010 and 2013 regarding drug charges.

The AP (3/8, Gurman) reports that in the memo, Sessions "told the 94 U.S. attorneys to use 'the substantial tools at their disposal' to pursue more prosecutions and seek harsh sentences for those who commit robberies and gun crimes," and he "acknowledged that U.S. attorneys already view this as a main part of their job, but said they must do more to see a drop in violence." The AP adds that the memo "is a reiteration of Sessions' tough-on-crime stance," and that "it came two weeks after he repealed a memo that directed the department to phase out the use of private prisons, signaling he sees them as necessary for the future." In the memo, Sessions "lamented a spike in murders 'while federal prosecutions for violent crimes have been declining' and urged prosecutors to work with their local counterparts to punish criminals and dismantle drug gangs."

The Washington Post (3/8, Horwitz, 11.43M) reports that Sessions's memo "follows a speech he gave last month to state attorneys general in which he said that historically low crime rates might be coming to an end and that recent crime increases could foreshadow a violent new period in the nation's history. 'Unfortunately, the most recent crime data available shows a 10.8 percent increase in the number of murders in this country, while federal prosecutions for violent crimes have been declining,' Sessions said in his memo to prosecutors." Sessions "encouraged his prosecutors to use laws regarding firearms, robbery, carjacking and drug offenses as tools to bring investigations and prosecutions against suspected criminals," and he "said that prosecutions under the federal Controlled Substances Act 'can drive violent crime down.'"

FINANCIAL CRIME & CORPORATE SCANDALS

Former Louisiana Housing Agency Head Pleads Guilty To Stealing Government Funds.

The AP (3/8) reports from New Orleans that US Attorney Kenneth Polite "says a former head of the Ponchatoula Housing Authority has admitted spending $27,000 in federal money on

herself." Polite said in a news release that Wanda Wells Cornish, 46, of Ponchatoula pleaded guilty on Tuesday to theft of government funds, and that "she could get up to 10 years in prison and a $250,000 fine" at her scheduled sentencing on June 29. Cornish "was the authority's executive director from 2011 until 2015," and "according to a court paper signed as part of her plea agreement, some of the stolen $27,600 came from agency bank accounts and some was charged on agency credit cards."

FBI Seeks Victims Of Arizona Music Promoter.

The Chicago Sun-Times (3/8, Owen, 798K) reports that the FBI is looking for victims of Arizona music promoter Frederick Stahmer who "promoted at least 23 concerts featuring 1980s rock bands in Tucson, Chicago, Tulsa, Nashville and Las Vegas." Several vendors and individuals to have worked with Stahmer say they were not repaid money advanced for goods and services related to the concerts. "While the FBI can't provide additional information regarding the ongoing investigation at this time, it does need to speak with anyone who lost money in connection with Stahmer or his company in the last five years," the bureau said.

Report Accuses Caterpillar Of Tax Fraud.

The New York Times (3/7, Drucker, Subscription Publication, 13.9M) reports that "for years, federal investigators have been scrutinizing Caterpillar's overseas tax affairs with no resolution to the examinations of the complex maneuvers involving billions of dollars and one of the company's Swiss subsidiaries," and now, "a report commissioned by the government and reviewed by The New York Times accuses the heavy-equipment maker of carrying out tax and accounting fraud." The Times notes that "it is extremely rare to accuse a big multinational company of tax fraud, which could result in high penalties. 'Caterpillar did not comply with either U.S. tax law or U.S. financial reporting rules,' wrote Leslie A. Robinson, an accounting professor at the Tuck School of Business at Dartmouth College and the author of the report." The Times notes that "no charges have been filed, and it is not clear whether investigators agree with the findings or intend to act on them."

Mnuchin Seeks Dismissal Of Fraud Suit.

USA Today (3/8, McCoy, 5.28M) reports that Treasury Secretary Mnuchin has asked New York County Supreme Court Justice Charles Ramos "to dismiss a multi-million dollar fraud case, arguing the movie industry firm that accused him has 'no legitimate claim.'" In a court filing Tuesday, defense lawyers argued that RKA Film Financing "has not identified a single contact that it ever had with Mr. Mnuchin at any time on any subject." The attorneys also asked that legal sanctions be imposed "against RKA and its lawyers for continuing its case against Mnuchin." In a separate filing last week, however, RKA argued that Mnuchin "was an active and knowing participant in a scheme to defraud."

Watchdogs Asks Bharara To Probe Trump Over Foreign Business Deals.

The Washington Post (3/8, Hamburger, 11.43M) reports that "a trio of watchdog groups has asked" Manhattan US Attorney Preet Bharara "to investigate whether President Trump has received payments or other benefits from foreign governments through his business interests in violation of an obscure clause in the U.S. Constitution." In request, sent by letter to Bharara, "is a novel strategy by ethics critics who have been pressing Trump to comply with the Constitution's 'emoluments clause,' which prohibits top officials from receiving payments

or favors from foreign governments." The Post notes that "Trump's business empire stretches across the globe," and that "the letter was sent six weeks after one of the groups filed a lawsuit in federal district court making a similar claim." Trump "has said he addressed ethics concerns by turning over management of his business to his adult sons, who've said they have separated the family business from their relationship with their father and the U.S. government." NPR (3/8, 1.92M) also reports.

Lawmakers Asked To Probe Icahn's Role With Trump. MSN (3/8, Prentice, 7.46M) reports that the government watchdog group Public Citizen said on Wednesday "it will ask lawmakers to investigate whether billionaire investor Carl Icahn should have been subject to lobbying disclosure laws when he advised President Donald Trump to overhaul the U.S. biofuels program." Icahn, "an unpaid adviser to Trump on regulation, submitted a proposal to Trump last month to change the U.S. Renewable Fuel Standard by shifting the burden of blending biofuels into gasoline away from oil refining companies, and further down the supply chain to marketers." Public Citizen said that, "because Icahn owns a controlling stake in a refinery that could benefit from the proposed change, he may have been required by a 1995 lobbying disclosure law to disclose his discussions with Trump on the subject as lobbying."

CYBER DIVISION

Kentucky Man Sentenced For Hacking Into High School Sports Website.

The AP (3/8) reports Deric Lostutter of Winchester, Kentucky was sentenced to "two years in prison for hacking into a high school sports website to promote his online identity and harass and intimidate the website owner and others." A co-conspirator, Noah McHugh of Alexandria, Virginia, "was sentenced in January to eight months for accessing a computer without authorization."

Holland: Fusion Centers "Can Serve As The Cement" For Public-Private Cybersecurity Mission.

NIC Inc. chief security officer Jayne Friedland Holland writes in Government Computer News (3/8, 1K), "With the explosion of hacktivism and other forms of cyber crimes in recent years, fusion centers have increased their intelligence gathering and their focus on cybersecurity." Holland adds, "Fusion centers can serve as the cement for a shared cybersecurity mission across government, law enforcement and private industry, and state and local governments have a distinct role to play in the fusion centers' work." Furthermore, "State and local governments must interact regularly with fusion centers and encourage more private companies to share information."

Continuing Coverage: Child Pornography Case Dropped After DOJ Refuses To Show Software Code.

The AP (3/8) reports in continuing coverage that federal prosecutors "have dropped child pornography charges against a Washington teacher after the U.S. Justice Department refused to disclose information about a software weakness it exploited during an investigation last year." The AP reports that "charges against Vancouver, Washington, teacher Jay Michaud in U.S. District Court in Seattle were dismissed Monday." In 2015, Michaud "was arrested and accused of downloading child pornography," and "during the child porn investigation, the FBI allowed a secret child porn website on the largely anonymous Tor network to run for two weeks while it tried to identify users by hacking into their computers." The website, "called

Playpen, operated on Tor," and "after arresting Playpen's operator in Florida in early 2015, the FBI let the website continue running for two weeks while trying to identify users, a move the agency said was necessary to apprehend those posting and downloading images of children being sexually abused."

911 DDoS Attack Provides Evidence Of "Potentially Devastating" Smartphone Glitch.

The Christian Science Monitor (3/8, 387K) "Passcode" discusses the case of Meetkumar Hiteshbhai Desai, who faces "four counts of felony computer tampering" for a distributed denial of service attack that overwhelmed 911 systems in three states. Desi "said he didn't intend to cause any harm" but "did surface a potentially devastating glitch in smartphone software that could exact damage on any number of sensitive and critical targets." Passcode adds, "It's exactly the type of attack that national law enforcement officials have been concerned about for years," and DHS "has been working on technology to protect 911 centers from DDoS and telephone-based, or TDoS, attacks for three years." DHS S&T cybersecurity division program manager Dan Massey is quoted saying the incident proved that an attacker can "cause a large number of phones or a large number of computers or a large number of whatever connected device to start generating these calls."

Former FBI Director Discusses Bureau's IT, Cybersecurity Issues.

FedTech (3/8) reports on a speech by former FBI Director Robert S. Mueller III at the CDW Managing Risk Summit about the bureau's IT modernization. Mueller "notes that when he came on board in 2001 the FBI's IT was 'a mess' and was archaic." Upgrades of the networks and network backbone "went fine," but "the FBI's plans to upgrade its software" all at once, on one day in July 2003, "went awry." Mueller is quoted saying, "I never asked the hard questions. The lesson to me was, when it comes to IT and you're running an organization, you better ask the hard questions and it better come from the top." FedTech goes on to cite Mueller discussing the bureau's recruitment and development of cybersecurity talent, "crucial to" which was "the FBI's partnership with other federal agencies, including the National Security Agency."

Former Obama Cyber Official Discusses Technical Skills Training, International Cyberspace Agreements.

The Washington Post (3/8, Fung, 11.43M) features an interview with R. David Edelman, former National Security Council and National Economic Council member under President Obama, who was "among those responsible for crafting U.S. policies on cybersecurity, technology and innovation." Edelman says the stigmatization of non-traditional higher education is "wrong. And as long as we continue to culturally stigmatize that, we're going to have a shortage of labor in" jobs requiring technical skills. Edelman says that job retraining to fill skill gaps or replace jobs lost due to automation "is going to have to be an all-hands on deck thing," involving not just government but academia and employers. Edelman goes on to discuss international agreements over cyberspace, saying, "The way the U.S. can guarantee it won't have a say is to withdraw from everything."

Report: International Treaty Needed To Protect People From "Unfettered Cybersurveillance."

Reuters (3/8, Miles) reports, "The world needs an international treaty to protect people's privacy from unfettered cybersurveillance, which is being pushed by populist politicians preying on fear of terrorism, according to" a report "submitted to the U.N. Human Rights Council by the U.N. independent expert on privacy, Joe Cannataci." Cannataci is quoted saying, "It's time to start reclaiming cyberspace from the menace of over-surveillance."

Republicans Propose Repeal Of Obama-Era Internet Privacy Regulations.

Reuters (3/8, Shepardson) reports Sen. Jeff Flake (R-AZ) introduced a resolution Tuesday with backing from 34 other senators that proposes the undoing of Obama-era regulations that put Internet service providers under closer scrutiny than websites for consumer data protection. Rep. Marsha Blackburn (R-TN) introduced a companion bill in the House Wednesday. Reuters notes that the US Federal Communications Commission temporarily blocked some of the regulations from taking effect last Thursday. ACLU general counsel Neema Singh Giuliani criticized Flake's proposal for "essentially allowing...Comcast, AT&T, and Verizon to sell consumers' private information to the highest bidder."

OTHER FBI NEWS

Jones Named FBI Kansas Special Agent In Charge.

The Kansas City (MO) Star (3/8, Rizzo, 581K) reports that "20-year FBI veteran" Darrin Jones has been named special agent in charge of the FBI's Kansas City Division. "Jones is replacing Eric Jackson, who is leaving to head the FBI office in Dallas," the Star says. Jones, a native of Nebraska, "most recently served as an executive within the Technical Collections Branch of the FBI's Operation Technology Division in Quantico, Va," the Star reports.

AP Chronicles Levinson Case In Timeline.

The Miami Herald (3/8, 856K) posts to its website an AP timeline of events in the case of "Robert Levinson, a former FBI agent who vanished while in Iran on an unauthorized CIA mission." The timeline, which begins with Levinson's disappearance March 2007, continues through March 2017 with an entry that reads: "As Levinson's family marks 10 years since his disappearance, they say they hope President Donald Trump can draw on his background as a dealmaker to bring him home."

OTHER WASHINGTON NEWS

Media Analyses: Trump Moves To Calm GOP "Revolt" Over Healthcare Bill.

Much of the coverage of the debate over the American Health Care Act deals with efforts by House Speaker Ryan and other congressional GOP leaders to forge party unity. But there is also significant coverage of President Trump's role in trying to get conservatives to support the bill. Several reports and analysts say this is Trump's first opportunity to prove he is the dealmaker he campaigned as; analyses also cast the debate as one of the first times that Trump has been on the side of the party establishment and facing opposition from the populist wing.

Though the three broadcast networks spent more than eight minutes combined on the story, none led with it. ABC World News Tonight  (3/8, story 4, 3:35, Muir, 14.63M) reported, "With his healthcare plan under siege from Democrats and Republicans too, House

Speaker Paul Ryan is trying to calm the storm." Ryan: "I have no doubt we'll pass this because we're going to keep our promises. We're going through the inevitable growing pains of being an opposition party to becoming a governing party." ABC's Mary Bruce: "But now, the nation's leading healthcare groups are piling on, joining AARP to denounce the plan. In a letter to Congress, the American Medical Association citing the 'expected decline in health insurance coverage and the potential harm it would cause to vulnerable patient populations.' President Trump has promised insurance for everybody." Kellyanne Conway: "He has committed that no one will lose their insurance and everyone will have access to coverage. Everyone will have access to coverage. He has assured that."


NBC Nightly News (3/8, story 3, 2:25, Holt, 16.61M) said there is a "growing revolt inside the Republican Party over the GOP's plan to replace Obamacare – a hard sell for GOP leaders, stressing these are just the beginning stages, expressing confidence they'll win enough support to get it done. And President Trump getting involved in a full-court press as millions of Americans' healthcare hangs in the balance." NBC's Hallie Jackson: "After campaigning on his art of the deal..." Trump: "Everybody wants me to negotiate. That's what I'm known as, a negotiator." Jackson: "...the ultimate test now of whether he can close one. President Trump hard-selling healthcare with the bill he backs in big trouble, even with conservatives."


The CBS Evening News (3/8, story 5, 2:15, Pelley, 11.17M) reported, "At the White House tonight, President Trump returned to dealmaking as he tried the persuade conservative leaders to support the Republican replacement for Obamacare," which "is meeting more opposition than expected." CBS' Nancy Cordes: "Republicans began pushing their Obamacare replacement bill through two House committees today, trying to outpace mounting criticism."


Phil Mattingly reported on CNN's The Lead (3/8, 320K) that "GOP leaders blitzed their members behind closed doors today with House Majority Whip Steve Scalise placing a split-screen slide on a projection screen of Trump and House Minority Leader Nancy Pelosi. The question Scalise asked: 'Whose side are you on?' The GOP aides realize it will take more than that as conservatives continue to threaten to sink the bill altogether."


Chuck Todd said on MSNBC's MTP Daily (3/8) that the Republican Party "has an identity crisis, at least when it comes to ideology. The healthcare fight has exposed the growing divide between the party's old fashioned movement conservative base and its new nationalist president." The Washington Post (3/8, Weigel, 11.43M) reports that the President met with conservative leaders at the White House on Wednesday evening after other meetings earlier in the day, and The Hill (3/8, Fabian, Wong, 1.25M) says that members of the House Freedom Caucus have been invited to the White House "next week for a pizza dinner and policy discussion at the bowling alley." But Axios (3/8, Swan) says "the message from the conservatives is clear: It's going to take more than schmoozing to change their minds on the Obamacare replacement plan the House Republican leadership wants. They want big, substantive changes – enough to make it a fundamentally different bill."

The Washington Post (3/8, Costa, Weigel, 11.43M) says that Trump's "salesmanship" on the bill has so far been uncharacteristically "understated. ... There is still urgency in his efforts, just markedly less Trump." There have been no "skewering tweets" or "raging news conferences." Instead, the President "is quietly courting wary conservatives in private meetings and keeping himself somewhat out of the picture as party leaders and his Cabinet

officials defend the plan." Bloomberg Politics (3/8, House, 201K) reports that OMB Director Mulvaney has told House Republicans that the President "is 'agnostic' on the details of the plan, suggesting the current draft could face alterations."

Politico (3/8, Dawsey, Bade, 2.46M) reports the President on Wednesday told conservatives that the bill was "strong and necessary," though just "minutes later his top aides offered some willingness to consider changing some of the core provisions. ... In other words, Trump was ready to deal." The Hill (3/8, Roubein, Hellmann, 1.25M) reports that the conservative Republican Study Committee, which consists of 172 House members, wants to "change the structure of the tax credits in the bill to make them partially refundable" and freeze enrollment in the Affordable Care Act's Medicaid expansion.

The Washington Times (3/8, Sherfinski, 272K) reports that Kellyanne Conway told Fox News, "The President is confident that the American Health Care Act will pass the House and the Senate and [will] become the law – absolutely. He is really husbanding this through. Some people suggested that he be the closer. Some people suggested he be the leadoff batter. The President and the Vice President are all in here."

Chris Cillizza of the Washington Post (3/8, 11.43M) writes, "Donald Trump was elected president on this basic idea: Everyone currently in the government is dumb and makes bad deals. I am smart and make good deals." The healthcare bill is "where the rubber meets the road for Dealmaker Donald. If this bill goes down, it's a major political problem for Republicans," angering the base and potentially alienating "independents who voted for Trump believing he might, maybe, actually be able to change things."

Politico (3/8, Nussbaum, Haberkorn, 2.46M) says that while Trump "built his career in large part by plastering his name" on his properties, he appears to have no interest in having his name attached to the healthcare legislation. The Hill (3/8, Easley, Kamisar, 1.25M) reports that Democrats have been "branding the legislation 'TrumpCare' in their attempt to derail it," but Republicans and the White House are "rejecting the term." #TrumpCare is the emerging Twitter hashtag for critics of the legislation, though comments with the more neutral hashtag #AHCA were also heavily negative toward the bill.

Mulvaney Says CBO Score For Bill Will Be "Really Good" Or "Great." OMB Director Mulvaney was asked on MSNBC's Morning Joe  (3/8, 270K) about concerns that legislators will not know the cost of the bill before they have to vote on it. Mulvaney said, "It is not unusual for us to take up bills in committee without a CBO score. ... That CBO score will be there before the final vote. Just as importantly, however, this is a reconciliation bill. We all know it's going to score positive to helping out the deficit, to spending less money, another thing conservatives should be supportive of." The Washington Times (3/8, Sherfinski, 272K) reports that Mulvaney added that the score "will be 'really good' or 'great.'"

The Hill (3/8, Fabian, 1.25M) reports that the White House was critical of the CBO, with press secretary Sean Spicer saying the CBO "was 'way off last time' in its cost estimate of the Affordable Care Act." Spicer added, "If you're looking at the CBO for accuracy, you're looking in the wrong place."

Ryan Says He Has "No Doubt" That Bill Will Pass. The AP (3/8, Fram, Alonso-Zaldivar) reports that House Speaker Ryan and other Republican leaders are also trying to unify the GOP caucus. Ryan "praised the proposal as 'what good, conservative health care reform looks like' as lawmakers cast Congress' first votes on the GOP legislation." The AP says their goal of getting the bill through the House Ways and Means Committee and Energy and Commerce Committee by the end of the week "seemed likely." The Wall Street Journal (3/8, A1, Armour, Hackman, Rubin, Subscription Publication, 6.37M) says there was no significant

dissent in committee among Republicans on Wednesday, though USA Today (3/8, Groppe, 5.28M) and Politico (3/8, Caygle, 2.46M) both report that Democrats, who know that they cannot kill the bill, are trying to delay passage for as long as possible in the hopes of exacerbating divisions in the larger GOP caucus.

The Los Angeles Times (3/8, Levey, Mascaro, 4.52M) reports that Ryan "said he had 'no doubt' the bill would pass, brushing off discontent from opponents as the 'inevitable growing pains' of tackling a difficult policy now that Republicans control the White House as well as Congress." The Washington Times (3/8, Howell, Dinan, 272K) says that Ryan "also said his troops have had months to review their blueprint and offer feedback, so it's time to get moving."

House Ways and Means Chairman Kevin Brady writes in a USA Today (3/8, 5.28M) op-ed, "Obamacare has harmed far more people than it has helped. As President Trump said in his recent address to Congress, 'Obamacare is collapsing,' and 'decisive action must be taken to protect all Americans.' With the American Health Care Act, House Republicans are answering President Trump's call to action." The Minneapolis Star Tribune (3/8, Rao, 1.27M) reports that Minnesota's three GOP members of the House said Wednesday that they support the bill.

The Wall Street Journal (3/8, Subscription Publication, 6.37M) says in an editorial that while the AHCA is flawed, it is the best available option. A repeal bill without replacement would likely fail in the Senate, and if it did pass would create chaos at the state level and among insurers. The Journal also says that the tax credits that are now angering conservatives have been a regular feature of past GOP healthcare bills. Karl Rove similarly writes in his Wall Street Journal (3/8, Subscription Publication, 6.37M) column that the bill is similar to past GOP efforts and repeals many of the worst aspects of the ACA.

House Ways And Means Approves GOP Healthcare Bill On Party-Line Vote. The AP (3/9, Alonso-Zaldivar, Fram) reports that the House Ways and Means Committee voted 23-16 along party lines to approve the American Health Care Act, "an initial triumph" for Republicans that came just before 4:30 a.m. on Thursday. The House Energy and Commerce Committee continues its work on the bill.

Cotton Warns GOP Is "Moving A Little Bit Too Quickly." Sen. Tom Cotton said on MSNBC's Morning Joe  (3/8, 270K), "I think we are moving a little bit too quickly on healthcare reform. ... We have only had this bill in public 36 hours and to rush it through this week and then vote on it within the next few weeks really does hearken back to some of the problems that Obamacare was graded under." The Washington Times (3/8, Sherfinski, 272K) reports on Cotton's remarks.

Paul Calls For Vote On "Clean Repeal" Before Consideration Of Replacement. McClatchy (3/8, Tate, 74K) reports that Sen. Rand Paul has emerged as one of the most vocal critics of the bill. He "is firmly allied with members of the conservative House Freedom Caucus in a dogged effort to defeat" the bill. Paul says the House should again vote on the same ACA repeal measure that passed last year but was vetoed by President Obama. Paul said, "We are united on repeal, but we are divided on replacement. What's the best way to get past this impasse? Let's vote on what we voted on before: a clean repeal."

The Washington Times (3/8, Sherfinski, 272K) reports Paul told MSNBC that "the White House is in the midst of a 'charm offensive' to try to cajole wary conservatives who have criticized" the House bill. Politico (3/8, Everett, 2.46M) reports under the headline "Rand Stands Up To Trump On Obamacare" that while the President has urged Paul to back the bill, he "is not backing down" and is instead pushing his own measure. Paul said on MSNBC's

Morning Joe  (3/8, 270K), "The House plan is Obamacare lite. ... My plan would legalize freedom and competition. We would get rid of all the mandates so inexpensive insurance could be sold. We would allow health saving accounts to expand. Every Republican agrees with that."

Politico Analysis: Bill Puts Heritage Foundation At Odds With Trump And GOP. Politico (3/8, Cook, Restuccia, 2.46M) reports under the headline "An Outsider Becomes An Insider" that while "the Heritage Foundation has been cozying up to top Trump aides and congressional leaders for months," the "first major bill that Republicans proposed this week – to repeal and replace Obamacare – runs completely afoul of Heritage's priorities and threatens to upend a critical relationship between conservative activists and the Trump administration." Politico spoke with Heritage staff members to get "an inside look at how the group is trying find a middle ground between agitator and dealmaker."

Breitbart Goes On Attack Against AHCA. Business Insider (3/8, Darcy, 3.42M) reports that though Breitbart "has been reluctant lately to skewer former Republican National Committee members who now work inside the Trump administration," that "appeared to change" this week with the unveiling of the AHCA, "which Trump supports. The website deemed it 'Obamacare 2.0' and told its readers the legislation 'gives illegal aliens healthcare through identity fraud' and amounted to 'GOP welfare entitlement.'" A Breitbart report also "went after Spicer for 'inaccurately' claiming the bill 'fully repeals Obamacare.'"

Trump Meets With AFL-CIO's Trumka, Who Remains Strongly Opposed To Bill. Breitbart (3/8, Munro, 2.02M) reports that the President met with AFL-CIO President Richard Trumka on Wednesday afternoon, but that the meeting did little to win over the union leader. Trumka said of the AHCA, "This isn't a healthcare plan at all. It's a massive transfer of wealth from working people to Wall Street…it's bad for healthcare, It's bad for working families, it's bad for our economy and we will fully oppose it."

Major Hospital Associations Announce Opposition To Bill. USA Today (3/8, O'Donnell, 5.28M) reports, "Associations representing virtually every type of hospital wrote members of Congress Wednesday to voice their opposition to the Republican plan to replace the Affordable Care Act." A letter from seven hospital associations reads in part, "We are very concerned that the draft legislative proposal being considered by the House committees could lead to tremendous instability for those seeking affordable coverage." The New York Times (3/8, A1, Goodnough, Kaplan, Pear, Subscription Publication, 13.9M) says that "all major hospital groups, including the American Hospital Association, the Association of American Medical Colleges, the Catholic Health Association of the United States and the Children's Hospital Association, came out against the Republican bill."

In addition, McClatchy (3/8, Welsh, 74K) reports that the American Medical Association said the AHCA "endangers expanded treatment for opioid abuse, an epidemic that kills 91 Americans each day." The Wall Street Journal (3/8, Armour, Subscription Publication, 6.37M) has a feature on how those currently covered by the ACA are preparing for the potential loss of coverage. The New York Times (3/8, Quealy, Sanger-Katz, Subscription Publication, 13.9M) "The Upshot" looks at "Who Wins And Who Loses" under the GOP plan.

WPost Analysis: Bill "Would Provide Major Tax Breaks" To Wealthiest Americans. The Washington Post (3/8, Snell, 11.43M) writes that the AHCA "could create a major shift in taxes for low-and-middle income people while delivering a big tax break to the rich." The Post says the legislation "would provide major tax breaks for the wealthiest one percent of the population. Low-income people are most likely to see their credits slashed while middle-income earners could have access to bigger, better credits down the line."

LATimes Analysis: Bill's Abortion Provision "Could Make It Impossible" For Californians To Get Tax Credits. The Los Angeles Times (3/8, Mason, 4.52M) reports that an antiabortion provision in the AHCA "could make it impossible for most Californians to take advantage" of the bill's proposed tax credits. The measure would offer such credits "to people who do not get insurance from their employer, but it would prohibit that money from being spent on plans that cover abortion – a ban that would make virtually all health plans in the state ineligible for such credits." California Insurance Commissioner Dave Jones said the "House GOP proposal 'is directly at odds with California law and California's constitutional protection of an individual's right to have access to abortions.'"

Quinnipiac Poll: More Than Half Say Sessions Lied Under Oath, Should Resign.

More than half of respondents to a Quinnipiac poll released this week said Attorney Genera; Sessions "lied under oath" during his confirmation hearing and should resign, Politico (3/8, Nelson, 2.46M) reports. According to the poll, 52 percent "said Sessions was guilty of lying under oath when he told the Senate Judiciary Committee that he had not been in contact with any Russian official when he had, in fact, met twice with Russia's ambassador to the U.S. during the presidential campaign," and 51 percent "said Sessions should resign over the controversy."

However, in an analysis piece in "The Fix" blog of the Washington Post (3/8, Blake, 11.43M), Aaron Blake notes that "upon further inspection, there are a few reasons for skepticism" about the poll numbers. Blake notes that "the question Quinnipiac asked doesn't include Sessions's actual response – nor does it include the actual question that Sen. Al Franken (D-Minn.) asked him." Blake points out that Sessions "has argued that the context of the exchange is relevant here; he said that his meeting with Russian Ambassador Sergey Kislyak was in his official capacity and that his answer to Franken was in the context of the campaign." Blake also notes "a real disconnect between the number of people who think Sessions lied and those who think he broke the law," and he concludes that "this poll seems to be a great example of the way you ask the question determining the answers you get." CBS News (3/8, 4.4M), Roll Call (3/8, Chuang, 63K), Vox (3/8, Gardenswartz, 1.15M), and CNN International (3/8, Mueller, 598K) also report on the poll.

INTERNATIONAL NEWS

Coalition Airstrikes On ISIS Up Nearly 50% From Same Time Last Year.

According to USA Today (3/8, Michaels, 5.28M), the US-led coalition has dropped "a record number of bombs on Islamic State targets so far this year, a sign of intensified action even before President Trump has had a chance to deliver on his promise of ramped-up efforts to defeat the radical group." The coalition dropped "7,494 bombs, rockets and other munitions in Iraq and Syria during the first nine weeks of this year, up nearly 50% from 5,025 during the same period in 2016 and nearly double 4,100 strikes in 2015, according to statistics provided to USA TODAY." Lt. Gen. Jeffrey Harrigian, who commands US air operations in the Middle East, told USA TODAY in a phone interview, "Anytime the enemy has shown their face or provided an opportunity to identify where they were…we've targeted them."

US Drone Technology Helping In Battle For Mosul. The CBS Evening News (3/8, story 6, 2:10, Pelley, 11.17M) reported that despite ISIS' use of car bombs against the US-backed Iraqi military in Mosul, Iraqi forces are "gaining ground every day," in part because

of the help of a $1.5 million US drone – known as "The Shadow" – that helps the American-led coalition call in airstrikes targeting ISIS positions.

Haley: "We Need To Get Iran" Out Of Syria.

Reuters (3/8, Nichols) reports Ambassador Haley said Wednesday that Syria can no longer be a "safe haven for terrorists" and that it was important "we get Iran and their proxies out." Speaking to reporters after UN special envoy Staffan de Mistura briefing the Security Council, Haley "did not respond to questions on whether the United States believed Syrian President Bashar al-Assad...should step down." Said Haley, "The United States absolutely supports Staffan de Mistura and the work that he's doing, we support the UN process, we support the talks in Geneva, we want to see them continue." The AP (3/8, Lederer), meanwhile, reports that de Mistura said yesterday that he intends to hold a "fifth round of talks on March 23" in Geneva.

Opposition Group: Iran Has Spent "Up To $100 Billion" In Syria Since 2013. The Washington Times (3/8, Scarborough, 272K) reports Iran has spent "up to $100 billion the last five years financing operations in Syria that were instrumental in keeping President Bashar Assad in power, according to a new book" by an Iranian opposition group. The National Council of Resistance of Iran estimates that Tehran has paid "nearly $100 million a year in salaries to a grab-bag of mercenaries it sent to Syria" under the direction of the Quds Force.

Pentagon: Marines On The Ground In Syria Ahead Of Raqqa Offensive.



Fox News' Special Report (3/8, 1.53M) reported the Pentagon has confirmed that US Marines are on the ground in Syria. The Marines, on a "specific mission...directed by the President," are in addition to US Special Operations forces that were recently deployed to northwest Syria. Barbara Starr reported on CNN's Situation Room  (3/8, 554K) that the Pentagon won't provide details on the location or exact number of Marines, but the AP (3/8, Baldor) reports the number is around "a couple hundred" and their deployment "is temporary." Still, the AP says "it is likely an early indication that the White House is leaning toward giving the Pentagon greater flexibility to make routine combat decisions" in the fight against ISIS. According to the Washington Post (3/8, Lamothe, Gibbons-Neff, 11.43M), the Marines were deployed "in support of the fight to take back...Raqqa," and are "part of the 11th Marine Expeditionary Unit, which left San Diego on Navy ships in October."

According to an exclusive Reuters (3/8, Stewart) report, the Administration is also "weighing a deployment of up to 1,000 American soldiers to Kuwait to serve as a reserve force" in the fight against ISIS. US officials said "proponents of the option...said it would provide US commanders on the ground greater flexibility to quickly respond to unforeseen opportunities and challenges on the battlefield." However, it is unclear whether the proposal had the support of Defense Secretary Mattis.

US Official: ISIS Leaders Fleeing Raqqa. The New York Times (3/8, Gordon, Subscription Publication, 13.9M) reports that as US-backed Syrian fighters close in on Raqqa, "some of the Islamic State's leaders have fled their self-declared capital and are planning to carry on the fight from other sanctuaries in Syria and Iraq, an American defense official said on Wednesday." However, the official cautioned that their departure "does not mean that the battle to take Raqqa will be easy."

WPost A1 Analysis: US Forces Drawn Into Struggle Among Kurdish, Arab Allies.

The Washington Post (3/8, A1, Sly, 11.43M) reports on its front page that the US military is "getting drawn into a deepening struggle for control over areas liberated from the Islamic State that risks prolonging American involvement" in the war long after the militants are defeated. For example, the Post says US troops "have headed in recent days to the northern town of Manbij...to protect their Kurdish and Arab allies against a threatened assault by other US allies in a Turkish-backed force." The Manbij deployment "has not yet affected US plans for taking Raqqa," according to Pentagon spokesman, Capt. Joe Davis, "but it does raise new questions about the viability of the US plan to capture Raqqa, an overwhelmingly Arab city, by a force that is commanded mostly by Kurds."

Warplanes Bomb East Of Damascus Despite Ceasefire.

Reuters (3/8, Perry, Al-Khalidi) reports warplanes bombed "rebel-held towns east of Damascus on Wednesday, striking residential areas where Russia had declared a ceasefire less than 24 hours earlier and leaving dozens injured," according to residents, rebels and the Syrian Observatory for Human Rights. "At least 30 air raids hit the region on Wednesday, along with dozens of artillery rounds and ground-to-ground missiles fired from government-held areas."

Iraqi Forces Capture Last Major Road In Western Mosul.

Reuters (3/8, Coles, Davison) reports Iraqi forces battled ISIS militants Wednesday in Mosul, capturing control of "the last major road leading west from the city." The road links Mosul to Tal Afar, another ISIS stronghold 40 miles to the west, and then to the Syrian border.

US Official: Al-Baghdadi Has Fled Mosul.

AFP (3/8) reports a US defense official said Wednesday that ISIS leader Abu Bakr al-Baghdadi "has fled Mosul and has apparently delegated tactical control of the battle for the city to local commanders." The official said Baghdadi fled "some time before Iraqi security forces surrounded the city during an offensive to retake it." The Washington Times (3/8, Muñoz, 272K) says that while US military and intelligence officials "do not have a location on al-Baghdadi's whereabouts," the Pentagon "was wary to characterize the Islamic State leader as 'on the run.'" Reuters (3/8, Coles, Walcott, Chmaytelli) reports that US intelligence sources also "point to a sharp drop in Islamic State postings on social media as evidence that Baghdadi and his circle have become increasingly isolated."

ISIS Claims Deadly Attack On Afghan Military Hospital.

ABC World News Tonight (3/8, story 8, 0:25, Muir, 14.63M) reported ISIS has claimed responsibility for a suicide attack on a military hospital in Afghanistan that left at least 30 people dead and "some 50 wounded." NBC Nightly News (3/8, story 5, 1:35, Holt, 16.61M) said the attack happened in Kabul, "just yards from the US Embassy." According to the CBS Evening News (3/8, story 9, 0:20, Pelley, 11.17M), ISIS militants disguised themselves as doctors and "went floor-to-floor with automatic rifles and grenades." According to the AP (3/8, Faiez, Shah), the "brazen assault" demonstrates the capability of Afghan

militants "to stage large-scale and complex attacks" in Kabul's "heavily-guarded diplomatic quarter." Afghan President Ashraf Ghani said the attack "trampled on all human values." The New York Times (3/8, Mashal, Abed, Subscription Publication, 13.9M) quotes Afghan Ambassador to the US Dr. Hamdullah Mohib calling the attack "an abhorrent new low" and "a cowardly, wicked act."

US Rejects China's Call To Halt Drills If North Korea Suspends Tests.

The AP (3/8, Lederer) reports the US on Wednesday rejected China's proposal for a halt to joint US-South Korean military exercises if North Korea suspends its nuclear and missile activities. State Department spokesman Mark Toner said, "At this point we don't see it as a viable deal." At the Pentagon, spokesman Cmdr. Gary Ross said US activities to defend South Korea "cannot be equated to North Korea's repeated violations of its obligations and agreements."  Fox News' Special Report (3/8, 1.53M) showed Toner saying, "This is apples and oranges. ... What we're doing in terms of our defense cooperation with South Korea is in no way comparable to the blatant disregard North Korea has shown with respect to international law and international concerns – repeatedly – about its nuclear weapons program."

At the UN on Wednesday, USA Today (3/8, Bacon, 5.28M) reports Ambassador Haley said North Korea's nuclear and ballistic missile programs defy international law and should not be negotiated. "I appreciate my counterparts wanting to talk about talks and negotiations, but we are not dealing with a rational person," Haley said at a news conference with the ambassadors from South Korea and Japan. Haley said Kim must take "positive action" before he can be taken seriously at the negotiating table and urged UN members to tighten sanctions against Pyongyang. Haley, Reuters (3/8, Nichols) reports, also told reporters that "all options are on the table" with regards to dealing with North Korea.

According to Bloomberg Politics (3/8, Wadhams, 201K), US officials now acknowledge "that US efforts to curtail North Korea's nuclear ambitions have failed," and Secretary of State Tillerson will use a trip to Asia next week "to look at new ways of approaching a problem that has vexed American presidents since Bill Clinton." Toner told reporters yesterday, "All of the efforts we have taken thus far to attempt to persuade North Korea to engage in meaningful negotiations have fallen short, to be honest. So we need to look at new ways to convince them, to persuade them, that it's in their interests." Bloomberg calls Toner's remarks "a rare and frank public admission from the US government that the approach taken toward North Korea in recent years...hasn't worked and isn't likely to now."

Son Of Kim Jong-Nam Appears In New Online Video. Coverage of the alleged assassination of Kim Jong-un's half-brother continued Wednesday.  CNN's Situation Room (3/8, 554K) reported Kim Han-sol, the son of Kim Jong-Nam, has appeared in a "bizarre" new video in which he acknowledges his father's death and "says...he's with his mother and sister, but doesn't say where." The video was posted online by a group called Cheollima Civil Defense, which said it had "responded to an emergency request by Kim Jong-Nam's family" after he was killed last month at the Kuala Lampur airport.

US General: Russia Has Deployed Banned Missile.

The New York Times (3/8, Gordon, Subscription Publication, 13.9M) reports Gen. Paul Selva, the vice chairman of the Joint Chiefs of Staff, told Congress Wednesday that Russia has

deployed "a prohibited cruise missile, the first public confirmation by the United States that the Kremlin had fielded the weapon in violation of a landmark arms control agreement." The missile is believed to have been moved in December from a test site in southern Russia to an undisclosed operational base. "We believe that the Russians have deployed a land-based cruise missile that violates the spirit and intent of the Intermediate Nuclear Forces Treaty," Gen. Selva told the House Armed Services Committee. "The system itself presents a risk to most of our facilities in Europe," he added. "And we believe that the Russians have deliberately deployed it in order to pose a threat to NATO and to facilities within the NATO area of responsibility." The AP (3/8, Burns) reports Selva also "said he sees no indication that Moscow intends to return to compliance with the 1987 Intermediate-range Nuclear Forces Treaty," and Reuters (3/8, Ali) reports he said the US has brought up the issue with Russia.

Khodorkovsky: Window For Reaching Deal With Russia Narrow. Russian opposition leader Mikhail Khodorkovsky writes in the Wall Street Journal (3/8, Subscription Publication, 6.37M) that Russian are waiting to see if President Trump and President Vladimir Putin can reach some kind deal, but cautions that each side must understand the needs and desires of the other. He warns that the window for reaching such a deal is very narrow. Mr. Trump's brashness has stopped at attacking Mr. Putin personally. That atypical restraint horrified many Russia hawks in the West. But it may turn out that Mr. Trump took a better approach. Whether accidentally or by design, he has left the door open for Mr. Putin to make a graceful exit. That would be good for everyone.

Khodorkovsky told the Washington Free Beacon (3/8, Gertz, 115K) in an interview that the Administration has "a unique chance to persuade...Putin to give up power and return the country to the path of democratic political reform." Said the Russian opposition figure, "The only opportunity to seriously change things in the relations between Putin and America under [the Trump] administration would be to convince Putin that it is in his best interest to leave power while this administration is in power. Then all the other problems can and will be solved."

NYTimes A1: Western Governments View Russia's RT As Kremlin Tool. In a front-page story, the New York Times (3/8, A1, Erlanger, Subscription Publication, 13.9M) examines charges from Western governments that RT is "an agent of Kremlin policy and a tool directly used by President Vladimir V. Putin to undermine Western democracies" by meddling in the US presidential election and, "European security officials say, trying to do the same in the Netherlands, France and Germany, all of which vote later this year." Even as Russia insists that RT is "just another global network like the BBC or France 24," many Western countries regard it as "the slickly produced heart of a broad, often covert disinformation campaign designed to sow doubt about democratic institutions and destabilize the West."

State Department Approves Resumption Of Arms Sales To Saudi Arabia.

The Washington Post (3/8, Ryan, Gearan, 11.43M) reports that the State Department has approved a resumption of weapons sales "that critics have linked to Saudi Arabia's bombing of civilians in Yemen, a potential sign of reinvigorated US support for the kingdom's involvement" in the ongoing civil war there. According to the Post, the proposal from the State Department "would reverse a decision made late in the Obama administration to suspend the sale of precision guided munitions to Riyadh." Secretary of State Tillerson's approval this week of the measure, "which officials say needs White House backing to go into effect, provides an early indication of the new administration's more Saudi-friendly approach to the conflict in Yemen, and a sign of its more hawkish stance on Iran." The move comes as AFP (3/8) reports

Amnesty International on Thursday accused the Saudi-led coalition of using "banned cluster munitions in raids on residential areas."

Chinese Outlets Mistakenly Publish Media Satire On Trump As Real News.

The New York Times (3/8, Hernández, Subscription Publication, 13.9M) reports that several Chinese publications reported this week that a "frantic President Trump, holding court in a bathrobe, ordered his aides to wrap the White House telephones in tinfoil," citing The New Yorker. However, the article by the comedian Andy Borowitz "was satire." The Times notes that "it was not the first time that American humorists have unintentionally duped the Chinese news media." In 2012, People's Daily, reported that North Korean leader Kim Jong-un had been named "Sexiest Man Alive for 2012," based on a satirical article in The Onion.

Malaysia Airlines Marks Third Anniversary Of Plane's Disappearance.

The New York Times (3/8, Belopotosky, Subscription Publication, 13.9M) reports on the third anniversary of "one of the biggest aviation mysteries of all time" – the disappearance of Malaysia Airlines Flight 370 on a routine flight from Kuala Lumpur to Beijing. The flight's disappearance prompted "the largest and costliest search in aviation history."

Worldwide Protests Held On International Women's Day.

The CBS Evening News  (3/8, story 7, 1:55, Pelley, 11.17M) reported that Wednesday marked International Women's Day, and "from New York to Los Angeles, Istanbul to St. Petersburg, women walked off their jobs to protest." Fox News' Special Report  (3/8, 1.53M) said women held "rallies on almost every continent including several in the Middle East, calling attention to lower wages, sexual harassment, discrimination, and other issues women face every day." In fact, reported CNN's Situation Room  (3/8, 554K), the UN held "their own series of events to promote universal paid parental leave." The New York Times (3/8, Times, Subscription Publication, 13.9M) similarly reports that "people and governments across the globe observed it in an outpouring of support for women's equality and empowerment." ABC World News Tonight  (3/8, story 9, 0:25, Muir, 14.63M) noted the protests are international, while NBC Nightly News  (3/8, story 7, 1:20, Holt, 16.61M) focused solely on domestic protests.

In a separate report, the New York Times (3/8, Minder, Subscription Publication, 13.9M) focuses on Spanish women, who it says "have made tremendous advances in recent years as the revolt against mainstream parties helped break down some old-boy networks," but that "upheaval, the women say, has also laid bare the deeply entrenched sexism and machismo" in the nation's political establishment.

WSJournal: UK Budget Will Not Create Growth Amid Brexit.

A Wall Street Journal (3/8, Subscription Publication, 6.37M) editorial says the budget plans released Wednesday by UK Chancellor Philip Hammond are too cautious to allow the nation to grow outside of Europe amid its exit from the EU. If the UK is going to attract investors, the

Journal argues that it needs to make dramatic cuts in corporate- and personal-tax rates, create a welcoming regulatory environment, and improve its fiscal discipline.

THE BIG PICTURE

Headlines From Today's Front Pages.

Wall Street Journal:
FBI Probing How WikiLeaks Got CIA Spy Tools
Opposition Mounts As GOP's Health Bill Undergoes Review
Stocks Have Tripled Since Crisis, But Low Rates Are Still Squeezing Savers
New Force On Wall Street: The "Family Office"

New York Times:
Health Groups Denounce GOP Bill As Its Backers Scramble
Ethics Questions Dogged Agriculture Nominee As Georgia Governor
Years Of Ethics Charges, But Star Cancer Researcher Gets A Pass
Trump's New Ban Leaves Few Spots For Refugees, Even The Hunted
In Puerto Rico, Teachers' Pension Fund Works Like A Ponzi Scheme
Russia's RT Network: Is It More BBC Or KGB?
After Deadly Attack On Kabul Hospital, "Everywhere Was Full Of Blood"
"Day Without A Woman" Protest Tests A Movement's Staying Power

Washington Post:
Trump's Trillion-Dollar Promise Hits Traffic Early
Industry Players Sharply Criticize GOP Health Plan
Plan Would Cut HUD's Budget By $6 Billion
In Syria, US Forced To Play Referee
Massive Scale Of CIA's Digital Efforts Revealed

Financial Times:
US And North Korea On Collision Course, Says China
Merkel Says Government Not To Blame For VW Scandal
Tech Groups Respond To WikiLeaks Security Alert
SoftBank To Sell 25% Of Arm To Saudi-Backed Fund

Washington Times:
Green Groups Hope To Argue Environmental Cases Disregarded By Trump Administration
Trump's Get-Tough Policies Credited For Sharp Plunge In Illegal Immigration
On "A Day Without A Woman," It's Business As Usual For Most
Democrats Mount Fierce Opposition To GOP Health Care Plan
China Pivots On North Korea As US Missile Defense System Arrives In South
Iran's Leader, Military Spend Billions On Terror And Weapons, Iranian Dissidents Report

Story Lineup From Last Night's Network News:
ABC: High Winds, Wildfires; Weather Forecast; CIA-WikiLeaks Security Breach; Healthcare Reform Plan; Trump-Obama Wiretap Claim; Jewish Community Centers Threats; Mississippi Railroad Crossing Accident; Afghanistan ISIS Attack; Women's Day Protests; Cruise Ship

Close Call; Florida Home Firefighting; OJ Simpson Parole Hearing; Statue Of Liberty Lights Out; Lost Dog Found.
CBS: Trump-Obama Wiretap Claim; Trump-Russia Connection Investigation; Trump-Russia-Expert Comment; CIA-WikiLeaks Security Breach; Healthcare Reform Plan; Mosul-US Drone Strikes; Women's Day Protests; Mississippi Railroad Crossing Accident; Afghanistan ISIS Attack; Wildfires; Malta Natural Landmark Collapsed; Wall Street Girl Statue.
NBC: CIA-WikiLeaks Security Breach; Cyber Security At Home; Healthcare Reform Plan; Wildfires; Afghanistan ISIS Attack; Marine-Female Photo Scandal; Women's Day Protests; Hidden Rehab Bill; High Wind Pushes Plane; Florida Home Firefighting; Arkansas Magician Pulled Over; Former NFL Player Therapist.

Network TV At A Glance:
Healthcare Reform Plan – 8 minutes, 15 seconds
CIA-WikiLeaks Security Breach – 6 minutes, 5 seconds
Wildfires – 4 minutes, 45 seconds
Mississippi Railroad Crossing Accident – 3 minutes, 40 seconds
Women's Day Protests – 3 minutes, 40 seconds
Afghanistan ISIS Attack – 2 minutes, 20 seconds
Trump-Obama Wiretap Claim – 1 minute, 45 seconds

Story Lineup From This Morning's Radio News Broadcasts:
ABC: Healthcare Reform Plan; High Wind Pushes Plane; North Korea-Missile Launch; Panamanian Dictator Health; Wall Street News.
CBS: Healthcare Reform Plan; CIA-WikiLeaks Security Breach; North Korea-Nuclear Material Sale; Syria-Marine Deployment; High Winds; Wall Street News.
FOX: Healthcare Reform Plan; CIA-WikiLeaks Security Breach; Women's Day Protests; High Winds.
NPR: Healthcare Reform Plan; House-Defense Spending Bill; US Labor Market-Immigrants; Los Angeles-Sales Tax.

WASHINGTON'S SCHEDULE

Today's Events In Washington.

White House:
PRESIDENT TRUMP — Leads an NEC listening session with CEOs of small and community banks; has a legislative affairs lunch regarding the Federal budget; meets with former Secretary of Commerce Pete Peterson; meets with Secretary of Homeland Security John Kelly and Director of the CIA Mike Pompeo; makes remarks to the Senate Youth Program.
VICE PRESIDENT PENCE — Participates in a radio interview with the Rocky Boiman Show; participates in a radio interview with West Michigan's Morning News; participates in a radio interview with Mornings with Kelly Golden; holds a series of meetings with lawmakers; gives keynote remarks at the Latino Coalition's Policy Summit; participates in an interview with FOX News Channel's Bret Baier; joins the President for a meeting with the Secretary of Homeland Security John Kelly and Director of the CIA Mike Pompeo; joins the President for a visit with the Senate Youth Program; hosts a Pro-Life listening session.
US Senate: 9:00 AM National Hemophilia Foundation Capitol Hill visits – National Hemophilia Foundation Washington Days advocacy event continues with Capitol Hill visits, with

participants meeting with members of the Senate and House of Representatives to make the case that 'maintaining key Affordable Care Act provisions are essential to the health of people living with bleeding disorders as well as millions of other Americans living with life-long chronic diseases' Location: Capitol Hill, Washington, DC http://www.hemophilia.org/NHFWeb/MainPgs/MainNHF.aspx?menuid=0&contentid=1 https://twitter.com/NHF_hemophilia

9:30 AM Senate Armed Services Committee hearing on CENTCOM and AFRICOM – Hearing on 'United States Central Command and United States Africa Command', with testimony from U.S. Central Command Commander Gen. Joseph Votel; and U.S. Africa Command Commander Gen. Thomas Waldhauser Location: Rm 216, Hart Senate Office Bldg, Washington, DC http://armed-services.senate.gov/

10:00 AM House / Senate Veterans' Affairs Committees hear legislative presentation from vets groups – House Committee on Veterans Affairs and Senate Committee on Veterans Affairs joint hearing on 'Legislative Presentations of Multiple VSO's', with testimony from Paralyzed Veterans of America National President Al Kovach, Jr.; Association of the United States Navy National Executive Director Rear Adm. (Ret.) Garry Hall; Vietnam Veterans of America National President John Rowan; Non Commissioned Officers Association of the United States of America President and National Commander, Master Chief Petty Officer (Ret.) Vincent Patton; Gold Star Wives of America's Misty Brammer; National Association of State Directors of Veterans Affairs President Randy Reeves; Wounded Warrior Project CEO Lt. Gen. (Ret.) Michael Linnington; and National Guard Association of the United States President Maj. Gen. (Ret.) Gus Hargett Location: Rm G50, Dirksen Senate Office Bldg, Washington, DC http://veterans.house.gov/ https://twitter.com/HouseVetAffairs

10:00 AM Senate Judiciary Committee Executive Business Meeting – Executive Business Meeting, with agenda including nominations of Charles Breyer (reappointment) and Danny Reeves to be U.S. Sentencing Commission members, and 'S. 419, A bill to require adequate reporting on the Public Safety Officers' Benefits program, and for other purposes' Location: Rm 226, Dirksen Senate Office Bldg, Washington, DC http://judiciary.senate.gov/

10:00 AM Senate Banking, Housing, and Urban Affairs Committee Executive Session – Executive Session, with agenda including 'S. 327, Fair Access to Investment Research Act of 2017', 'S. 444, Supporting America's Innovators Act of 2017', 'S. 462, Securities and Exchange Commission Overpayment Credit Act', 'S. 484, U.S. Territories Investor Protection Act of 2017', and 'S. 488, Encouraging Employee Ownership Act' Location: Rm 538, Dirksen Senate Office Bldg, Washington, DC http://banking.senate.gov/

10:15 AM Senate Governmental Affairs subcommittee hearing on agency use of science in the rulemaking process – Regulatory Affairs and Federal Management Subcommittee hearing on 'Agency Use of Science in the Rulemaking Process: Proposals for Improving Transparency and Accountability', with testimony from George Washington University Regulatory Studies Center Director Susan Dudley; Union of Concerned Scientists Center for Science and Democracy Director Dr Andrew Rosenberg; and American Chemistry Council Senior Director of Regulatory Science Policy Dr Nancy Beck Location: Rm 342, Dirksen Senate Office Bldg, Washington, DC http://hsgac.senate.gov/ https://twitter.com/SenateHSGAC

10:30 AM Senate Foreign Relations Committee Business Meeting, hearing on Yemen – Business Meeting, with agenda including consideration of nomination of David Friedman to be U.S. Ambassador to Israel * Immediately followed by hearing on 'Resolving the Conflict in Yemen: U.S. Interests, Risks, and Policy', with testimony from Foundation for Defense of Democracies Senior Fellow Thomas Joscelyn; National Defense University Adjunct Senior Research Fellow Dr Dafna Rand; and Middle East Institute Center for Gulf Affairs Director

Gerald Feierstein Location: Rm 419, Dirksen Senate Office Bldg, Washington, DC http://foreign.senate.gov/

2:00 PM Republicans Sen. Steve Daines and Rep. Paul Gosar hold news conference to outline vision for the Western Caucus Location: Rm 208-09, Senate Visitors Center, U.S. Capitol, Washington, DC http://www.daines.senate.gov/ https://twitter.com/SteveDaines

2:00 PM Closed Briefing: Intelligence Matters Location: Rm 219, Hart Senate Office Bldg, Washington, DC http://intelligence.senate.gov

US House: 9:00 AM National Hemophilia Foundation Capitol Hill visits – National Hemophilia Foundation Washington Days advocacy event continues with Capitol Hill visits, with participants meeting with members of the Senate and House of Representatives to make the case that 'maintaining key Affordable Care Act provisions are essential to the health of people living with bleeding disorders as well as millions of other Americans living with life-long chronic diseases' Location: Capitol Hill, Washington, DC http://www.hemophilia.org/NHFWeb/MainPgs/MainNHF.aspx?menuid=0&contentid=1 https://twitter.com/NHF_hemophilia

9:30 AM House Science Committee markup hearing – Full Committee, markup on the "Honest and Open New EPA Science Treatment Act of 2017"; and the "EPA Science Advisory Board Reform Act of 2017." Location: Rm 2318, Rayburn House Office Bldg, Washington, DC http://science.house.gov https://twitter.com/HouseScience

9:30 AM House Appropriations subcommittee 'Members' Day' hearings – Defense Subcommittee 'Members' Day' hearings, with testimony from Members of Congress on the agencies and programs under the jurisdiction of the subcommittee * Hearings at 9:30 AM EST and 1:00 PM EST Location: H-140, U.S. Capitol, Washington, DC http://appropriations.house.gov/ https://twitter.com/HouseAppropsGOP

10:00 AM House Appropriations subcommittee 'Members' Day' hearing – Transportation, Housing and Urban Development, and Related Agencies Subcommittee 'Members' Day' hearing, with testimony from Members of Congress on the agencies and programs under the jurisdiction of the subcommittee. Witnesses are Reps. Nanette Diaz Barragn, Jim Bridenstein, Bradley Byrne, Matt Cartwright, Kevin Cramer, Peter DeFazio, Adriano Espaillat, Paul Gosar, Sheila Jackson Lee, Mike Johnson, Al Lawson, Billy Long, Doris Matsui, Jimmy Panetta, Stacey Plaskett, Aumua Amata Coleman Radewagen, Tom Rice, Albio Sires, Thomas Suozzi and Peter Visclosky Location: Rm 2358-A, Rayburn House Office Bldg, Washington, DC http://appropriations.house.gov/ https://twitter.com/HouseAppropsGOP

10:00 AM House / Senate Veterans' Affairs Committees hear legislative presentation from vets groups – House Committee on Veterans Affairs and Senate Committee on Veterans Affairs joint hearing on 'Legislative Presentations of Multiple VSO's', with testimony from Paralyzed Veterans of America National President Al Kovach, Jr.; Association of the United States Navy National Executive Director Rear Adm. (Ret.) Garry Hall; Vietnam Veterans of America National President John Rowan; Non Commissioned Officers Association of the United States of America President and National Commander, Master Chief Petty Officer (Ret.) Vincent Patton; Gold Star Wives of America's Misty Brammer; National Association of State Directors of Veterans Affairs President Randy Reeves; Wounded Warrior Project CEO Lt. Gen. (Ret.) Michael Linnington; and National Guard Association of the United States President Maj. Gen. (Ret.) Gus Hargett Location: Rm G50, Dirksen Senate Office Bldg, Washington, DC http://veterans.house.gov/ https://twitter.com/HouseVetAffairs

10:00 AM House Appropriations subcommittee hearing on the State Department and foreign operations programs – State, Foreign Operations, and Related Programs Subcommittee hearing on 'Oversight of the Department of State and Foreign Operations

Programs', with testimony from USAID Inspector General Ann Calvaresi Barr; and State Department and Broadcasting Board of Governors IG Steve Linick Location: Rm 2362-A, Rayburn House Office Bldg, Washington, DC http://appropriations.house.gov/ https://twitter.com/HouseAppropsGOP

10:00 AM House Natural Resources subcommittee oversight hearing on infrastructure in Tribal and insular communities – Indian, Insular and Alaska Native Affairs Subcommittee oversight hearing on 'Improving and Expanding Infrastructure in Tribal and Insular Communities', with testimony from Hopi Tribe Chairman Herman Honanie; Northwest Portland Area Indian Health Board Chairman Andy Joseph, Jr.; National Indian Health Board Great Plains Area Representative Victoria Kitcheyan; National Congress of American Indians President Brian Cladoosby; Alaska Native Tribal Health Consortium Board Chair and President Andy Teuber; and Acting Assistant Secretary of the Interior for Insular Affairs Nikolao Pula Location: Rm 1324, Longworth House Office Bldg, Washington, DC http://naturalresources.house.gov https://twitter.com/NatResources

10:00 AM House Agriculture subcommittee hearing on the Farm Bill – Commodity Exchanges, Energy, and Credit Subcommittee hearing on 'The Next Farm Bill: Rural Development & Energy Programs', with witnesses Renville County Board of Commissioners Chair Bob Fox (on behalf of NACo); Georgia EMC President and CEO Dennis Chastain (on behalf of NRECA); Washington County Water Company Manager and Operator Steve Fletcher (on behalf of NRWA); Hill Country Telephone Cooperative COO Craig Cook (on behalf of NTCA); National Sorghum Producers Strategic Business Director John Duff; and Biotechnology Innovation Organization CEO Jim Greenwood Location: Rm 1300, Longworth House Office Bldg, Washington, DC http://agriculture.house.gov/

10:00 AM House Foreign Affairs Committee hearing on 'Russian disinformation aims' – Hearing on 'Undermining Democratic Institutions and Splintering NATO: Russian Disinformation Aims', with testimony from former Estonian President Toomas Hendrik Ilves; former Assistant Secretary of State for Political Military Affairs Lincoln Bloomfield, Jr.; Center for European Policy Analysis Executive Vice President Peter Doran; and former U.S. Representative to the Organization for Security and Cooperation in Europe Daniel Baer Location: Rm 2172, Rayburn House Office Bldg, Washington, DC http://www.hcfa.house.gov https://twitter.com/HFACrepublicans

10:00 AM House Appropriations subcommittee hearing on management challenges at DoL, HHS, ED, and SSA – Labor, Health and Human Services, Education and Related Agencies Subcommittee hearing on 'Management Challenges at the Departments of Labor, Health and Human Services, and Education and the Social Security Administration: Views from the Inspectors General', with testimony from Department of Labor IG Scott Dahl; Department of Health and Human Services IG Daniel Levinson; Social Security Administration IG Gale Stallworth Stone; and Department of Education IG Kathleen Tighe Location: Rm 2358-B, Rayburn House Office Bldg, Washington, DC http://appropriations.house.gov/ https://twitter.com/HouseAppropsGOP

10:00 AM House Transportation subcommittee hearing on the role of federal agencies in water infrastructure – Water Resources and Environment Subcommittee hearing on 'Building a 21st Century Infrastructure for America: The Role of Federal Agencies in Water Infrastructure', with testimony from Mercatus Center at George Mason University Senior Research Fellow Jerry Ellig; American Waterworks Company Senior Vice President Kathy Pape (on behalf of Bipartisan Policy Center); Minnesota Pollution Control Agency Commissioner John Linc Stine (on behalf of Environmental Council of the States); Sutter Butte Flood Control Agency (CA) Executive Director Mike Inamine; Schenectady, NY, Mayor Gary McCarthy (on

behalf of U.S. Conference of Mayors); Cycle Construction Company President Jonathan Kernion (on behalf of Associated General Contractors); and Center for American Progress Director of Infrastructure Policy Kevin DeGood Location: Rm 2167, Rayburn House Office Bldg, Washington, DC http://transportation.house.gov/ https://twitter.com/Transport

10:00 AM House Oversight Committee hearing 'Reviewing ATF's Failures in the Death of ICE Agent Jaime Zapata' – Hearing on 'Reviewing ATF's Failures in the Death of ICE Agent Jaime Zapata', with testimony from Department of Justice Inspector General Michael Horowitz; Bureau of Alcohol, Tobacco, Firearms, and Explosives Acting Director Thomas Brandon; and Associate Deputy Director Ronald Turk * Immigrations and Customs Enforcement Special Agent Jaime Zapata was shot dead in the line of duty on 15 Feb 2011 during a highway ambush in San Luis Potosi state, Mexico Location: Rm 2154, Rayburn House Office Bldg, Washington, DC http://oversight.house.gov/ https://twitter.com/GOPoversight

10:00 AM POSTPONED: Hearing on 'Examining Systemic Management and Fiscal Challenges within the Department of Justice' Location: Rm 2141, Rayburn House Office Bldg, Washington, DC http://judiciary.house.gov/ https://twitter.com/HouseJudiciary

10:00 AM House Homeland Security subcommittee hearing on DHS private sector engagement for cybersecurity – Cybersecurity and Infrastructure Protection Subcommittee hearing on 'The Current State of DHS Private Sector Engagement for Cybersecurity', with testimony from HITRUST Alliance CEO Daniel Nutkis; Intel Security Group Vice President and Chief Technical Strategist Scott Montgomery; Symantec Senior Director of Global Government Affairs & Policy Jeffrey Greene; Palo Alto Networks Vice President of Cybersecurity Strategy & Global Policy Ryan Gillis; and New America Open Technology Institute Policy Counsel and Government Affairs Lead Robyn Greene Location: CVC 210, U.S. Capitol, Washington, DC homeland.house.gov https://twitter.com/HouseHomeland

10:00 AM House Financial Services subcommittee hearing on flood insurance reform – Housing and Insurance Subcommittee hearing on 'Flood Insurance Reform: FEMA's Perspective', with testimony from Federal Emergency Management Agency Deputy Associate Administrator for Federal Insurance and Mitigation Roy Wright Location: Rm 2128, Rayburn House Office Bldg, Washington, DC http://financialservices.house.gov https://twitter.com/FinancialCmte

11:00 AM House Small Business subcommittee hearing on the SBA 7(a) Loan Program – Investigations, Oversight, and Regulations Subcommittee hearing on 'An Overview of SBA's 7(a) Loan Program', with testimony from Randolph Brooks Federal Credit Union Executive Vice President and Chief Lending Officer Sonya McDonald (on behalf of National Association of Federally-Insured Credit Unions); Bank of the West Vice Chairman Cindy Blankenship (on behalf of Independent Community Bankers of America); and National Association of Government Guaranteed Lenders President and CEO Tony Wilkinson Location: Rm 2360, Rayburn House Office Bldg, Washington, DC http://smallbusiness.house.gov/ https://twitter.com/SmallBizGOP

11:00 AM House Science and Technology subcommittee first hearing on the NSF – Research and Technology Subcommittee hearing on 'National Science Foundation Part I: Overview and Oversight', with testimony from NSF Director Dr France Cordova, and Inspector General Allison Lerner Location: Rm 2318, Rayburn House Office Bldg, Washington, DC http://science.house.gov https://twitter.com/HouseScience

12:00 PM House meets for legislative business – House of Representatives meets for legislative business, with agenda including 'H.R. 725 – Innocent Party Protection Act' and 'H.R. 985 – Fairness in Class Action Litigation and Furthering Abestos Claim Transparency Act of 2017' Location: Washington, DC http://www.house.gov/

12:00 PM Dem Rep. Robin Kelly speaks at roundtable on mental health for black women and girls – 'What Makes Black Girls, Blue? Creating Mental Wellness Climates for Black Women and Girls' roundtable discussion, with Democratic Rep. Robin Kelly, New York City First Lady Chirlane McCray, Black Women's Health Imperative CEO Linda Goler Blount, Harvard School of Public Health Associated Professor of Psychology Dr Kiberlyn Leary, Vanderbilt University Center for Medicine, Health and Society Dr Jonathan Metzl, No More Martyrs Founder Dr Nadia Richardson, DC Department of Behavioral Health Provider Relations Specialist Lanada Williams, and 'It Starts With Me!' filmmaker Nicole Kenney Location: Rm 2044, Rayburn House Office Bldg., Washington, DC https://robinkelly.house.gov/ https://twitter.com/RepRobinKelly

1:30 PM House Financial Services Committee markup hearing – Markup hearing on 'H.R. 910, the Fair Access to Investment Research Act of 2017', 'H.R. 1219, the Supporting America's Innovators Act of 2017', 'H.R. 1257, the Securities and Exchange Commission Overpayment Credit Act', 'H.R. XXXX, the US Territories Investor Protection Act of 2017', 'H.R. 1343, the Encouraging Employee Ownership Act of 2017', and 'H.R. 1312, the Small Business Capital Formation Enhancement Act' Location: Rm 2128, Rayburn House Office Bldg, Washington, DC http://financialservices.house.gov https://twitter.com/FinancialCmte

2:00 PM Meeting to consider 'organizational matters relating to the start of the 115th Congress' Location: Rm 1015, Longworth House Office Bldg, Washington, DC http://www.house.gov/ethics/

2:00 PM Republicans Sen. Steve Daines and Rep. Paul Gosar hold news conference to outline vision for the Western Caucus Location: Rm 208-09, Senate Visitors Center, U.S. Capitol, Washington, DC http://www.daines.senate.gov/ https://twitter.com/SteveDaines

2:00 PM Muhammad Ali's son speaks at Dem forum on the impact of President Trump's immigration policies – 'Ali v. Trump: The Fight for American Values' forum on the consequences of President Donald Trump's immigration policies, with participating members of Congress including Congressional Hispanic Caucus Chair Rep. Michelle Lujan Grisham, Congressional Asian Pacific American Caucus Chair Rep. Judy Chu, Democratic Reps. John Conyers, Nita Lowey, Bennie Thompson, Zoe Lofgren, Lucille Roybal-Allard, and Elijah Cummings, boxer Muhammad Ali's son Muhammad Ali Jr. and former wife Khalilah Camacho-Ali, immigration lawyer David Leopold, and ACLU National Security Project Staff Attorney Hugh Handeyside Location: Rm 215 House Visitors Center, Washington, DC www.house.gov/conyers https://twitter.com/repjohnconyers

2:00 PM House Veterans Affairs subcommittee roundtable on making learning avenues accessible for service members and vets – House Committee on Veterans' Affairs Economic Opportunity Subcommittee hosts roundtable discussion on the Post 9/11 G.I. Bill, exploring ways to make modern-day learning avenues more accessible for service members and vets Location: Rm 334, Cannon House Office Bldg, Washington, DC http://veterans.house.gov/ https://twitter.com/HouseVetAffairs

2:00 PM House Foreign Affairs subcommittee hearing on Ethiopia – Africa, Global Health, Global Human Rights, and International Organizations Subcommittee hearing on 'Democracy Under Threat in Ethiopia', with testimony from George Mason University School for Conflict Analysis and Resolution Associate Professor Dr Terrence Lyons; Coalition of Oromo Advocates for Human Rights and Democracy President Seenaa Jimjimo; Amhara Association of America co-founder Tewodrose Tirfe; former Ethiopian National Association of the Physically Handicapped General Manager Guya Abaguya Deki; and Ethiopian Drought Relief Aid of Colorado co-founder Yoseph Tafari Location: Rm 2172, Rayburn House Office Bldg, Washington, DC http://www.hcfa.house.gov https://twitter.com/HFACrepublicans

2:00 PM Biotechnology, Horticulture, and Research Subcommittee hearing on 'The Next Farm Bill: Specialty Crops' Location: Rm 1300, Longworth House Office Bldg, Washington, DC http://agriculture.house.gov/

2:00 PM House Appropriations subcommittee 'Members' Day' hearing – Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee 'Members' Day' hearing, with testimony from Members of Congress on the agencies and programs under the jurisdiction of the subcommittee. Witnesses are Reps. Earl Blumenauer, Earl Carter, Matt Cartwright, Jim Costa, Danny Davis, Scott DesJarlais, John Faso, Gene Green, Clay Higgins, Richard Hudson, Sheila Jackson Lee, Trent Kelly, Leonard Lance, Roger Marshall, James McGovern, Richard Nolan, Jimmy Panetta, Robert Pittenger, Stacey Plaskett, Bill Posey, David Rouzer, Glenn Thompson, and Peter Welch Location: Rm 2362-A, Rayburn House Office Bldg, Washington, DC http://appropriations.house.gov/ https://twitter.com/HouseAppropsGOP

3:00 PM Congress to Honor the Life of Bob Michel – The United States Congress will celebrate the life and dedicated service of the Honorable Robert H. Michel, former Republican Leader from Illinois – the longest-serving Republican Leader of the House and recipient of the Medal of Freedom, the nation's highest civilian honor, died on February 17. Participants include: House Speaker Paul Ryan (R-WI); Assistant Senate Minority Leader Dick Durbin (D-IL); Former Vice President Dick Cheney; House Democratic Leader Nancy Pelosi (D-CA); Former Secretary of State Jim Baker; Former Secretary of Transportation Ray LaHood; Scott Michel, son of Bob Michel. Location: Statuary Hall, United States Capitol

3:30 PM House Armed Services subcommittee hearing on nuclear deterrence – Strategic Forces Subcommittee hearing on 'Nuclear Deterrence – the Defense Science Board's Perspective', with testimony from Defense Science Board members Dr Michael Anastasio, Dr Miriam John, and Dr William LaPlante Location: Rm 2118, Rayburn House Office Bldg, Washington, DC www.armedservices.house.gov https://twitter.com/HASCRepublicans

Other: 6:30 AM Army Signal Conference Location: Waterford at Springfield, 6715 Commerce St, Springfield, VA Springfield http://www.afcea.org/ https://twitter.com/AFCEA

7:45 AM America's Health Insurance Plans' Health Policy conference continues – America's Health Insurance Plans' Health Policy conference continues. Day two speakers include Republican Rep. Kevin Brady, American Actino Forum President Douglas Holtz-Eakin, Acting CMS Administrator Patrick Conway, National Governors Association Exec Dir and CEO Scott Pattison, Consonance Capital Partners Partner and Co-Founder Nancy-Ann DeParle, and Archway Health CEO and Founder Dave Terry Location: The Ritz-Carlton, Washington DC, 1150 22nd Street Northwest, Washington, DC http://www.ahip.org/ https://twitter.com/AHIPCoverage

8:00 AM POLITICO Playbook Interview with Senate Majority Leader McConnell – POLITICO Playbook Interview, with Senate Majority Leader Mitch McConnell interviewed by POLITICO's Anna Palmer and Jake Sherman Location: Washington Court Hotel, 525 New Jersey Ave., Washington, DC www.politico.com https://twitter.com/POLITICOEvents

9:00 AM Dem Rep. Joaquin Castro keynotes CSIS event on the U.S.-Japan bilateral relationship – 'The U.S.-Japan Bilateral Economic Relationship: Past, Present, and Future' CSIS discussion, on the history of U.S.-Japan economic relations, how they have evolved through the present, and the opportunities and risks for the relationship under the new administration. Includes keynote from Democratic Rep. Joaquin Castro, and panelists including Massachusetts Institute of Technology Center for International Studies Director Richard Samuels, Wilson Center Senior Associate for Northeast Asia Shihoko Goto, OECD Tokyo Center Head Yumiko Murakami, Maryland Deputy Secretary of Commerce Benjamin

Wu, and Hitachi Automotive Systems America Senior Vice President Rob Sharpe Location: CSIS, 1616 Rhode Island Ave., Washington, DC www.csis.org https://twitter.com/CSIS

10:00 AM Local restaurant announces filing of lawsuit against Donald Trump and Trump Old Post Office, LLC – A local Washington, DC, restaurant announces the filing of a lawsuit alleging 'unfair competition under DC law' against the Trump International Hotel, at National Press Club news conference. The named defendants are Donald Trump, in his individual and personal capacity, and the Trump Old Post Office, LLC, which operates the Hotel Location: National Press Club, 529 14th St., NW, Washington, DC theveritaslawfirm.com https://twitter.com/veritaslawdc

12:00 PM Israeli filmmaker screens and discusses 'Night of Fools' at Library of Congress – 'Night of Fools' – a film 'revealing the little-known story of Algeria's mostly-Jewish underground movement during World War II' screened at the Library of Congress, followed by Israeli filmmaker Rami Kimchi discussing his work. Event is sponsored by the Library's Motion Picture, Broadcasting and Recorded Sound Division and the Hebrew Language Table, in cooperation with the Embassy of Israel and the American University Center for Israel Studies Location: Library of Congress (James Madison Bldg), 101 Independence Ave SE, Washington, DC http://www.loc.gov/homepage/lchp.html https://twitter.com/librarycongress

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Rybicki, James E. (DO) (FBI)

From: Rybicki, James E. (DO) (FBI)
Sent: Thursday, March 9, 2017 10:30 PM
To: James B. Comey
Subject: Fwd:

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" [redacted] b7E
Date: 3/9/17 10:28 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: RE:

Just spoke to Lichtblau, says he will fix it. Sloppy editing.

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 3/9/17 10:19 PM (GMT-05:00)
To: "Kortan, Michael P. (DO) (FBI)" [redacted]
Subject: Fwd:

Mike: They are saying this as if it were fact. The story that the Director urged DOJ to refute the President's tweets cam from their story based on anonymous sources. Don't they have an obligation to point that out?

"James B. Comey, the F.B.I. director, urged counterparts at the Justice Department to publicly refute Mr. Trump's charge. Department officials have declined to do so, and Mr. Comey has remained silent on the issue publicly."

https://mobile.nytimes.com/2017/03/09/us/politics/justice-dept-declines-to-back-claim-trump-is-not-under-investigation.html?smid=tw-nytimes&smtyp=cur&referer=https://t.co/bLtCB7sP7d

James B. Comey

From: James B. Comey
Sent: Friday, March 17, 2017 8:26 PM
To: Rybicki, James E. (DO) (FBI)
Subject: RE: Statement

[redacted] b5

--

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" <[redacted]> b7E
Date: 3/17/17 7:25 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Statement

(Adding the additional response below)

[redacted] b5

James B. Comey

From:	James B. Comey
Sent:	Saturday, March 18, 2017 1:48 PM
To:	McCabe, Andrew G. (DO) (FBI); Kortan, Michael P. (DO) (FBI); Rybicki, James E. (DO) (FBI)
Subject:	RE: twitter articles.

Crazy stuff. I'm tempted to tease about John being accused of being the "brains" behind our operation, but that's the only fun part of this sick piece. The whole thing leaves me incredulous, as usual.

--

-------- Original message --------
From: "McCabe, Andrew G. (DO) (FBI)" [redacted] b7E
Date: 3/18/17 1:37 PM (GMT-05:00)
To: "Kortan, Michael P. (DO) (FBI)" [redacted], "James B. Comey" [redacted],
"Rybicki, James E. (DO) (FBI)" [redacted]
Subject: Fwd: twitter articles.

Mike

This stuff is picking up steam on Twitter. Anything we should do?

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

http://truepundit.com/exclusive-fbis-own-political-terror-plot-deputy-director-and-fbi-brass-secretly-conspired-to-wage-coup-against-flynn-trump-2/

Sent from my iPhone

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Saturday, March 18, 2017 3:35 PM
To:	Reinhold Niebuhr; James B. Comey
Subject:	Re: Opening
Attachments:	03.20.17 Statement (Edits).docx

b6
b7C

Please see attached (redlined).

From: Reinhold Niebuhr [redacted]
Sent: Saturday, March 18, 2017 2:51 PM
To: James B. Comey; Rybicki, James E. (DO) (FBI)
Subject: Opening

I tweaked it a bit after saying it aloud many times. See what you think.

James B. Comey

From:	James B. Comey
Sent:	Sunday, March 19, 2017 12:07 PM
To:	Rybicki, James E. (DO) (FBI)
Subject:	RE: Misc Updates

Awesome. Let's talk later [redacted] b5
[redacted] Perhaps a conference call with you, me, Baker, and Andy.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" <[redacted]> b7E
Date: 3/19/17 10:57 AM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Fwd: Misc Updates

-

-------- Original message --------
From: "Brower, Gregory (OGC) (FBI)" <[redacted]> b6 b7C b7E
Date: 3/19/17 10:44 AM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" <[redacted]>, "McCabe, Andrew G. (DO) (FBI)" <[redacted]>, "Bowdich, David L. (DO) (FBI)" <[redacted]>, "Baker, James A. (OGC) (FBI)" <[redacted]>, [redacted] (OGC) (FBI)" <[redacted]>, [redacted] (OGC) (FBI)" <[redacted]>, "Ghattas, Carl (CTD) (FBI)" <[redacted]>, "Priestap, E. W. (CD) (FBI)" <[redacted]>, "Strzok, Peter P. (CD) (FBI)" <[redacted]>, "Moffa, Jonathan C. (CD) (FBI)" <[redacted]>, "Kortan, Michael P. (DO) (FBI)" <[redacted]>, "Burton, Dawn (DO) (FBI)" <[redacted]>, [redacted] (OGC) (FBI)" <[redacted]>, "Dantiki, Sumon S (DO) (OGA)" <[redacted]>
Cc: "Beers, Elizabeth R. (DO) (FBI)" <[redacted]>
Subject: Misc Updates

All:

A few updates since our meeting on Friday afternoon:

1. OCA has connected with HPSCI minority staff about the issue of questions that the D cannot answer. They understand and expect (but cannot guarantee) that such questions will NOT be asked.

2. Staff also mentioned that they are thinking about a slightly atypical structure for the hearing. That is, instead of 2 rounds of questions with each Member having 5 mins per round, they are talking about each "side" (R and D) taking alternating 15 minute turns with 1 – 2 members asking questions during each 15 minute turn.

3. [redacted] called me yesterday just to let me know that he has been retained to represent former Directors Clapper and Brennan who will be appearing, along for former DAG Yates, at a follow on hearing tentatively scheduled for March 28.

4. SSCI is planning a similar hearing to take place on March 30. However, as of today, no USG witnesses are planned.

That is all for now.

Greg

b6
b7C
b7E

Gregory A. Brower
Assistant Director
FBI Congressional Affairs
(Direct) [redacted]
(Mobile) [redacted]

From: Rybicki, James E. (DO) (FBI)
Sent: Saturday, March 18, 2017 5:10 PM
To: McCabe, Andrew G. (DO) (FBI) [redacted]; Bowdich, David L. (DO) (FBI) [redacted]; Baker, James A. (OGC) (FBI) [redacted] (OGC) (FBI) [redacted] (OGC) (FBI) [redacted] Ghattas, Carl (CTD) (FBI) [redacted]; Priestap, E. W. (CD) (FBI) [redacted]; Strzok, Peter P. (CD) (FBI) [redacted] Moffa, Jonathan C. (CD) (FBI) [redacted]; Kortan, Michael P. (DO) (FBI) [redacted]; Brower, Gregory (OGC) (FBI) [redacted]; Burton, Dawn (DO) (FBI) [redacted]; [redacted] (OGC) (FBI) [redacted]; Dantiki, Sumon S (DO) (OGA) [redacted]
Subject: Near-Final Draft

b6
b7C
b7E

Attached is the near-final draft of the Director's statement (plus one Q answer) for Monday. Please let me know if there are any critical changes needed.

Thanks,
Jim

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Sunday, March 19, 2017 12:28 PM
To:	James B. Comey
Subject:	RE: Misc Updates

Copy. How about 430?

-

-------- Original message --------
From: "James B. Comey" [redacted] b7E
Date: 3/19/17 12:07 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: RE: Misc Updates

Awesome. Let's talk later. [redacted] b5
[redacted] Perhaps a conference call with you, me, Baker, and Andy.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 3/19/17 10:57 AM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Fwd: Misc Updates

-

-------- Original message --------
From: "Brower, Gregory (OGC) (FBI)" [redacted] b6 b7C
Date: 3/19/17 10:44 AM (GMT-05:00) b7E
To: "Rybicki, James E. (DO) (FBI)" [redacted], "McCabe, Andrew G. (DO) (FBI)" [redacted], "Bowdich, David L. (DO) (FBI)" [redacted], "Baker, James A. (OGC) (FBI)" [redacted], [redacted] (OGC) (FBI)" [redacted] [redacted] (OGC) (FBI)" [redacted], "Ghattas, Carl (CTD) (FBI)" [redacted], "Priestap, E. W. (CD) (FBI)" [redacted], "Strzok, Peter P. (CD) (FBI)"

[redacted], "Moffa, Jonathan C. (CD) (FBI)" [redacted] "Kortan, Michael P. (DO) (FBI)" [redacted], "Burton, Dawn (DO) (FBI)" [redacted], [redacted] (OGC) (FBI)" [redacted], "Dantiki, Sumon S (DO) (OGA)" [redacted]
Cc: "Beers, Elizabeth R. (DO) (FBI)" [redacted]
Subject: Misc Updates

b6
b7C
b7E

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That is all for now.

b6
b7C
b7E

Greg

Gregory A. Brower
Assistant Director
FBI Congressional Affairs
(Direct) [redacted]
(Mobile) [redacted]

From: Rybicki, James E. (DO) (FBI)
Sent: Saturday, March 18, 2017 5:10 PM
To: McCabe, Andrew G. (DO) (FBI) [redacted] Bowdich, David L. (DO) (FBI) [redacted] Baker, James A. (OGC) (FBI) [redacted]; [redacted] (OGC) (FBI) [redacted]; [redacted] (OGC) (FBI) [redacted]; Ghattas, Carl (CTD) (FBI) [redacted]; Priestap, E. W. (CD) (FBI) [redacted]; Strzok, Peter P. (CD) (FBI) [redacted]; Moffa, Jonathan C. (CD) (FBI) [redacted]; Kortan, Michael P. (DO) (FBI) [redacted]; Brower, Gregory (OGC) (FBI) [redacted]; Burton, Dawn (DO) (FBI) [redacted] [redacted] (OGC) (FBI) [redacted] Dantiki, Sumon S (DO) (OGA) <Sumon [redacted]
Subject: Near-Final Draft

b6
b7C
b7E

Attached is the near-final draft of the Director's statement (plus one Q answer) for Monday. Please let me know if there are any critical changes needed.

Thanks,
Jim

James B. Comey

From:	James B. Comey
Sent:	Sunday, March 19, 2017 12:44 PM
To:	Rybicki, James E. (DO) (FBI)
Subject:	RE: Misc Updates

Works for me or I could do it any time after that. Pick what works best for you three.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 3/19/17 12:28 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: RE: Misc Updates

Copy. How about 430?

-

-------- Original message --------
From: "James B. Comey" [redacted] b7E
Date: 3/19/17 12:07 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: RE: Misc Updates

Awesome. Let's talk later. [redacted] b5
[redacted] Perhaps a conference call with you, me, Baker, and Andy.

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-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 3/19/17 10:57 AM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Fwd: Misc Updates

--

-------- Original message --------
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Date: 3/19/17 10:44 AM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted], "McCabe, Andrew G. (DO) (FBI)" [redacted], "Bowdich, David L. (DO) (FBI)" [redacted], "Baker, James A. (OGC) (FBI)" [redacted], "Anderson, Trisha B. (OGC) (FBI)" [redacted], [redacted] (OGC) (FBI)" [redacted], "Ghattas, Carl (CTD) (FBI)" [redacted], "Priestap, E. W. (CD) (FBI)" [redacted], "Strzok, Peter P. (CD) (FBI)" [redacted], "Moffa, Jonathan C. (CD) (FBI)" [redacted], "Kortan, Michael P. (DO) (FBI)" [redacted], "Burton, Dawn (DO) (FBI)" [redacted], [redacted] (OGC) (FBI)" [redacted] "Dantiki, Sumon S (DO) (OGA)" [redacted]
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b6
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b6
b7C

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Greg

Gregory A. Brower
Assistant Director
FBI Congressional Affairs
(Direct) [redacted]
(Mobile) [redacted]

b7E

From: Rybicki, James E. (DO) (FBI)
Sent: Saturday, March 18, 2017 5:10 PM
To: McCabe, Andrew G. (DO) (FBI) [redacted]; Bowdich, David L. (DO) (FBI) [redacted]; Baker, James A. (OGC) (FBI) [redacted] (OGC) (FBI)

b6
b7C
b7E

[redacted]>; [redacted] (OGC) (FBI) [redacted]>; Ghattas, Carl (CTD) (FBI) [redacted]; Priestap, E. W. (CD) (FBI) [redacted]; Strzok, Peter P. (CD) (FBI) [redacted]>; Moffa, Jonathan C. (CD) (FBI) [redacted] Kortan, Michael P. (DO) (FBI) [redacted]; Brower, Gregory (OGC) (FBI) [redacted]; Burton, Dawn (DO) (FBI [redacted]>; [redacted] (OGC) (FBI) [redacted] Dantiki, Sumon S (DO) (OGA) [redacted]

b6
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Subject: Near-Final Draft

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Thanks,
Jim

[redacted] b7E

From: [redacted]
To: James B. Comey
Subject: Fwd: Intelligence chairman: Justice report shows no evidence for Trump's claims of wiretapping during campaign - The Washington Post

-------- Original message --------
From: "Strzok, Peter P. (CD) (FBI)" <[redacted]> b6 b7C b7E
Date: 3/19/17 3:31 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" <[redacted] "Priestap, E. W. (CD) (FBI)" <[redacted], '[redacted](OGC) (FBI)" <[redacted]>, [redacted] (OGC) (FBI)" [redacted]>, "Moffa, Jonathan C. (CD) (FBI)" [redacted]>, "Baker, James A. (OGC) (FBI)" <[redacted]>, '[redacted]. (OGC) (FBI)" <[redacted]>
Subject: Fwd: Intelligence chairman: Justice report shows no evidence for Trump's claims of wiretapping during campaign - The Washington Post

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Sunday, March 19, 2017 3:33 PM
To:	James B. Comey
Subject:	Fwd: Intelligence chairman: Justice report shows no evidence for Trump's claims of wiretapping during campaign - The Washington Post
Attachments:	image1.JPG; image1-2.JPG

-------- Original message --------
From: "Strzok, Peter P. (CD) (FBI)" [redacted] b6 b7C b7E
Date: 3/19/17 3:31 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted], "Priestap, E. W. (CD) (FBI)" [redacted], [redacted] (OGC) (FBI)" [redacted], [redacted](OGC) (FBI)" [redacted], "Moffa, Jonathan C. (CD) (FBI)" [redacted], "Baker, James A. (OGC) (FBI)" [redacted] [redacted](OGC) (FBI)" [redacted]
Subject: Fwd: Intelligence chairman: Justice report shows no evidence for Trump's claims of wiretapping during campaign - The Washington Post

Jim R/all (note the subset of recipients on this),

See below, relates to a 3/15 letter from HPSCI to us, CIA, NSA. Best version i could find online is attached. The second file has the actual questions.

[redacted] b5

Nunes said Trump could be referring to new information about whether intelligence officials "unmasked," or identified, U.S. citizens who were captured speaking with foreign officials who are under routine surveillance — a process governed by FISA. "That is very possible, and we don't have the answers to those questions yet," he said. "We had a deadline of Friday for the NSA, FBI and CIA to get us those names that were unmasked through the FISA system. We didn't get those names on Friday, and until we get those names, we can't rule this out."

https://www.washingtonpost.com/news/powerpost/wp/2017/03/19/no-new-evidence-to-support-trumps-wiretap-claims-house-intelligence-chairman-says/?hpid=hp_hp-top-table-main_pwr-nunes-1158am%3Ahomepage%2Fstory&utm_term=.e45a37b52efe

1. All specific policies and/or procedures each agency employs to make a determination to unmask and disseminate the identity of a USP; specifically, the Committee requests the approval process required to authorize such a dissemination within and outside the agency, including the number of individuals who can approve an unmasking in each agency;

2. The total number of disseminations of any unmasked USP identities between June 2016 and January 2017, if they exist;

3. If they exist, the names of any unmasked USPs whose identities were disseminated in response to requests from IC agencies, law enforcement, or senior Executive Branch officials between June 2016 and January 2017, and that relate to Presidential candidates Donald J. Trump and Hillary Rodham Clinton and their associates in 2016;[1]

4. If they exist, the names of any IC agencies, law enforcement agencies, and/or senior Executive Branch officials that requested and/or authorized the unmasking and dissemination of USP information relating to the specific individuals and entities specified in request #3 above, as well as the titles of all specific recipients of that unmasked USP information; and

5. If it exists, the stated reason, pursuant to the relevant minimization procedures, for unmasking each USP identity relating to request #3 above.

We appreciate your prompt attention to this request. If you have any questions regarding the foregoing, please contact the Committee at (202) 225-4121.

Sincerely,

Devin Nunes
Chairman

Adam B. Schiff
Ranking Member

Copy to:
The Honorable Michael Dempsey, Acting Director of National Intelligence

March 15, 2017

The Honorable Admiral Michael Rogers
Director, National Security Agency
Fort Meade, MD 20755

The Honorable James Comey
Director, Federal Bureau of Investigation
Washington, D.C. 20535

The Honorable Mike Pompeo
Director, Central Intelligence Agency
Washington, D.C. 20505

Dear Directors Rogers, Comey, and Pompeo:

As you know, the Committee has been very concerned regarding the purported unauthorized disclosures of classified information, particularly when they pertain to intelligence collection on, or related to, U.S. persons (USP). To take a prominent example, a January 12, 2017 article in a major newspaper was the first to claim that "Retired Lt. Gen. Michael T. Flynn, [then President-Elect] Trump's choice for national security adviser . . . . phoned Russian Ambassador Sergey Kislyak several times on Dec. 29."

Such stories would appear to contain the unauthorized disclosure of USP identities. This potential misuse is a key reason why the Intelligence Community (IC) has developed robust "minimization procedures" for the protection of USP information, including requiring the "masking" of USP identities in most circumstances.

However, as recent news stories seem to illustrate, individuals talking to the media would appear to have wantonly disregarded these procedures. The Committee is concerned that USP identifiable information may have been mishandled in violation of approved minimization and dissemination procedures pursuant to statute and/or Executive Order 12333, as amended. Therefore, no later than **Friday, March 17, 2017**, each of your agencies should provide the Committee with the following:

James B. Comey

From: James B. Comey
Sent: Sunday, March 19, 2017 3:54 PM
To: Rybicki, James E. (DO) (FBI)
Subject: RE: Intelligence chairman: Justice report shows no evidence for Trump's claims of wiretapping during campaign - The Washington Post

Thanks. [redacted] b5 b7E

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-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" <[redacted] b7E
Date: 3/19/17 3:33 PM (GMT-05:00)
To: "James B. Comey" <[redacted]>
Subject: Fwd: Intelligence chairman: Justice report shows no evidence for Trump's claims of wiretapping during campaign - The Washington Post

-

-------- Original message --------
From: "Strzok, Peter P. (CD) (FBI)" [redacted] b6 b7C
Date: 3/19/17 3:31 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" <[redacted], "Priestap, E. W. (CD) (FBI)" [redacted], [redacted] (OGC) (FBI)" <[redacted]>, [redacted] (OGC) (FBI)" [redacted], "Moffa, Jonathan C. (CD) (FBI)" <[redacted], "Baker, James A. (OGC) (FBI)" [redacted], [redacted] (OGC) (FBI)" <[redacted]> b7E
Subject: Fwd: Intelligence chairman: Justice report shows no evidence for Trump's claims of wiretapping during campaign - The Washington Post

Jim R/all (note the subset of recipients on this),

See below, relates to a 3/15 letter from [redacted] Best version i could find online is attached. The second file has the actual questions. b3 b5 b7E

[redacted]

Nunes said Trump could be referring to new information about whether intelligence officials "unmasked," or identified, U.S. citizens who were captured speaking with foreign officials who are under routine surveillance — a process governed by FISA. "That is very possible, and we don't have the answers to those questions yet," he said. "We had a deadline of Friday for the NSA, FBI and CIA to get us those names that were unmasked through the FISA system. We didn't get those names on Friday, and until we get those names, we can't rule this out."

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[redacted]

From: [redacted]

To: James B. Comey

Subject: RE: Intelligence chairman: Justice report shows no evidence for Trump's claims of wiretapping during campaign - The Washington Post b5 b7E

[redacted]

-------- Original message --------
From: "James B. Comey" <[redacted]> b7E
Date: 3/19/17 3:54 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" <[redacted]>
Subject: RE: Intelligence chairman: Justice report shows no evidence for Trump's claims of wiretapping during campaign - The Washington Post

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Sunday, March 19, 2017 4:21 PM
To:	James B. Comey
Subject:	RE: Intelligence chairman: Justice report shows no evidence for Trump's claims of wiretapping during campaign - The Washington Post

[redacted]

-------- Original message --------
From: "James B. Comey" [redacted] b5 b7E
Date: 3/19/17 3:54 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" <James[redacted]
Subject: RE: Intelligence chairman: Justice report shows no evidence for Trump's claims of wiretapping during campaign - The Washington Post

Thanks [redacted]

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 3/19/17 3:33 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Fwd: Intelligence chairman: Justice report shows no evidence for Trump's claims of wiretapping during campaign - The Washington Post

-------- Original message --------
From: "Strzok, Peter P. (CD) (FBI)" [redacted] b6 b7C b7E
Date: 3/19/17 3:31 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted], "Priestap, E. W. (CD) (FBI)" [redacted], "[redacted]OGC) (FBI)" [redacted], [redacted](OGC)

(FBI)" [redacted], "Moffa, Jonathan C. (CD) (FBI)" [redacted], "Baker, James A. (OGC) (FBI)" [redacted], '[redacted](OGC) (FBI)" [redacted] b6 b7C b7E
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Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Sunday, March 19, 2017 6:03 PM
To:	James B. Comey
Subject:	Fwd: "FOX NEWS SUNDAY" TRANSCRIPT -- March 19, 2017

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" [redacted] b7E
Date: 3/19/17 5:53 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: "FOX NEWS SUNDAY" TRANSCRIPT -- March 19, 2017

CHRIS WALLACE HOSTS FOX'S "FOX NEWS SUNDAY"

MARCH 19, 2017

SPEAKERS: CHRIS WALLACE, FOX NEWS HOST

REP. PAUL RYAN (R-WI), SPEAKER OF THE HOUSE

KARL ROVE, GOP STRATEGIST

DR. EZEKIEL EMANUEL, FOX NEWS CONTRIBUTOR

NEERA TANDEN, CENTER FOR AMERICAN PROGRESS RACHEL CAMPOS-DUFFY, FOX NEWS CONTRIBUTOR

REP. DEVIN NUNES (R), CALIFORNIA

[*] CHRIS WALLACE, FOX NEWS ANCHOR: I'm Chris Wallace.

The Trump agenda faces a critical crossroads on Russia, the president Supreme Court nominee and dismantling Obamacare.

First, the GOP repeal and replace plan heads for a full vote in the House.

(BEGIN VIDEOTAPE)

REP. PAUL RYAN (R-WI), SPEAKER OF THE HOUSE: This is legislating. This is going through the regular order process.

REP. RAND PAUL (R), KENTUCKY: Conservatives want a seat at the table and we don't want Obamacare light.

WALLACE: We'll talk with House Speaker Paul Ryan about the effort to get enough Republican votes to pass the bill. And also about the battle of the president's budget. It's a FOX NEWS SUNDAY exclusive.

Then, FBI Director Comey testifies tomorrow about Mr. Trump's charge former President Obama wiretapped Trump Tower.

REP. DEVIN NUNES (R), CALIFORNIA: We don't have any evidence that that took place.

REP. ADAM SCHIFF (D), CALIFORNIA: To even put that forth was irresponsible, the president and his spokesman.

WALLACE: We'll preview the hearing with the chair of the House Intelligence Committee, Devin Nunes, only on FOX NEWS SUNDAY.

Plus, the president's Supreme Court nominee gets ready to take the hot seat as Senate Democrats try to block his nomination. We'll ask our Sunday panel about the confirmation showdown.

And get Obamacare architect Ezekiel Emanuel's take on the GOP's plan to repeal and replace.

Plus, our power player of the week, behind the scenes at the White House bowling alley. We'll give you an exclusive look at where the administration is trying to pin down votes.

All, right now, on FOX NEWS SUNDAY.

(END VIDEOTAPE)

WALLACE: And hello again from FOX News in Washington.

This week could be the most pivotal so far in the two-month-old Trump presidency. Tomorrow, Mr. Trump's Supreme Court nominee Neil Gorsuch goes before the Senate Judiciary Committee for his confirmation hearing.

Also, the first public hearing on possible ties between Russia and the Trump campaign gets underway and the Republican bill to repeal and replace Obamacare may be headed for a vote on the House floor.

Joining us now live from Janesville, Wisconsin, is House Speaker Paul Ryan.

Mr. Speaker, welcome back to FOX NEWS SUNDAY.

RYAN: Good morning, Chris. Thanks for having me.

WALLACE: Will you bring repeal and the replace bill to the House floor on Thursday as some people have suggested? And if so, does that mean that you now have the votes to pass it?

RYAN: That is our plan. I think Thursday is most likely going to be our day to bring it forward. We bring it to the rules committee first. So, part of our regular order process is to go through four committees. We're now going to go to the rules committee. And so, we feel very good where we are.

We're still having conversations with our members. We are making fine-tuning improvements to the bill to reflect people's concerns, to reflect people's improvements. The president, you say people being seated at the table, the president is bringing people to his table and I'm very impressed with how the president is helping us close this bill, and making the improvements that we've been making, getting the votes.

And so, we feel very good where we are. We like the process because it's the regular order process. We're going to make those changes at the rules committee that the budget committee and others have asked for. And so, we feel like we're on track and we are doing -- we are right where we want to be.

WALLACE: So, what would you say the prospects that you have the votes and will be able to pass it on Thursday?

RYAN: Yes, I feel very good about actually. I feel like it's exactly where we want to be. The reason I feel so good about this is because the president has become a great closer. He's the one who was helped negotiate changes to this bill with members from all over our caucus. I call it getting the sweet spot, you've got to get 218 Republicans, who come from all different walks of life, to come together to agree on the best possible plan to repeal and replace Obamacare.

And the reason I feel very good where we are, we all, all of us, all Republicans in the House, Senate, and the president, made a promise to the American people that we would repeal and replace this faulty collapsing law, and we're going to make good on that promise.

WALLACE: You talk about changes. You're going to offer what is known up on the Hill as a "manager's amendment" to reflect the changes you're going to make to try to pick up the final votes you need. And I want to go through some of the items that are being discussed about that.

Allow states to impose a work requirement for able-bodied Medicaid recipients. Allow states to accept a fixed block grant for Medicaid, and boost the tax credits for lower income and older people.

Mr. Speaker, will all of those items be in the manager's amendment?

RYAN: Yes, those are all things that we are working on and the manager's amendment. We're making sure that we get all the language right. As you know, we have this weird thing called the Byrd rule, which is reconciliation. So, we're making sure that these changes that were being discussed conform with this.

And so, we've gotten lots of feedback from conservatives, from governors, from people in all walks of life in our conference, from different perspectives about changes they think to improve this bill. We are working on the kinds of changes you just described and we're going through that process and we're going to bring those changes to the rules committee.

WALLACE: You have been talking about this, calling it a binary choice, either you accept the GOP bill or you have to stay with Obamacare as it exists, and with a lot of people say, as it's collapsing. But now, you're talking about making changes.

And this week, President Trump said this.

(BEGIN VIDEO CLIP)

DONALD TRUMP, PRESIDENT OF THE UNITED STATES: If we're not going to take care of the people, I'm not signing anything. I'm not going to be doing it, just so you understand. I'm in a little way, I'm an arbitrator.

(END VIDEO CLIP)

WALLACE: In fact, there are going to be changes, as you say this week, in the House. There are going to have to be even more changes in Congress. Respectfully, sir, isn't your binary choice out the window?

RYAN: No. You are misinterpreting me. The binary choice is when we bring this to a vote, that's when it becomes a binary choice. Until we bring the bill to the floor, we are always making improvements.

There is one more to describe what's going on, legislating. We are not actually doing this behind the scenes and just bringing some bill to the floor and making people vote for it. We're listening to people and the president is right. He is the one, it's -- we've never had this before, that's why I'm very excited. We have a president who is rolling up his sleeves, he's learning -- he's a very quick learner on health care. He's a business guy who came to the presidency, and now, he's helping us make sure that would bridge differences with members who are bringing constructive ideas and solutions for how to make this bill better. Four-committee process, we've got the fourth committee coming up, that's always been the plan, to always learn, listen, negotiate and improve the bill, make the fine-tuning, and then bring the bill to the floor, and that is where it then becomes a binary choice.

That's what I meant all along what I said this, which is, when we bring this to a vote, either we're going to keep the Obamacare status quo, the law is collapsing, five states have one plan left, over a third of the counties in America have only one insurer left. Some are already pulling out, massive premium increases in the future, a collapsing law. Or, we replace it with patient-centered health care that works where we give people more freedom, where we let the states go back to running their health insurance markets.

That is what we ran on. This is the plan we ran on all of last year. And we've been working with administration hand in glove and the Senate since January to put this together, and when this vote comes up, that's when it will be a binary choice, either for the status quo or for repealing and replacing this law.

WALLACE: Mr. Speaker, as a governing principle, do you believe that every American should be able to get health care insurance if they wanted?

RYAN: Yes, I do believe this is a critical need for Americans. I do believe that we can have in this country a health care system for everyone can get access to affordable health care coverage, including people with pre-existing conditions. I believe that that is achievable. I believe that that is what we are achieving in this legislation.

And the answer is not a government one-size-fits-all, arrogant micromanaging system where the government forces you to buy something you don't want, don't need, or can't afford.

The goal here is to get every American access to affordable coverage. That means we have to bring the cost of health care down. That means we don't want monopolies.

WALLACE: But, Mr. Speaker, let me --

RYAN: And that is what we are achieving.

WALLACE: Let me pick up on this, because the Congressional Budget Office, I don't have to tell you, came out this week with a pretty dramatic forecast and they said that 24 million fewer Americans will have health insurance in ten years under your plan. You said that part of that is that this is what freedom looks like.

Here you are.

(BEGIN VIDEO CLIP)

RYAN: This isn't a government mandate. This is not the government makes you by what we say you should buy and, therefore, the government thinks you're all going to buy it.

(END VIDEO CLIP)

WALLACE: But, sir, is the major decrease in the number of people, according to the CBO, who will have health insurance, is it freedom or is it that some people will no longer be able to afford health insurance under your plan?

I want to show a specific case that the CBO put up. Look at these numbers. In ten years, the CBO said a 64-year-old with an income of $26,500 will pay $1,700 out-of-pocket under Obamacare for health insurance. Under your plan, the CBO says that same person will have to pay $14,600 because insurance companies can charge more and the tax credit that you're going to offer is smaller than the subsidy that Obamacare will offer.

So, what they are saying is that this isn't freedom. This isn't people voluntarily deciding not to have health insurance. It's that your plan makes it unaffordable for people.

RYAN: So, there are three things I would say.

Number one, what they basically say is people -- Obamacare is not going to last. There's no way Obamacare could stick another two or three years, let alone ten years. And so, they are comparing in

Obamacare plan that's mythical, that won't exist in ten years.

And then they're saying, well, if people are buying what Obamacare is going to make them buy, then they will be able to afford it.

Here's the point: we believe that we do need to add some additional assistance with people in those older cohorts. But the apples to oranges comparison that's happening here is, we're not going to make people buy something that's so expensive that they can't afford, that the market is not going to offer.

And so, where I dispute that comparison is it suggests that we're going to have the same kind of plans being offered in ten years that Obamacare would otherwise offer. It won't be it is collapsing.

(CROSSTALK)

WALLACE: If I may.

(CROSSTALK)

WALLACE: But I want to get to two points.

(CROSSTALK)

RYAN: OK, Chris, this real quick. WALLACE: Yes, go ahead.

RYAN: Let me just say, the older, the person in their 50s and 60s -- the person in the 50s and 60s does have additional health care cost than a person in the 20s and 30s, the tax credit adjust for that. But you're right in saying, and we agree, we believe we should have even more assistance. And that's one of the things we're looking at for that person in the 50s and 60s because they experience higher health care costs.

So, the critical difference here is we're going to --

(CROSSTALK)

WALLACE: So, you're going to change the plan as it was written and the CBO analyzed it?

RYAN: That is among the things we're looking at doing, yes. And the point I would say is, we're going to let people buy what they want to buy. We're going to have more plans being offered, more choice and competition, and this is before Tom Price does anything to deregulate the marketplace, to bring more competition and lower prices which the CBO could not and did not analyze.

So, the CBO looked at a little piece of the issue when we know that the secretary of HHS will help bring market freedom and regulatory relief to the health insurance markets to dramatically lower the price of plans for those 50 and 60-year-olds. But even with that, we think that we should be offering even more assistance than what the bill currently does.

WALLACE: OK.

RYAN: That's the point I'm trying to make.

WALLACE: No, I understand that.

RYAN: Thanks for indulging --

WALLACE: Let me turn on the time we have left, sir, to the budget that the Trump administration offered this week. Here is Budget Director Mick Mulvaney.

(BEGIN VIDEO CLIP)

MICK MULVANEY, DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET: This is a hard power budget that this administration tends to change course from a soft power budget to a hard power budget.

(END VIDEO CLIP)

WALLACE: And what he basically means by that is they're going to be big defense increases, spending increases, and they're going to be offsetting and sizable decreases in a lot of domestic discretionary programs. Are you comfortable -- and I want to talk about two in specifics, because what really gets down to is not big numbers, but specific programs. Are you comfortable with cutting the National Institutes of Health by 20 percent? Are you comfortable with cutting funding for Meals on Wheels, which supplies food to two -- and seniors depend on it -- to 2.5 million elderly Americans?

RYAN: Well, I would say, this is the very, very beginning of the budget process, a process I have worked with for many years. They submitted their budget. They will go through the congressional system.

What typically happens as a president submits their budget and then Congress takes it from there and makes necessary changes to that budget going forward. We are encouraged that we seeing an increasing in defense because we think our military has been hollowed out.

But I will say that NIH is something that's particularly popular in Congress. We just passed the Cures Act just this last December to increase spending in the NIH, we really think we're kind of getting close to some breakthrough discoveries on cancer and other diseases. So, that is something that I think and Congress you'll see probably some changes.

But with respect to any one of these types of programs, this is the beginning of a very long multi-stage process of budgeting and I do believe at the end of the day, we're going to honor these priorities, in particular our defense spending priorities. And so, I'm glad that the administration got going. I want financial pressure, I want spending caps, because that makes us focus on cutting spending that is wasteful spending.

There are a lot of programs that are duplicative, that are wasteful, that aren't measuring up to the goals that they are supposed to achieve. And you want that kind of fiscal pressure, so you go after waste, you go after fraud, you go after abuse and you move money from programs that aren't succeeding or working or achieving the goals to those that do, while we honor our priorities.

So, this is just the beginning of that long process, and I'm encouraged that we are up and starting with it. That's what I'm really mostly encouraged about is the White House gave us numbers so we can get started, that's what encourages me.

WALLACE: I got less than a minute left. I want to ask you finally about President Trump. We are now into week three of his allegation that that the Obama administration wiretapped Trump Tower. This week, he

swept the Brits into it, he swept the Germans into it.

The question I have is, sir, and I don't expect you to comment on that -- but isn't this a big distraction from the very ambitious legislative agenda that you are trying to get through Congress?

RYAN: Yes, it's why I focused on the very ambitious agenda that I'm trying to get through Congress. I'm not really focused on these things. Only to the extent that we have a committee that is investigating, I think you have the chairman coming on next.

So, the president and Congress is already working on this. They've asked us to investigate this. We're going to investigate each and everyone of these things, all things related to Russia.

That investigation is ongoing, it's not complete. Let's see this investigation run its course. We have not seen evidence that you just described. I think you will probably get that same kind of answer from Chairman Nunes in a few minutes.

WALLACE: Would you like us to be over quickly?

RYAN: I want to get on with passing our agenda. And we are. So, I'm pretty -- I'm in a good place.

WALLACE: Mr. Speaker, thank you. Thanks for your time. And, of course, we'll be tracking what happens in the House this week. Thanks again, sir.

RYAN: You bet. Thanks, Chris.

WALLACE: Up next, we will bring in our Sunday group to discuss the chances that House Republicans will unite behind the GOP health care a plan.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

TRUMP: We are negotiating with everybody. It's a big, fat, beautiful negotiation and hopefully, we'll come up with something that's going to be really terrific.

SEN. CHARLES SCHUMER (D-NY), SENATE MINORITY LEADER: We are here today because we see something that a Republican colleagues in the House can't see. Trumpcare is a wreck.

(END VIDEO CLIP)

WALLACE: President Trump sounding optimistic about the GOP's health care legislation, while Senate Democratic leader Chuck Schumer slams it.

And it's time now for our Sunday group. GOP strategist Karl Rove, Dr. Ezekiel Emanuel, one of the architects of Obamacare, Neera Tanden, head of the liberal think tank, the Center for American Progress, and FOX News contributor Rachel Campos-Duffy.

Carl, let me start with you. Same question I started with Speaker Ryan. Will the House pass a version of repeal and replace this week? And how damaging, and how much of the Republicans had to respond to that CBO assessment score that 24 million fewer Americans would have health insurance under this plan in ten years?

KARL ROVE, GOP STRATEGIST: Well, it is a damaging number, but when you look under the surface of it, it starts with 14 million fewer people in the next years not having insurance who would otherwise have it. Virtually, all of those, the CBO says, are as a result of the end of the mandate. That is to say, the penalties that are inflicted upon people who don't buy insurance. And if they are not inflicted with a penalty, then they're not going to buy insurance.

So, the Republicans have got a different approach, which is, let's provide fair track tax treatment in the form of an advancable, refundable tax credit to the people who are self-employed, who don't get that kind of treatment, because they don't get their insurance from their employer, and the people and small businesses that don't get coverage. And the CBO has historically underestimated the effect of market choices like that, as it did in the Medicare Part D, and overestimated the impact of what a government mandate penalty would do.

(CROSSTALK)

WALLACE: For all of the conservatives in the House, who have had heartburn over this, do you think that they're going to hold their nose, mixing my metaphors here, and vote for it?

ROVE: Yes. I think, look, actually, I think that they started to come -- they wanted some things. They couldn't figure out what those things were, but they stumbled into a couple of them, and they are happy. I think the biggest one is, is that poor people who are on Medicaid who are able-bodied without children that states ought to be able to impose a work requirement that says if you want this government benefit, much like we did with welfare, you got to be looking for work or working in order to get the benefit. And I think that's made a lot of conservatives more comfortable.

WALLACE: Dr. Emanuel, for an architect of Obamacare, you have been surprisingly open, and we have discussed this in the last weeks, to at least the idea of changing -- amending the law. What do you think about where House Republicans seem to be headed with this bill?

DR. EZEKIEL EMANUEL, FOX NEWS CONTRIBUTOR: That's a disaster. By 2026, one in five Americans are not going to have insurance. That is worse than before the Affordable Care Act was created. That is not a place we want to be.

It's basically Australia with no insurance.

WALLACE: Let me --

(CROSSTALK)

EMANUEL: Wait a second. By the way, their notion of affordability, all right, we're going to bring down the premium. Let's say -- how are they going to bring down the premium? There is nothing in this bill about cost control. They're going to bring down the premium by not covering a variety of services.

WALLACE: They're saying a lot of things. They're going to bring down -- they say -- they're gong to bring down cost control --

(CROSSTALK)

WALLACE: Wait a minute, in other parts of the process and the regulations by Tom Price in the legislation. They also, you just heard Speaker Ryan say, they're going to boost the tax credit, so that will make it more affordable to the 65-year-old man I talked about, 64-year-old.

EMANUEL: Well, you're going to have to see what they're going to boost it by. But as your numbers show, they have to boost it by $10,000 and that doesn't seem to be in the cards for Mr. Ryan.

But more importantly I'd say, you're going to see the premiums may become down, but that's because they're not covering services and the deductibles are going to go up. So, net-net, it's actually going to be worse for people.

The Brookings Institute said that when you analyze this bill, premiums are going to go up on average 13 percent for Americans. That doesn't sound like a good deal for most Americans and especially the Americans that voted for Trump.

WALLACE: All right. You know what? I was going to talk about the budget. Let's just talk about this. Rachel?

RACHEL CAMPOS-DUFFY, FOX NEWS CONTRIBUTOR: I was just going to say, it's really hard to listen to this because you're the architect of the bill. This bill is not working. It's in a death spiral. You promised that people can keep their doctor. You promised that people can keep this --

(CROSSTALK)

EMANUEL: Excuse me. Can we just have some serious news? The CBO said says there's no death spiral.

WALLACE: Wait --

EMANUEL: That's not accurate.

CAMPOS-DUFFY: Wait a minute, first of all, the CBO is measuring what is before the House this week. The bill includes three parts. It includes what's going to happen when the HHS secretary does the things he's

going to do to the bill and to regulations and also, the third part, which is really important, that's where they're going to take on across state lines, allow --

WALLACE: A bunch of other stuff.

CAMPOS-DUFFY: Exactly. But also, very important, tort reform, which is a huge driver.

(CROSSTALK)

WALLACE: Let's bring in -- no, let's -- Zeke, play fair.

(CROSSTALK)

NEERA TANDEN, CENTER FOR AMERICAN PROGRESS: Can I just say, I mean, just for your district, your husband's district, 45,000 people lose health insurance from this. CAMPOS-DUFFY: But, right now, Neera, people can't use the insurance they had because the premiums are going up and the deductibles are so high.

TANDEN: People had coverage that they will lose. And I think the essential promise here --

WALLACE: Wait, Neera, your ignoring what she said and the fact, which is that the premiums are going up and the deductibles are huge, so you have to pay enormous out of -- let me finish --

TANDEN: Yes, yes.

WALLACE: -- out-of-pocket expense before you even get the advantage of it. And you've got insurance companies all over the country that are pulling out. So, there's no choice.

TANDEN: The CBO did an analysis of both the Affordable Care Act today and compared it to the Ryan bill. So, that's what they looked at. And that's what people are looking at when they think 45,000 people are going to lose coverage.

The Affordable Care Act, the CBO said, is not collapsing. This is false. It is fake news from you guys. There are places that bring in.

(CROSSTALK)

WALLACE: Fake news --

TANDEN: There are places, premiums -- let me just finish. There are places premiums have increased, but the Affordable Care Act is stable. The reality is, that what unwinds --

WALLACE: Karl, go ahead.

TANDEN: -- the insurance market, what unwinds the insurance market is what Ryancare or Trumpcare will do. And this is the essential quandary (ph) of what we're going to face on Thursday, or what we're facing this week -- Trump voters --

WALLACE: All right.

(CROSSTALK)

TANDEN: No, let me just finish one point, Trump voters --

WALLACE: You've been finishing the whole --

TANDEN: No, no, let me just say one thing.

(CROSSTALK)

TANDEN: I would love to answer this. Donald Trump promised working-class people, and they relied on it, they would keep it. Now, he would like -- now, Paul Ryan put forward a bill that hurts them and he might have to change -- he might have to change.

ROVE: I'm ready to answer.

WALLACE: Go ahead.

ROVE: First of all, talk about promises. We were promised, Neera, your premiums are going to go down $2,500 for family of four.

TANDEN: Across the country.

ROVE: You can keep your plan, you can keep your doctor. All these wonderful things -- it's not going to not add a dime to the debts, and all of which --

TANDEN: It didn't add a dime to the debt.

ROVE: I didn't interrupt, so stop.

That turned out not to be true. This year, the average premium increase is 25 percent, on top of a double digit last year.

Now, I love how everybody was so quick to count CBO numbers. CBO said, looking at one-third of what Republicans are offering, that within two years, we will have a 10 percent decline in premiums under the Republicans. So, love it how they love the CBO number when it comes to 14 percent, love it how they don't love it --

(CROSSTALK)

EMANUEL: That's not accurate. Just let's make three quick points.

First of all, by 2020, premiums are supposed to go up 15 percent to 20 percent, and then by 2026, they will be down for younger people but up for older people. That's the first point.

The second point is, one of the ways they're going to drive your premiums down is by driving your deductibles off. And that is not a good thing.

WALLACE: Well, you guys know all about that.

EMANUEL: Wait a second, they're going to drive them up even higher, Chris.

WALLACE: OK.

EMANUEL: And the third point I would make is that this is not a bill that is actually going to be beneficial for people. They're going to throw a lot of people on Medicaid off coverage and they're going to transfer a lot of costs to states, which is going to put them in a very difficult spot that -- in cutting their enrollment.

ROVE: I love the newfound concern for younger people. To say all these older people are going to have the premiums go up. Well, their premiums are going up because Obamacare makes younger, healthier workers subsidized older, less healthy workers, and then why are we surprised that Obamacare is not getting the percentage of younger, healthier workers to make the system work?

Now, what is the answer to Obamacare? One of its leading architects has three suggested answers: increased payments to insurance companies so they can hide the premium increases, increased penalties on those without insurance, penalize people even more, and increased subsidies for those in the exchanges.

Now, I think Dr. Emanuel was pretty serious in these, but none of these is doing anything except throwing more money at a system that's broken.

EMANUEL: Karl, your plan, Speaker Ryan's plan has $100 million for insurance companies in the stability plan --

(CROSSTALK)

ROVE: -- even more --

TANDEN: No, not even more.

(CROSSTALK)

ROVE: And it saves over $300 billion --

(CROSSTALK)

WALLACE: We have the rest of the show -- no, we have the rest of the show to do. Take it into the panel room. We should put a separate camera in there so you could watch that. We're going to take a break here. We'll see you a little later.

Up next, the chair of the House Intelligence Committee, Devin Nunes, is here ahead of a big hearing tomorrow where FBI Director Comey will testify about Russia and the Trump campaign.

Man, that was intense.

(COMMERCIAL BREAK)

WALLACE: Coming up, FBI Director Comey testifies before Congress tomorrow about the president's charge Trump Tower was wiretapped by Barack Obama.

(BEGIN VIDEO CLIP)

NUNES: I don't think there was an actual tap of Trump Tower.

(END VIDEO CLIP)

WALLACE: We'll get a preview of the hearing from the chair of the House Intelligence Committee, Devin Nunes, next.

(COMMERCIAL BREAK) WALLACE: A look at the cherry blossoms along the tidal basin here in Washington, were peak Bloom was delayed after this week's snowstorm.

Tomorrow, FBI Director Comey testifies before the House Intelligence Committee on the Trump campaign's alleged ties to Russia and claims by the president that Barack Obama wiretapped Trump Tower.

Joining me here in Washington is the man who will chair that hearing, California Congressman Devin Nunes.

Chairman Nunes, welcome back to FOX NEWS SUNDAY.

NUNES: Thank you.

WALLACE: You said earlier this week that you had, your words, "no evidence" of the Trump claim that he had been wiretapped in Trump Tower by President Obama during the campaign. Then, on Friday, you got a response to questions from the FBI on this issue of whether thy had any evidence of surveillance there. I know you can't say much about it, but based on what you receive from the FBI on Friday, do you want to amend your statement that there's no evidence of wiretapping?

NUNES: No. So I actually said this a couple of weeks ago that it was -- you know, the president doesn't go and physically wiretapped something. So if you take the president literally, it didn't happen.

I think the concern that we have is that are -- were there any other surveillance activities that were used unmasked (ph) the names. For example, we know that General Flynn's name was unmasked. And so, was there a physical wiretap of Trump Tower? No. But there -- there never was. And -- and the information we got on Friday continues to lead us in that direction.

WALLACE: Well, I just -- I just want to make that point because you -- you -- there is no evidence that there was any wiretapped -- I'm not talking with President Obama doing it, but his administration -- no evidence of any wiretapping of Trump Tower?

NUNES: No -- no -- there was no FISA warrant that I'm aware of to Trump -- to tap Trump Tower. That's correct.

WALLACE: And that's after you received this information?

NUNES: That's accurate.

WALLACE: OK. So then what's your point?

NUNES: So the other -- the other issue though that's still remaining out there is the unmasking of names and the leaking of names. And so there's a -- you know, we have a lot of surveillance activities in this country and I think the concern that the Trump administration has is, you know, were they actually using surveillance activities to know what they were up to, because we know that that happened with General Flynn. We know that his name was unmasked and we know that it was leaked out to the press. So the question is, did that happen --

WALLACE: Right, but -- but our -- but our understanding of that is that that was because you had regular surveillance, not you, but I mean the government had regular surveillance of the Russian ambassador, Sergey Kislyak. What I'm asking about is something -- and I'll get back to the unmasking in a second.

NUNES: Uh-huh.

WALLACE: There's this whole question of whether there was any surveillance, not wiretapping but any surveillance at Trump Tower. And I want to play what Donald Trump said this week. Here it is.

(BEGIN VIDEO CLIP)

TRUMP: We will be submitting certain things and I will be perhaps speaking about this next week. Wiretap covers a lot of different things. I think you're going to find some very interesting items coming to the

forefront over the next two weeks.

(END VIDEO CLIP)

WALLACE: As I said, we're going to get to the unmasking issue, which is a serious issue, in a moment. But is -- do you know what he's talking about? Is there any evidence of any surveillance, electronic surveillance --

NUNES: Well, if he's talking about the unmasking of names, and so if there were other surveillance activities where names were picked up and then unmasking occurred, and that was spread throughout the intelligence community, that is very -- that is very possible, and we don't have the answers to those questions yet. I don't know if the president has those are not. But we had a deadline of Friday for the NSA, FBI and CIA to get us those names that were unmasked through the FISA system. We didn't get those names on Friday. So until we get those names, we can't rule this out.

WALLACE: You're going to have a hearing tomorrow. We've been talking about FBI Director Comey is going to be there. NSA Chief Mike Rogers is going to be there. What do you hope to learn at that hearing?

NUNES: Well, we're excited about this because for the first time the American people, and all the political parties now, are paying attention to the threat that Russia poses. So we're going to highlight that. We'll highlight the fact that we know that the Russians were trying to get involved in our campaign, like they have for many decades. They're also trying to get involved in campaigns around the globe and -- over in Europe. So I think it will be good to highlight that.

Secondly, we're worried about analytical integrity. We don't know how there were information changed and if information changed because in December, the beginning of December, the assessment was that, hey, the Russians were trying to go -- get into our election process and cause problems and sew doubt in our -- in our system. But then that changed a month later and they it said, no, no, no, that they were trying to help Donald Trump. So we need to get to the bottom of that.

And then also, you know, whether or not they did try to help Trump, and if any Trump associates or anyone else was involved.

WALLACE: I -- I guess -- because there's a little confusion here. You -- it's clear that Michael Flynn's conversation with the Russian ambassador were swept up by electronic intelligence and, as you say, unmasked. Here's the name of an American, and that's illegal, that was leaked to the public. Do we believe there was any specific -- well, do we know of anybody else other than Mike Flynn who was -- who was swept up in this?

NUNES: Well, you're -- you're right to point that out, because the one crime we know that's been committed is that one, the leaking of someone's name through the FISA system. That is -- that is a crime that's been committed. We don't know the answer to that. That's what we're trying to get to the bottom of. Where there any other names that were unmasked, leaked, and leaked out? We just don't know that yet.

WALLACE: Do we think there was any surveillance of people in Trump world, or do we think that there was surveillance of other people, like Ambassador Kislyak, and that these folks who were talking to them were incidentally swept up in the conversations, in the -- in the intercepts?

NUNES: Well, if you look at the folks that are working in the White House today that are involved in the -- in the Trump -- in the Trump administration, I don't think there's any but one there that's under any type of -- of -- of investigation or surveillance activities at all. When you consider -- when you look at what happened to General Flynn, it's very, very concerning. This is -- this is someone, you know, look, the president had the right to get rid of him. He's going -- he's not in the administration any longer, but he is -- was an American citizen. He was talking to the Russian ambassador. Talking to diplomats in this town, as you know, Chris, is something that happens -- occurs on a -- on a regular basis. I probably talk to a dozen -- a dozen diplomats a week. And, you know, we should not be going after our diplomats and making them into -- as if it's -- as if it's wrong to talk to diplomats in his town. That is his job.

WALLACE: I want to ask you -- it's a little bit confusing and I want to put -- try to button this down. Two bottom line questions. First, as the chairman of the House Intelligence Committee, as you sit here today before the hearing on March 20th, have you seen any evidence of any collusion between what I'll call Trump world, associates, of campaign officials, Trump world and the Russians to swing the 2016 presidential election?

NUNES: I'll give you a very simple answer. No.

WALLACE: No evidence of any collusion.

NUNES: No evidence.

WALLACE: And this is after talking -- getting this information from the FBI, after -- NUNES: Up to speed on everything I have up to this morning.

WALLACE: He --

NUNES: There's no -- no evidence of collusion.

WALLACE: Do you believe that there are elements inside the intelligence community or the FBI that are leaking information, like the name of Mike Flynn, like perhaps the fact that Attorney General Sessions met with the Russian ambassador to undercut the Trump presidency?

NUNES: I think that's pretty clear. And, in fact, I mean there's been --

WALLACE: Pretty clear what?

NUNES: It's pretty clear that that's happening. There's even been stories written about it in -- in numerous newspapers talking about how they said -- they left breadcrumbs around to hurt the Trump administration.

WALLACE: So you believe that there are people inside these intelligence communities --

NUNES: I don't think so anymore. I think it was largely people maybe who were there, had classified information, who are now no longer there and decided to leak it.

WALLACE: To what end?

NUNES: I think to hurt -- I mean clearly to leak Michael Flynn's name talking to the Russian ambassador. That was clearly designed to her General Flynn and -- and the president's national security advisor.

WALLACE: Do you -- I -- do you think this is all going to be cleared up with your hearing tomorrow or not?

NUNES: Well, this is the beginning. I mean what we're trying to get to the bottom of -- I mean this is just the beginning. Another week from now, a week from Tuesday, on the 28th, we have an additional hearing with at least three more witnesses. So we're trying to get to everyone who -- for lack of a better term -- was at the crime scene, and we're trying to bring them all in and see what they knew, when they knew it, if they

know about the leaks, if they knew about General Flynn's his name being unmasked. These are all questions that we need to get to the bottom of.

WALLACE: But, to make it clear, when you talk about the crime scene, you're talking about the leaking of names of Americans that shouldn't have been leaked as part of our electronic surveillance.

NUNES: Yes (ph).

WALLACE: You're not talking about anything involving the Trump campaign?

NUNES: Because that's the only crime that we know has been committed right now. That we know. We know a law has been broken and we need to get to the bottom of it. As it relates to the Russians, we are happy to investigate it because I think Putin is a bad actor on the world stage.

WALLACE: Two quick questions on other issues. Secretary of State Tillerson has been traveling through the Middle East this week announcing a change in U.S. policy toward North Korea. Here he is.

(BEGIN VIDEO CLIP)

REX TILLERSON, SECRETARY OF STATE: Let me be very clear, the policy of strategic patience has ended. We're exploring the new range of diplomatic, security and economic measures. All options are on the.

(END VIDEO CLIP)

WALLACE: But, while Tillerson is in China, and here's a picture of it, North Korea has just tested a new rocket engine. A couple of questions, how urgent is the threat that North Korea is going to be able to put a nuclear warhead on an ICBM missile that could hit the U.S., and should we seriously consider the military option, whether it's a strike by the U.S. or getting North -- South Korea and Japan to boost their military capabilities?

NUNES: The closer that the North Korean regime gets to being able to deliver a nuclear weapon, the -- we're going to have to be in a position to take some type of preemptive strike. We hope that we -- it doesn't come to that. But this is -- this is an unhinged regime. You have 20 million people, you know, living in

extreme poverty. And so I -- I'm actually very impressed. I've never met the -- the new secretary of state yet, but I am -- I am happy that we're getting off of this strategic patience, which was our last policy towards North Korea. And I think what -- what -- what -- at the end of the day here, something may have to be done because we can't afford to let a nuclear weapon go off in Seoul or Tokyo or the United States for that matter.

WALLACE: And, briefly, there's a -- a new story today from out of Turkey, in Turkey they are saying that the Trump administration is considering the extradition of Fethullah Gulen, an Islamic cleric, who has been in the country and Turkey wants to get back. They say he was the architect of the attempted coup against Turkish President Erdogan. Do you know anything about that?

NUNES: Yes, I find that hard to believe. The Erdogan government, he's becoming very authoritarian. NATO, for a long time, has been a strong ally of ours, but -- but they're becoming more and more worrisome in terms of actually being a reliable ally. And, you know, I don't know that we would extradite somebody like that. I haven't seen the evidence for that, that Gulen was involved in anything like that. If he was, I mean clearly that would be a different -- a different issue. But our relationship with Turkey is strained and I think it's going to become even more complicated as we -- as we begin to try to -- to get ISIS out of Iraq and Syria.
WALLACE: Chairman Nunes, thank you. Thanks for coming in. We covered a lot of territory today. Thank you, sir.

NUNES: Sure.

WALLACE: Up next, we'll bring back our group. They're still arguing about Obamacare, to discuss the upcoming showdown over President Trump's Supreme Court nominee as Democrats try to block him.

Plus, what would you like to ask the panel about the confirmation hearing for Judge Neil Gorsuch tomorrow? Just go to FaceBook or Twitter, @foxnewssunday, and we may use your question on the air.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

TRUMP,: As far as wiretapping, I guess, by, you know, this past administration, at least we have something in common perhaps.

REPORTER: Did you ever give him any reason to believe that he was wiretapped by the previous administration?

JEFF SESSIONS, ATTORNEY GENERAL OF THE UNITED STATES: Um, look, um, the answer is no.

(END VIDEO CLIP)

WALLACE: President Trump digs in on his claim he was surveilled by the Obama administration, just as German Chancellor Angela Merkel was. But Attorney General Sessions unable to give his boss any backup.

And we're back now with the panel.

Karl, not only is the president standing by his claim that he was wiretapped by his predecessor, but this week, as we saw there, he swept the Germans into this, he swept the Brits into this with a White House report, or citing a Fox report that they had done some spying for the Obama administration on President Trump. How big a deal is this continuing controversy and how disruptive to a president getting his agenda through Congress?

ROVE: Well, it's a big deal publicly. I'm not certain how much it has to do with getting his agenda through, because most people outside of the confines of the West Wing are quick to dismiss this all. Look, we are in an age of paranoia and everybody's participating in it. You said we're in the third week of the president making these claims. We're in the 16th week of the Democrats making the claims of collusion between the Russians and the Trump campaign brought about Hillary Clinton's defeat.

I say a pox on all their houses. Let's stop it. It's in the hands of a couple of adults. You had one of them on, Devin Nunes. I was surprised, Adam Schiff, who has a reputation for sometimes being an overt partisan, he handled it in an adult way last week. Senator Burr, the chairman of the Senate Intelligence Committee and the ranking Democrat Senator Warner are appearing to approach this in a -- in a thoughtful fashion. I -- I would hope the American people would leave it in their hands to -- to wrap this all up.

The only thing -- Chairman Nunes was right, the only thing we know is the name of one person has been leaked in violation of federal law. All the rest of this is conjecture of which there has been no evidence on either side whatsoever.

WALLACE: And that's General -- General Michael Flynn.

Dr. Emanuel, let me bring you into this. This isn't your area of expertise, but can this kind of thing get in the way of a president trying to get something as complicated as Obamacare, or in this case the replacement of Obamacare, through Congress?

EMANUEL: The whole thing is a distraction inside the West Wing and you see mainly a distraction by his people, who are trying to, you know, cover up without contradicting their boss. There's never been a shred of evidence, it's a baseless charge that, in fact, there was spying on the Trump Tower. And why we're devoting any attention to it on just, you know, I can make up something tomorrow. Chris Wallace, what did you embezzle? You know, it's ridiculous with no evidence.

WALLACE: Let me ask you -- let me ask you a question. Do you -- would you also say it's baseless, this charge, that there was collusion or at least if we have no evidence?

EMANUEL: Well, we know -- wait -- wait a second. We know about Russian hacking --

WALLACE: Yes.

EMANUEL: And we don't know the extent of it. And when -- until we get the extent of it. There, there's actually some evidence that there is hacking going on, and that -- and that is the important issue.

WALLACE: That's not my question -- sir, it's not my question. No, it isn't. My question is -- because we have known that for months now. The question -- the continuing mystery is, did the Trump campaign collude with the Russians? Do -- we don't have any evidence of that.

EMANUEL: I don't think that's the only question. The question is whether the Russians influence our election, and that is a very serious charge that we have not gotten to the base of it. And that, I do think, is worth looking at because we know they have acted very (INAUDIBLE).

WALLACE: Yes or no, is there any evidence of collusion? Yes or no?

EMANUEL: We don't at the moment.

WALLACE: OK.

EMANUEL: But we have reason to suspect it. TANDEN: Well, but, see, this is what I think this is an odd mystery, right, we have -- the intelligence community has issued a report saying the Russians tried to influence the election --

WALLACE: Right.

TANDEN: And did influence the election.

WALLACE: Right.

TANDEN: And the issue here is --

CAMPOS-DUFFY: But did not influence the outcome.

TANDEN: Said -- no, they did influence the outcome. Yes.

WALLACE: Well, no -- no, no, no, wait, wait, no, let's not talk about that. Let's -- let's talk about that --

TANDEN: But let me just --

WALLACE: But that -- we -- that's kind of settled.

TANDEN: It's not settled.

CAMPOS-DUFFY: Yes.

TANDEN: This is the issue. Those Democrats are literally just asking for public investigations of this issue to air because there hasn't been public discussion of this in -- amongst -- in the -- in any committee in which you can do that.

WALLACE: All right.

TANDEN: And that's the reason why I find it so weird that Devin Nunes (INAUDIBLE) --

WALLACE: All right, we're going to switch -- we're going to switch --

ROVE: This isn't an investigation. They want a 9/11 investigation because Hillary Clinton's loss was --

TANDEN: Not even that.

ROVE: Was -- Hillary Clinton's loss was the result, Schumer says, of a 9/11-style attack on American by the Russians. Here, let's be clear about something --

TANDEN: It's weird that they --

CAMPOS-DUFFY: Can I just say that --

ROVE: July 22nd, when these -- when the WikiLeaks began, she was ahead in the RealClearPolitics average by 2.6 points. On October 6th, when the second (INAUDIBLE) came out, she was (INAUDIBLE) -- WALLACE: All right. All right. Enough -- enough numbers. I want to talk about Neil Gorsuch.

TANDEN: This is like (INAUDIBLE) --

WALLACE: Neil Gorsuch.

TANDEN: (INAUDIBLE) this to be a real investigation.

WALLACE: Excuse me.

TANDEN: That's all anyone asks (INAUDIBLE).

WALLACE: Wow, this panel. I need a -- I need a -- I need a chair and a whip. Like a lion tamer.

CAMPOS-DUFFY: (INAUDIBLE).

WALLACE: Because there's nothing that is more important or longer-lasting than a president's nominee to the Supreme Court, who, if he gets on the court, can be there for 30 years. And this is the question of Neil Gorsuch. Democrats looking for some way to oppose him. Here they are.

(BEGIN VIDEO CLIP)

SEN. RICHARD BLUMENTHAL (D-CT), JUDICIARY COMMITTEE: I have demanded that he condemn Donald Trump's attacks on an independent judiciary. So far he has failed to do so. And I believe he should be held accountable in that hearing.

(END VIDEO CLIP)

WALLACE: Now, we asked you for questions for the panel and we got a bunch on this issue of what should be done about the threat of a Democratic filibuster, which the Democrats are putting out there. Karen Springer tweets this, "can the Republicans just go to the nuclear option right away and get Gorsuch on the court right away?" What she's talking about is the fact that the GOP majority could change the rules, as the Democrats did back in 2013, they did it for lower court judges, the Democrats -- the Republicans could do it for Supreme Court nominees to make it 51 votes instead of 60.

EMANUEL: We should remember --

WALLACE: Wait, wait, wait.

Rachel.

CAMPOS-DUFFY: Look, they can go nuclear if they need to. Hopefully they won't have to. But here's the -- the thing. This week it's going to be like pouring salt in the words of Democrats because they are so angry that Donald Trump gets to pick this nominee and also potentially two or three during his presidency. And so they are going to pressure their -- Schumer and everybody else to complain about this, to try and block this, to have a filibuster. But the truth is, it will make them look like they're not main stream because I think once Gorsuch goes up for these hearings, everybody's going to see that this person is absolutely --

EMANUEL: Neil Gorsuch may be -- he may be a good judge, but he's --

CAMPOS-DUFFY: Neil Gorsuch is main stream, he's intelligent, he's brilliant and he's a --

EMANUEL: He's definitely intelligent. He may be a good judge. But the Republicans upset tradition. They were not conservative in this way. Ten months, Merrick Garland was there and the Republicans violated every tradition.

CAMPOS-DUFFY: Again, you want -- you want to re-litigate the election, just like you want to do with the Obamacare and --

TANDEN: Oh, my God.

(CROSS TALK)

ROVE: The tradition has been there's not been a presidential nominee of a -- to the Supreme Court has been approved in the last year of a presidency.

EMANUEL: The Republicans violated --

CAMPOS-DUFFY: We're not going to re-litigate the election.

ROVE: They upheld an 80 year tradition.

TANDEN: Exactly.

EMANUEL: No, and I --

ROVE: And -- and I --

EMANUEL: The country's 240 years old and they violated every tradition that the president has the right to nominate someone.

TANDEN: You're just making up these numbers over here.

WALLACE: All right, you --

TANDEN: I just really want to say --

WALLACE: You've got -- you've got literally 10 seconds.

TANDEN: The independent -- the independent judiciary is what's at stake here. And I think that's where the Democrats are going to focus.

WALLACE: I'm glad we settled all of this. Thank you, panel. See you next Sunday. This was a great panel.

EMANUEL: Thank you.

WALLACE: We'll have you all back.

Up next, our "Power Player of the Week." A behind the scenes look at one of the perks President Trump is using to win support for his agenda.

(COMMERCIAL BREAK)

WALLACE: It's been the talk of Washington recently, even though this White House gem has been around since the 1940s. Now, the Trump team is inviting members of Congress to enjoy it and maybe pick up some support. Here's our "Power Player of the Week."

(BEGIN VIDEOTAPE)

JENNIFER KORN, DEPUTY DIRECTOR, OFFICE OF PUBLIC LIAISON: Welcome to the Harry Truman Bowling Alley. Come on in.

WALLACE: I can't wait to -- my gosh.

KORN: We are in the basement of the executive Eisenhower Office Building.

WALLACE: Right.

KORN: And here is one of the pins that was signed by President Nixon himself.

WALLACE (voice-over): Jennifer Korn, who's deputy director of the Office of Public Liaison, was our guide to the White House Bowling Alley.

KORN: Here's President Truman and he was the first president to bring bowling to the White House.

WALLACE (on camera): Although he bowled in a suit, which is --

KORN: He did. Very formal.

WALLACE: I covered the White House for six years. I never knew this facility existed.

KORN: It's a wonderful facility, and we're really happy to have you here.

Let's go bowl.

WALLACE (voice-over): But before bowling, Jennifer told us about the alley's rich history.

UNIDENTIFIED FEMALE: President Nixon was the most avid bowler of all presidents. It is said that he took four hours at a time to bowl.

WALLACE (on camera): Who can both for four hours straight?

KORN: I don't know, because I can't, but the president did. He's -- I guess that's the way he let off steam.
WALLACE (voice-over): There's even video of Nixon, his high score, 229. And some first ladies also hit the lanes.

WALLACE (on camera): Here's Lady Bird herself. I love they had their own bowling bags.

KORN: They had their own bowling bags and also see that they are bowling in their dresses.

WALLACE (voice-over): President Trump hasn't visited yet, but his staff uses the alley often to make its pitch to members of Congress and outside groups.

WALLACE (on camera): When you invite somebody to come bowl at the White House, how many of them say no?

KORN: So far we haven't had anybody say no.

WALLACE (voice-over): In addition to Congress this week, members of veteran service groups and the Hispanic Chamber of Commerce got to bowl. But does it translate into political support?

KORN: I think it's less about the actual bowling and the personal touch, the engagement.

WALLACE: House Democratic Leader Nancy Pelosi is playing the Grinch here, calling the Trump charm offensive offensive.

REP. NANCY PELOSI (D-CA), MINORITY LEADER: I think he's making fools of his own people quite frankly. You don't agree philosophically in what the legislation is, let's go bowling at the White House.

KORN: That's a very simplistic way to look at it. You can't pass good legislation without having a great conversations.

WALLACE: I couldn't put it off any longer, but I just want to say, I haven't bold in 15 years.

Not bad. But then I try to pick up the spare.

WALLACE (on camera): Oh, that was terrible. All right.

WALLACE (voice-over): Then it was Jennifer's turn.

KORN: Are you ready to talk about the Affordable Care Act now?

WALLACE (on camera): Oh, now, you've softened me up.

(END VIDEOTAPE)

WALLACE: She did not pick up that split.

During my time at the White House, I did not knock down many pins, but it did come away with this, a souvenir from what is officially called the Truman Bowling Alley. Now, a program note. Be sure to tune into Fox News Channel tomorrow for special coverage of the Gorsuch Supreme Court confirmation hearing. I'll join Bret Baier and Shannon Bream for a special edition of America's newsroom starting at 9:00 p.m. Eastern.

And that's it for today. Have a great week. And we'll see you next FOX NEWS SUNDAY.

END

.ETX

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Sunday, March 19, 2017 6:03 PM
To:	James B. Comey
Subject:	Fwd: NBC's "MEET THE PRESS" TRANSCRIPT -- March 19, 2017

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" [redacted] b7E
Date: 3/19/17 5:55 PM (GMT-05:00)
To: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: NBC's "MEET THE PRESS" TRANSCRIPT -- March 19, 2017

NBC News - Meet The Press

"03.19.17"

Mick Mulvaney, Sen. Susan Collins, Rep. Adam Schiff, Yamiche Alcindor, George F. Will, Katty Kay, Robert Costa

(BEGIN TAPE)

CHUCK TODD:

This Sunday, credibility crisis. President Trump's unapologetic defense of his unsubstantiated claims.

PRESIDENT TRUMP:

As far as wiretapping, I guess, by, you know, this past administration, at least we have something in common perhaps.

CHUCK TODD:

Did President Obama wiretap Mr. Trump? The former head of U.S. intelligence:

JAMES CLAPPER:

There was no such wiretap activity.

CHUCK TODD:

The speaker of the House:

SPEAKER PAUL RYAN:

I have not seen any evidence of this.

CHUCK TODD:

The Republican House Intel chair:

A.REP. DEVIN NUNES:

We don't have any evidence that that took place.

CHUCK TODD:

The top Democrat on the House Intel committee:

REP: ADAM SCHIFF:

Thus far, we have seen no basis for that whatsoever.

CHUCK TODD:

Now F.B.I. Director James Comey is set to testify before the House tomorrow on those spy claims and on Russia's role in the 2016 election. The ranking Democrat on that Intel committee, Adam Schiff of California joins me this morning. Plus, that budget blueprint, sharp increases in spending for the military, sharp decreases in domestic programs for the poor.

MICK MULVANEY:

Look, we want to give you money for programs that don't work. I can't defend that anymore.

CHUCK TODD:

President Trump's budget director Mick Mulvaney is here this morning. And healthcare fight, can President Trump win over enough Republicans to get his bill through Congress? I'll talk to one Republican no vote this morning, Senator Susan Collins of Maine.

Joining me for insight and analysis are syndicated columnist George Will, Yamiche Alcindor of The New York Times, Robert Costa of The Washington Post, and anchor of BBC World News America, Katty Kay. Welcome to Sunday, it's Meet the Press.

ANNOUNCER:

From NBC News in Washington, the longest-running show in television history, celebrating its 70th year, this is Meet the Press with Chuck Todd.

(END TAPE)

CHUCK TODD:

Good Sunday morning. It was in the late '60s that the term "credibility gap" first gained currency, as people drew increasingly skeptical of President Lyndon Johnson's claims about U.S. progress and Vietnam. Now just two months into his presidency, Donald Trump is facing similar growing distrust. What began with claims on such trivial matters as whether his inauguration crowds were larger than President Obama's, they weren't, has metastasized into something far more consequential.

The president and the White House have spent more than two weeks redefining but never

retracting Mr. Trump's insistence that President Obama had him wiretapped or surveilled. He even revived it on Friday, taking a swipe at the National Security Agency under President Obama for listening in on German Chancellor Angela Merkel's phone conversations.

And this week, the administration's policy of "ready, fire, aim," caused an international incident with the U.K. When the White House peddled a claim that Britain's spy agency worked with President Obama to spy on Mr. Trump. Tomorrow, F.B.I. Director James Comey will testify before the House Intelligence Committee where he will be asked about the spy claims, as well as about Russian meddling in the 2016 election. And the president's credibility issues are growing just as he's struggling to sell his agenda to Congress.

(BEGIN TAPE)

PRESIDENT TRUMP:

As far as wiretapping, I guess by, you know, this past administration, at least we have something in common perhaps.

CHUCK TODD:

President Trump, claiming yet again on Friday that President Obama had him wiretapped despite unambiguous statements from Republican leaders who would know.

SEN. MITCH McCONNELL:

There's no evidence of that.

REP. PAUL RYAN:

I have not seen any evidence of this.

REP. DEVIN NUNES:

We don't have any evidence that that took place.

CHUCK TODD:

Now the British are livid after Press Secretary Sean Spicer used the White House power to traffic in an unverified claim by a Fox News commentator that it was Britain's spy agency that monitored Mr. Trump on Mr. Obama's behalf.

ANDREW NAPOLITANO:

He's able to get it. And there's no American fingerprints on this.

SEAN SPICER:

He's able to get it, and there's no American fingerprints on this.

CHUCK TODD:

The British agency called it "nonsense, utterly ridiculous." The White House is refusing to apologize, quote, "I don't think we regret anything."

PRESIDENT TRUMP:

All we did was quote a certain very talented legal mind who was the one responsible for saying that on television.

CHUCK TODD:

He's referring to Fox commentator Andrew Napolitano. But on Friday, Fox News distanced itself. In the two weeks since Mr. Trump tweeted the allegations, the president and his aides just can't let it go.

SEAN SPICER:

The president's already been very clear that he didn't mean specifically wiretapping, he had it in quotes.

PRESIDENT TRUMP:

Let's see whether or not I prove it. I just don't choose do it right now.

CHUCK TODD:

President Trump's wiretapping claims are straining his credibility with Republicans just at the time he needs a united party to push his agenda through Congress. And two months into the Trump presidency, that agenda looks stuck in the mud. The president's revised travel ban blocked again, this time by federal judges in Hawaii and Maryland.

PRESIDENT TRUMP:

I think we ought to go back to the first one and go all the way, which is what I wanted to do in the first place.

CHUCK TODD:

Healthcare legislation, on the rocks with a House vote scheduled for Thursday, the president promises he is getting Republicans to yes.

PRESIDENT TRUMP:

Every single person sitting in this room is now a yes. And we made certain changes.

CHUCK TODD:

Those changes recommended by the House Budget Committee, giving states the option to require able-bodied Medicaid recipients to work in order to get medical care and further limiting Medicaid spending. But Freedom Caucus conservatives say they need further changes before they support the bill.

REP. MARK MEADOWS:

I've been very fully articulating my problems for about two weeks. So I don't know that any of those have changed.

CHUCK TODD:

But every time this bill is changed to placate conservatives, they risk losing another

moderate in the Senate.

SEN. LISA MURKOWSKI:

We want to be there for our constituents who have received the benefit of Medicaid expansion.

(END TAPE)

CHUCK TODD:

In addition to healthcare, there's President Trump's budget. The budget blueprints calls for significant increases for the Defense Department, Homeland Security, and the Department of Veterans Affairs, while making huge cuts in what's known as discretionary spending, the EPA and the State, Agricultural, Labor Departments all in that part all take big hits in this budget outline. And joining me now is the director of the Office of Management and Budget, Mick Mulvaney. Sir, welcome to the show.

MICK MULVANEY:

Good morning, thanks for having me.

CHUCK TODD:

Very quickly, on this surveillancing, do you take the president at his word, that he or his associates were wiretapped by the president?

MICK MULVANEY:

Well, I saw the thing with Angela Merkel, I thought it was sort of tongue in cheek. But again, I'm the numbers guy. I'm sitting here doing the budget, so I'm really not involved in the wiretapping issue.

CHUCK TODD:

On one hand, are you concerned though that eroding credibility on that issue makes your job harder on Congress, on Capitol Hill?

MICK MULVANEY:

No, no. Listen, those of us who see and work with the president every day believe him, trust him, have no difficulties like the folks in the press do.

CHUCK TODD:

And you think this is just a press thing? You don't think that this is a difficulty for folks, that they can take the president at his word on healthcare? He's made some, "Hey, take my word for it, I'm going to make these changes," and some of these folks are out on a limb on it. They--

MICK MULVANEY:

Listen, I was in that meeting in the Oval Office, either Thursday or Friday, I lose track of the days. But the president had a very clear and cogent argument to these folks, got all these folks to commit to the bill. It was a very credible discussion, so no, I don't have any concerns of those things.

CHUCK TODD:

I'm going to start on the budget with something you said in March of 2013. You said this, you're not the first person to say something like this, but, "Remember, a budget is more than just a spending document. It is also a vision document." Explain the vision behind this budget that does lack a lot of domestic programs, some of which are ones that a lot of people benefit from and puts all the emphasis on security.

MICK MULVANEY:

Yeah, well, the vision is that this is what the president ran on. He's trying to do something that politicians are not very famous for, which is actually following through on his promises. So if you go back, which is what we did, and look at his speeches, look at his interviews, talk to him directly, and say, "What's important to you?" Look for that message the president was trying to deliver, that meant more money for defense, more money to secure the border, more money for law enforcement generally, and then more money for things like Veterans Affairs, veterans' healthcare, and private and public school choice.

And that's where we spent more money. At the same time, the president was very clear that he did not want this to add to the deficit this year. So when we added that $54 billion for defense, we took that money from other places. So that's the vision. More money for what the president said, without adding to the deficit.

CHUCK TODD:

But he also said, "We're going to take care of those people." He's not going to let his people go untaken care of. And there is, look, you've seen them, it's story after story of just specific programs. You can take Appalachia, programs that benefit his voters.

MICK MULVANEY:

Sure.

CHUCK TODD:

That he is taking a whack at here. Why do that?

MICK MULVANEY:

And some of the stories are just either grossly wrong or nearly grossly wrong, all the stories about how we cut Meals on Wheels. I think the program that we proposed to eliminate regarding Meals on Wheels accounts for 3 percent, 3 percent of the Meals on Wheels funding across the nation. But step back, and talk about--

CHUCK TODD:

But you're getting rid of the full block grant. You're getting rid of the whole block grant that that provides.

MICK MULVANEY:

But the block grant only provides 3 percent of Meals on Wheels money. And that didn't get very broadly reported. But step back to what you asked the question, which is what about the Trump voters. The president knows who his voters are. His voters are folks who pay taxes as well. And I think for the first time in a long time, you have an administration that is looking at the compassion of both sides of the equation.

Not just the compassion in terms of where the money goes, but the compassion in terms of where the money comes from. Could we, as an administration, could I as a budget director, look at the coal miner in West Virginia and say, "I want you please to give some of your money to the federal government so that I can give it to the National Endowment for the Arts?"

And I just think we finally got to the point in the administration where we couldn't do that. The debt is so significant, you owe $60,000 to the government, so do I in terms of the debt. And the president said, "Look, let's take care of both sides of the equation."

CHUCK TODD:

All right, but let's go to some of these cuts seem to be counterproductive to the president's message, for instance, on infrastructure. You want to do a bunch of spending on infrastructure at some point, but you're cutting the Advanced Technology Vehicle Manufacturing Program, Manufacturing Extension Partnership, that provides assistance to small and midsized manufacturers to get off the ground, to create jobs in these very counties that need the jobs created. Why cut these programs and why do it before you've even come up with your infrastructure plan?

MICK MULVANEY:

Sure, because when we looked at the infrastructure, we know we're working on a plan to come out later in this year. We think we'll do health reform, I think, this week, as a matter of fact in the House. I think tax reform after that. And that moves infrastructure probably to sometime around summer or early fall.

And so what we did with this budget was go through and find out where we thought the infrastructure money was not being spent as efficiently as it possibly could and said, "Okay, let's take it out of the discretionary budget with the intention of putting it back into the infrastructure bill," and that's exactly what we did. We think it's a better allocation, a better use of Americans' resources.

CHUCK TODD:

I want to talk though about the issue, you said that one of the president's goals was not to add to the deficit as it is. But this budget will have a deficit. Is that fair to say?

MICK MULVANEY:

Sure. The deficit before we came into office was going to be $488 billion this year, according to the Congressional Budget Office. And after we spent all of this additional money on defense, on border enforcement, law enforcement, veterans, the deficit will be the same. So we did is we plussed up the spending, we increased the spending on the president's priorities without adding to that number.

CHUCK TODD:

All right. But I want to play something, this is Candidate Donald Trump throughout the last year.

(BEGIN TAPE)

PRESIDENT TRUMP:

I do want a balanced budget. We owe $19 trillion, we've got to start paying it down. We've got to start balancing budgets.

These people are talking about balancing budgets in 35 years from now. We can do it, believe me, much quicker. We can do it quickly.

(END TAPE)

CHUCK TODD:

He even made a pledge to get rid of the debt in eight years. Okay, if you're going to do this very, very quickly, nothing in this budget goes close to balance. The fact that you're just

even doing neutral to what the deficit was last year is not progress.

MICK MULVANEY:

Keep in mind what a budget blueprint is, and this is fairly traditional, Chuck, for the first year of a new administration. Obama did it, Bush did it. What this is is a spending outline and all it is, as you mentioned in the intro, is the discretionary spending part of the budget.

That's only about, oh, I don't know, 25 percent of what the government spends. The other 75 percent roughly is the mandatory, what some people call entitlement spending. In May, we'll be introducing the full budget, which will address the ten-year budget window, tax flows, larger policy changes, healthcare reforms.

CHUCK TODD:

Are you pledging a balanced budget in May?

MICK MULVANEY:

No, we won't be able to balance the budget this year, but we're working on try to get it to balance within the ten-year budget window, which is what Republicans in the House and the Senate have traditionally done in the last couple of years.

CHUCK TODD:

So the goal is to have a balanced budget within ten years, but basically that means you will add to the debt every single year in the next ten years.

MICK MULVANEY:

That's correct. It's very difficult, and we've been talking about this, you and I have talked about this.

CHUCK TODD:

I know, that's not what Candidate Trump said. Candidate Trump said this is going to be very easy. Does it turn out this is not easy? This is complicated too?

MICK MULVANEY:

It is a very complicated budget process when your entitlements, your mandatory spending is driving most of your budget deficit. For example, you could cut the Agriculture Department to zero, H.H.S. to zero, HUD to zero, the F.B.I. to zero, and you'd still have a deficit this year. So over the course of the next decade, we'll have to look at the mandatory spending side in order to figure out a way to make changes to the way we spend money.

CHUCK TODD:

Have you figured out how to pay for the trillion dollar infrastructure yet?

MICK MULVANEY:

No, but in all fairness, there's some great ideas, things that I think-- one of the neat things about having a business man in the office and all of these folks come from the private sector, is they brought ideas that I don't think government has ever contemplated before.

We're talking about public/private partnerships, talking about ways to sort of capitalize future revenue flows, really creative ideas. So, listen, I'm a deficit hawk. I think it's why I

got the job. But the more and more I hear about the infrastructure plan, the more comfortable I'm getting.

CHUCK TODD:

Speaking of being a deficit hawk, the debt ceiling, we hit it. On Friday, extraordinary measures by the Treasury secretary will mean a couple more months. You were somebody that was-- you were a tough nut to track on the debt ceiling when you were Congressman Mulvaney.

MICK MULVANEY:

Yup.

CHUCK TODD:

Why should people who were like-minded with you, who basically said, "Hey, look, I'll give you that debt ceiling, but I want real cuts, I want real deficit reduction, I want a real plan." I think at one point, you said, "I'll raise the debt ceiling in exchange for a balanced budget." You're not going to be making that ask this time, are you?

MICK MULVANEY:

I voted to raise the debt ceiling before, as most people in Congress have, traditionally, you back to the 1920s, and the 1930s, and 1940s, the debt ceiling debate has been used to try and sort of step back and say, "Okay, why do we have a deficit problem? Why do we have a debt problem, and how can we fix it?" So we'll be coming forward with his ideas to raise the debt ceiling, but at the same time, try to address some of those long-term reasons that we have a debt in the first place.

CHUCK TODD:

You're not somebody that voted for a lot of budgets when you were in Congress. This doesn't look like a budget Congress Mulvaney would have supported, because why would you support keeping the deficit? I feel like Congress Mulvaney would not be supporting the numbers that this budget shows.

MICK MULVANEY:

It's a fair question. But keep in mind that the administration is different than members of the Hill, members of the House and the Senate. Every House member, as I used to be, has a constituency, that we have a group of people back home we represent. Senators represent the whole state. There's also a lot of special interests, a lot of lobbying involved.

The president's not beholden to any of that. The president represents everybody. And believe me, consultants were consulted on this, lobbyists were not, special interests were not, this is a budget for the entire nation, because that's who he represents.

CHUCK TODD:

As you put together this budget, did you look back on some of your votes and go, "Hmm, maybe I shouldn't have voted that way"?

MICK MULVANEY:

No. I've always thought that I do the best job I could to represent the folks in South Carolina. But now I'm the president's budget director, and I think we put out a really, really good budget.

CHUCK TODD:

All right. I want to wrap up with one final question. When will you be able to propose a

balanced budget? What year?

MICK MULVANEY:

I don't know yet. We're getting into that now. By May, I think it's mid May we're shooting for right now, we'll have that larger budget which puts a little bit more--

CHUCK TODD:

You think you can do it in the first term?

MICK MULVANEY:

--flesh on the bone. I don't know yet. I honestly don't, because we don't know what healthcare reform will look like, what it will do to the budget, we don't know what tax reform will look like, will do to the budget. We haven't finished the infrastructure program yet. Those are the really, really big-picture items that we won't know more about for a couple months.

CHUCK TODD:

All right, Mick Mulvaney, I'll have to leave it there, the director of Office and Management Budget. Thanks for coming on and sharing your views. Appreciate it.

MICK MULVANEY:

Thanks for having me.

CHUCK TODD:

Turning now to the issue of healthcare, President Trump is working hard to get the Republican support in the House, and that healthcare plan to get through the House. But the Obamacare replacement does face some tough opposition in the Senate as well. If all 48 senators who caucused with the Democrats vote no right now, as expected, the president can only afford to lose two Republicans.

Right now, there are four Republican no's, Rand Paul, Mike Lee, who say the bill is too generous, and Dean Heller and Susan Collins, who argue the bill is too harsh. And Senator Susan Collins of Maine joins me now from Bangor. Senator Collins, welcome back to the show.

SEN. SUSAN COLLINS:

Thank you.

CHUCK TODD:

You were very tough on the House bill. You were unambiguous when it came to your no vote on that House bill. So very simply, what would it take to get you from no to yes?

SEN. SUSAN COLLINS:

We have to deal with three issues. The first is coverage. Under the House bill, 14 million Americans would lose coverage next year. That rises to 24 million over the next decade. Second, we have to do something about the fact that the House bill disproportionately affects older, rural Americans.

The Congressional Budget Office has estimated that a 64 year old who is earning $26,500 a

year would see an increase in his or her costs from $1,700 to $14,600. That is unaffordable. And third, we have to do something about the Medicaid changes would shift billions of dollars of costs to the state, to hospitals, and to other people who are insured.

CHUCK TODD:

Do you believe that healthcare is a right? And if so, that it is a right that the government is responsible for fulfilling?

SEN. SUSAN COLLINS:

I believe that as a practical matter, people have a right to healthcare in that if they're sick and they go to a hospital, they're not going to be turned away. In fact, federal law requires the hospitals to treat someone who comes to an emergency room. But that is the least cost-effective way to treat an individual who does not need emergency-room care. So there's a lot that we can do to reduce the cost of healthcare by, for example, using managed care for the Medicaid program.

CHUCK TODD:

Let me ask you a couple questions on the president's budget. Is there any part of the president's budget that you support?

SEN. SUSAN COLLINS:

Yes, I do think that we need an increase for our veterans and that we need an increase in military spending because readiness has really suffered. But I think we may have to do a more gradual increase. One of the most disturbing parts of the president's budget is his slashing the funding for the National Institutes of Health.

We have been making tremendous progress in increasing N.I.H.'s budget and that has helped us to develop effective treatments and new cures for very expensive diseases. If we're serious about reducing healthcare costs, the last thing that we should be doing is cutting the budget for biomedical research.

CHUCK TODD:

Where do you get the money though? I mean, I think that's going to be the fundamental question is that, you know, there's a lot of these programs that I think a lot of people can individually make a case for. And I think what the White House would say is, "Hey, some of these, maybe they are good programs that could be done better, but we have a financial problem in this country. We have a rising national debt. We can't seem to get out from under an annual deficit." Where do we find the money? Do we have, for instance, can we afford a massive tax cut?

SEN. SUSAN COLLINS:

We do have to scour the budget. And tax reform does not necessarily mean that we're going to have a significant reduction in revenue. It's possible to come up with a tax reform bill that is more pro-growth, simpler, and fairer, and does not substantially reduce revenues.

Senator Bill Cassidy and I have a healthcare bill, and we're looking at different paid-fors for that bill, including some that were included for the Affordable Care Act, but some others as well. So we need to scour the budget, there are duplicative programs that could be combined. We need to look at everything. But I'm worried about the outlines of the budget that have been submitted. I would point out that I've never seen a president's budget make it through Congress unchanged.

CHUCK TODD:

Yeah, it never does. Yeah, that's for sure. Let me ask you about the president and the issue of credibility. He continues to believe that he was somehow either he or his associates were wiretapped or under surveillance and that it was ordered by President Obama. You also

have access to various intelligence. Is there any way that statement to your knowledge is true?

SEN. SUSAN COLLINS:

I have seen no evidence supporting that statement. And what we need is evidence. If the president has evidence of that, I would encourage him to turn it over to the House and Senate Intelligence Committee. We're in the midst of a big investigation of Russian activities in our country. And we would want to look at this allegation as well.

CHUCK TODD:

Can you take the president at his word?

SEN. SUSAN COLLINS:

Yes. I mean, do I think the president gets everything right? No. But I want President Trump, just as I've wanted every other president, to be successful. Because he is America's president. Now that doesn't mean that I support his policies, and it doesn't mean that I'm going to be with him when I think he's wrong, or has misstated what the facts are.

CHUCK TODD:

If he's wrong about this allegation, Congressman Tom Cole said that President Trump owes President Obama an apology. Do you concur?

SEN. SUSAN COLLINS:

Well, I'd like to first get to the bottom of this before saying what should be done. I don't know the basis for President Trump's assertion. And that's what I wish he would explain to

us on the Intelligence Committee and to the American people. And I do believe he owes us that explanation.

CHUCK TODD:

All right, Senator Susan Collins, Republican from Maine, I will leave it there. Senator Collins, thank you for coming on the show, sharing your views.

SEN. SUSAN COLLINS:

Thank you.

CHUCK TODD:

When we come back, tomorrow big day in Washington. Hearings begin for Supreme Court nominee Neil Gorsuch and F.B.I. Director James Comey testifies on Russia's role in the 2016 election and those wiretap claims made by President Trump likely will come up. We'll be right back.

COMMERCIAL BREAK

CHUCK TODD:

Welcome back, panel is here. Syndicated columnist, George Will, he's making his 52nd appearance on Meet the Press, but it's his first since 1981. Where've you been? You know, I don't know, have you been on some other show that I never, don't think about?

Yamiche Alcindor of The New York Times, BBC America anchor Katty Kay, and Robert Costa of The Washington Post, welcome to you all. George, I will give you the first word,

and that is on the president's credibility. Is it-- At what point does it become a problem on Capitol Hill when you're trying to sell healthcare and sell this budget?

GEORGE WILL:

It becomes a problem immediately, and there's a much bigger credibility problem down the road. This week, Secretary Tillerson in the Far East, in Korea, obliquely but clearly raised the possibility of preemptive war against the ballistic missile program and nuclear weapons program in North Korea.

That means there's a not-trivial possibility that sometime in the life of this term, this presidential term, the president will have to come to the country and say, "We have to do something dangerous and difficult and even morally ambiguous because the intelligence services tell me X, Y, and Z." And the country's going to say, "Wait a minute, those are the people we don't trust and you don't trust. And we're not sure about you particularly." So it's hard to hermetically seal the loss of credibility.

CHUCK TODD:

Robert, do they understand this, or are they not thinking about this?

ROBERT COSTA:

My sources inside of the White House tell me that the president reviews news organizations' information, sometimes even more than intelligence information.

CHUCK TODD:

So we're more important than the presidential daily brief?

ROBERT COSTA:

Well, he gets the presidential daily brief, but if you look at the tweets a few weeks ago that started this whole wiretapping situation, it was because of a Breitbart article, my sources tell me, that was put in front of the president. Now he's watching Judge Napolitano on Fox News, and he's digesting all of this information rather than just the intelligence brief, and he's disseminating it publicly.

CHUCK TODD:

Katty, I just think about him with these House Republicans this week going, "No, no, no, don't worry, I'm going to make these fixes for you. You have my word on it." Okay.

KATTY KAY:

And the question is, how valuable is that word, which is what we have had members of both Republican and Democratic parties asking quite publicly this week when they refuted from the Senate Intelligence Committee the idea that there had been wiretapping, effectively, that the president, and it was very interesting to hear Susan Collins there, she wouldn't actually directly answer your question, "Do you trust him," but she says, "Do I think everything he says is right? No I don't." That's a pretty precarious position for a president to be in.

CHUCK TODD:

By the way, it was interesting to me, I thought this observation in The New York Times, Yamiche, Jeremy Shapiro, a research director for European Council on Foreign Relations, he said this, "It's very easy to have a good meeting with Trump, it's very pleasant and he's very pleasant in person. He'll promise you the world, and 48 hours later, he'll betray you without a thought. He won't even know he'll be betraying you." Sort of this idea that you just, you don't know when to take the president at his word.

YAMICHE ALCINDOR:

And that means that our allies, and the people that are not our allies are sitting down with Donald Trump and again, they might have a great meeting with him, but as soon as they get on the plane to go back to their respective countries, they can already tell that he might betray them. And I think that was really interesting too when I was waiting for Senator Collins to say, "I really do trust him. He's someone who when he says something, he's going to do it. He made these promises, I believe in these promises."

She said nothing that even came close to that. And I think when I think about the credibility issue as a whole, I think about the fact that before he was president, before he walked into the Oval Office, this is someone who also came into politics because he thought that President Obama wasn't born in the United States.

He is someone who also said that the Central Park Five were still guilty. I think that those things are things that are not lost on people, including his own party. I think that it would be somewhat foolish to only think about the fact that these are the credibility issues he has.

KATTY KAY:

You know, you've had exactly that with two very important American allies. Theresa May came here and she thought she had a good meeting. She got on the plane, back to Europe, wakes up, and the executive order has been issued. She felt she had been stabbed in the back.

I suspect exactly like Shapiro says, Trump never even thought about that. They were apologized to this week over the issue of whether G.C.H.Q. had spied on the president. And then I don't know about you, but if you apologize to your wife and then you roll back the apology, it never goes down very well. You're left in a worse position than you were originally.

GEORGE WILL:

When Mr. Trump was standing next to Angela Merkel, treating this wiretapping as a kind of flippantly and even some would say as a kind of joke, he was standing next to someone who grew up in East Germany, where the Stasi was listening all the time. And it's not funny to those people.

CHUCK TODD:

Not to her.

GEORGE WILL:

And probably won't be funny to Americans over time.

ROBERT COSTA:

One thing I keep hearing from people in the foreign police community, diplomats, is they wonder who's going to actually shape this White House in the coming months. We know Bannon, Steve Bannon, the chief strategist is there, this populist, but you look at this rising force within the White House, he wrote about it in today's Post, Dina Powell, one of the new national security advisors from Goldman Sachs, Gary Cohn from Goldman Sachs.

CHUCK TODD:

The New Yorkers.

ROBERT COSTA:

The New Yorkers. And they're--

CHUCK TODD:

Oh, the New York liberals.

ROBERT COSTA:

Well, and Gary Cohn's a registered Democrat and they're seen as a more moderate force. And a lot of people in the foreign policy world are saying, "Can Dina Powell, can Gary Cohn, can they have more influence in the coming months?"

CHUCK TODD:

We'll see. All right, we're going to discuss this. I wanted to get to healthcare. Now we're going to do a little healthcare in a second, when you guys come back. But first, the House Intelligence Committee does hear from F.B.I. Director James Comey on Russia tomorrow and about those wiretap claims. The leading Democrat on the House Intelligence Committee, Adam Schiff joins me next for a preview.

COMMERCIAL BREAK

CHUCK TODD:

When FBI Director James Comey testifies before the House Intelligence Committee tomorrow. We can expect to hear about two stories that have dominated the news. 1) Evidence that the Russians interfered with the 2016 election, perhaps on behalf of the Trump campaign and 2.) the committee has asked the FBI to turn over any evidence it has

to support President Trump's allegations that President Obama wiretapped Trump Tower prior to the election.

Congressman Adam Schiff is the ranking Democrat on the House Intelligence Committee. You will see him a lot tomorrow. And he joins me here now for a preview. Congressman Schiff, welcome back to the show.

REP. ADAM SCHIFF:

Thanks. Great to be with you.

CHUCK TODD:

Let me start with your two witnesses tomorrow are going to be the FBI director and the National Security Agency Director Mike Rogers. What do you hope - what light will be shed tomorrow, do you hope?

REP. ADAM SCHIFF:

I think for a lot of Americans this will be the first time to really tune in to exactly what the Russians did and what the investigation involves and I'd like to walk through with both directors: What do we know about the Russian operation? What was its breadth?

REP. ADAM SCHIFF:

We know it was hacking and dumping of documents. We know their slick use of their media campaign. But more than that I think we want to share with the country why we're so concerned about the issue of US person involvement. Were there US persons who were helping the Russians in any way. Was there any form of collusion? And what can we do to protect not only ourselves in the future and our allies who are facing the same Russian

onslaught right now?

CHUCK TODD:

But if this is an ongoing investigation by the counter-terrorism unit in the FBI. What do you think Dir. Comey can say publically?

REP. ADAM SCHIFF:

Well, on the issue of collusion he'll probably be the most limited in what he can share, but there's a lot he can tell us about the Russian motivations for their intervention in our election, how the Russians operate in Europe, what techniques they use and what we should be on the lookout for in our investigation in Europe and other places we've seen them use blackmail, use compromise, use the natives of those foreign countries that they're intervening in, how they use paid social media trolls, so the full range of Russian intervention and what that looks like. So I think fleshing out why this ought to matter to Americans. I think people need to understand we are in a global war of ideas. It's not communism vs. capitalism, but it is authoritarianism vs. democracy and Putin is very much at the vanguard of that autocratic movement and that ought to concern all of us.

CHUCK TODD:

Let me ask you about - you received information on Friday from the Department of Justice about President Trump's claims on wiretapping. What can you tell us? Were you satisfied with the information they provided?

REP. ADAM SCHIFF:

Well, I got a classified briefing on their response. They delivered it after most of us had left town. But once again no evidence to support the President's claim that he was wiretapped by his predecessor. And you know, I have a lot of respect for Susan Collins, but I have to

differ with her on this, she said we need to get to the bottom of this. We are at the bottom of this.

CHUCK TODD:

Is there any bottom? We are at the bottom?

REP. ADAM SCHIFF:

There is nothing at the bottom.

CHUCK TODD:

Will Director Comey say that definitively tomorrow, do you expect?

REP. ADAM SCHIFF:

I expect that he will. And I hope that we can put an end to this wild goose chase because what the president said was just patently false. And the wrecking ball it created now has banged into our British allies and our German allies, it's continuing to grow in terms of damage, and he needs to put an end to this.

I suspect what's really at root here, Chuck, is this is just how the president does business. Now maybe this is the way he conducted his real estate business with half-truths and sometimes no-truths, and a lot of bluster. That, in my opinion, is no way to run a business. But it's an even worse way to run a country.

It's dangerous to us, it's already alienating allies, and as George Will so correctly pointed out, when there is a crisis over North Korea or Iran or whatnot, and every president has one

in their term, we need to be able to believe our president and he's making it very, very difficult.

CHUCK TODD:

I want to get to the point of, look, collusion is sort of what hasn't been proven here between whatever the Russians did and the Trump campaign. In fact, the former acting director of the C.I.A., Mike Morell, who was a supporter of Hillary Clinton, he essentially reminded people, took Director Clapper at his word on this show who said, "There has been no evidence that has been found of collusion." Are we at the point of, at what point do you start to wonder if there is a fire to all this smoke?

REP. ADAM SCHIFF:

Well, first of all, I was surprised to see Director Clapper say that, because I don't think you can make that claim categorically, as he did. I would characterize it this way, at the outset of the investigation, there was circumstantial evidence of collusion. There was direct evidence, I think, of deception.

And that's where we begin the investigation. Now I don't want to prejudge where we ultimately end up, and of course, there's one thing to say there's evidence. There's another thing to say we can prove this or prove it beyond a reasonable doubt, or there's enough evidence to bring to a grand jury for purposes of criminal indictment.

But there was certainly enough for us to conduct an investigation. The American people have a right to know, and in order to defend ourselves, we need to know whether the circumstantial evidence of collusion and direct evidence of deception is indicative of more.

CHUCK TODD:

Well I want to get to the witness list here. You have subpoena power if you choose to use it.

But you and Congressman Nunes need to come to an agreement on that. Is he willing to use subpoena power?

REP. ADAM SCHIFF:

He's going to have to be willing to use subpoena power, because there will be people we need to bring in before the committee who may not be willing witnesses. And if we're going to do this credibly, and right now, we're the only game in town, we and the Senate Intelligence Committee, we're going to need the power of compulsion.

You know, I still think we have a lot of spade work to do before that. You don't want to bring the witnesses in before you've reviewed the evidence that you want to question them with. You may only get one shot at the witnesses. But we're going to have to do that.

CHUCK TODD:

But you guys seem far behind. The Senate Intel Committee has already been asking Roger Stone, a one-time advisor of President Trump, who admitted some at least communication with Julian Assange of WikiLeaks. He's been ordered to preserve documents, sort of to make sure he doesn't destroy any documents, sort of, perhaps he is going to be subpoenaed by them. Have you done that with any, have you formally sent letters to any potential witnesses to say, "Hey, you need to make sure you have saved any documents related to the campaign or Russia"?

REP. ADAM SCHIFF:

You know, I think we were the first to send letters to the U.S. government to tell them to preserve evidence.

CHUCK TODD:

What about outside fols? So Mike Flynn, Carter Page, Roger Stone?

REP. ADAM SCHIFF:

We have not yet sent letters to individuals. And I think it's a good practice. I'm not sure that if you have someone who wants to hide, that that letter's going to have the effect that it ought to. But nonetheless, there is a great deal that we are doing. And I think in some respects, we are ahead of where this Senate investigation is, in some respects, they're ahead of where we are.

I do think, look, at the end of the day, the real question where the rubber will really hit the road, is as you suggest, when we have to use compulsion to get documents that we need, to bring in witnesses. I hope the answer is going to be yes from the majority. I also do think though--

CHUCK TODD:

But right now, you have not been given that authority?

REP. ADAM SCHIFF:

Well, we haven't asked for it.

CHUCK TODD:

Or you haven't asked for it? Okay.

REP. ADAM SCHIFF:

To subpoena certain witnesses. But we will be. There are a lot of witnesses that we're going to want to--

CHUCK TODD:

Devin Nunes agrees with you on this?

REP. ADAM SCHIFF:

Well, he's going to have to. Otherwise we really can't do our job.

CHUCK TODD:

Which means he doesn't yet agree with you on it?

REP. ADAM SCHIFF:

Oh, you know, I don't want to say that.

CHUCK TODD:

Okay.

REP. ADAM SCHIFF:

You know, we hammered out a very detailed agreement that allows us to look into issues

like collusion with U.S. persons, people in the Trump campaign. That's what we wanted, that's what we got, and we have to hold him to that commitment.

CHUCK TODD:

Adam Schiff, the top Democrat on House Intel, we'll be watching your hearing tomorrow. Thanks for coming on today.

REP. ADAM SCHIFF:

You bet.

CHUCK TODD:

When we come back, the one big thing that may be more responsible than anything else for our current state of polarization in American politics.

And before we go to break, this note. Centuries from now, when rock-n-roll is merely one chapter in the history books, there may only be one name that you have time to associate with rock-n-roll.

And that name may very well be Chuck Berry. He was the genius who created the kind of music that paved the way for performers like Elvis Presley and countless other white rockers to become megastars. The writer of such rock-n-roll classics like Johnny B. Goode and Roll Over Beethoven. Chuck Berry died yesterday at the age of 90.

COMMERCIAL BREAK

(BEGIN TAPE)

CHUCK TODD:

Welcome back, Data Download time. And an issue I've been spending quite a bit of time on: how the misuse of big data is destroying the American political system. Campaigns traditionally aim to win the middle, and if you won the middle, you won the election. Now campaigns are using or abusing big data to identify and mobilize like-minded voters, rather than using it to make arguments that change minds. So how bad has this polarization gotten in the last twenty years?

According to Pew, in 1994 there was a good deal of ideological overlap between the two parties. Thirty six percent of Republican voters were more liberal than the typical Democrat, and thirty percent of Democrats were more conservative than the typical Republican.

Today, no longer the case. In 2014, just eight percent of Republicans, six percent of Democrats, were more liberal or conservative than the members of the opposite party. And guess what? We've seen the same shift among our elected officials. Based on a National Journal analysis of voting records, in 2002 there were 137 House members who fell in the ideological middle ground. With voting records somewhere between the most conservative Democrat and the most liberal Republican. In 2013 that number was down to four. Let's go to the Senate. 2002 there were seven members in that middle ground. 2013? Zero.

So as you can see, in the last fifteen years we've seen a complete hollowing out of the political center. And this coincided with the advent of microtargeting in 2004, then advanced by team Obama, and now, of course, everybody uses it. Look, the electorate and politicians alike used to be conditioned to know that the middle mattered. That's why big deals in Washington were bipartisan. Tax reform in the eighties, welfare reform in the nineties. Flash-forward to 2010, Democrats pass health care without a single Republican vote, and right now Republicans appear poised to try to do it the same way.

But look, there is good news in this. Big data can be used to fix the very problems it helped create, as long as there is a political will to do it. The incentive structure has to change where we persuade the middle again, because then elected officials who win by persuasion suddenly want to make deals.

When we come back, how far are Democrats willing to go in opposition to President Trump? Are they ready to become the new party of no?

(END TAPE)

COMMERCIAL BREAK

CHUCK TODD:

Welcome back, panel is here. Yes, Director Comey is testifying tomorrow. Yes, we have Neil Gorsuch and his first confirmation hearing. But I think the biggest story of next week could be the house vote on Thursday on health care. George Will, where is this headed for Republicans?

GEORGE WILL:

They don't know yet because usually in legislative dealmaking, it's an additive process. I support X, you support Y, I'll support you if you support me. That's how coalitions grow, that's also how government grows. In this case, however, addition is subtraction because the big issue and it turns out the heart of Obamacare is the expansion of Medicaid. Twenty Republican senators represent states that expanded Medicaid. Absent that expansion, they have huge holes in their budget, they're a problem.

CHUCK TODD:

Asa Hutchinson, John Kasich, Brian Sandoval- three Republican governors all over the ideological spectrum, Yamiche, signed a letter saying 'Hey, be careful of this Medicaid cut'.

YAMICHE ALCINDOR:

Mainly because, as soon as the CBO came out and said that all these people are going to lose their health insurance, it sent shock waves into the party because there are some things that are very complicated for maybe voters to understand. Losing your health insurance is not very complicated, it's either you have it or you don't. And a lot of Trump supporters,while they didn't like the idea of being forced to have insurance, the idea that you might lose it in a state where you really, really need it is, I think, scary for a lot of people

KATTY KAY:

It's been an interesting shift amongst House Republicans who have gone on the conservative side, who with President Trump's very effective wooing, have gone from kind of 'hell no' to possibly 'yes'. But now you have moderates amongst the Republican Party in the House who are all saying hold on a second, if this is going to die, thanks to people like Susan Collins, in the Senate, why should I sign my name to it? Where does that leave me for the next two years?

CHUCK TODD:

Robert Costa, here is the conundrum. Colorado poll out this week shows here's the president's approval rating among all Republicans, he's got 83 percent favorable rating, excuse me, among Republicans 83 percent, but among all voters he has got a 55 percent unfavorable rating. You're Cory Gardner, Republican senator, what do you do? Do you listen to the Republican base that loves Trump or your overall, realize, oh my gosh a majority in Colorado don't trust him, aren't satisfied, do you go with him on health care?

ROBERT COSTA:

It's not just Senate Republicans, it's also the president. Who actually has ownership of this healthcare bill? We know the speaker's tweaking it with the Medicaid expansion, doing some things that the conservatives want to get it through the house. But when it gets to the

Senate, is the president really going to rally behind it? When I spoke to the president right before he got inaugurated, he said he wanted insurance for everybody. He said he's not driven by philosophy, and his team, his populists at his side talk about infrastructure and taxes. They didn't get elected, in their minds, to do health care first.

CHUCK TODD:

George Will, is the debate over about the idea of whether government is involved with our health care or not? Meaning, you know, because there are still some that want to have this fight going no you know what we shouldn't-- the right-- the issue of whether it's a right or a privilege type of thing is-- Bill-- Cassidy-- Senator Cassidy in Louisiana said hey the debate is over, we have got to provide these people health care.

GEORGE WILL:

Before the Obamacare legislation was passed, fifty cents of every health care dollar was a government fifty cents. The government's been deeply involved in this forever and it will only become more so.

YAMICHE ALCINDOR:

And I think when I was listening to Senator Collins talk about not wanting to say health care is a right, in some ways, as soon as you say that sentence, you think about Bernie Sanders. But in theory, she made this point that we're paying for health care whether we like it or not. So whether we take away Medicaid and then we feel like we're not paying for it in this way, you're still paying for it when you go, when people go show up to the emergency room and have to pay for it and these hospitals have to provide them care anyways.

CHUCK TODD:

All right, very quickly, Neil Gorsuch, is there a filibuster? Do Democrats get forced to

filibuster Neil Gorsuch?

KATTY KAY:

No, I think there are going to be enough Democrats up for reelection in conservative states who are just going to say, this is not the fight that they want to have now. They may have to have a fight on the second pick, but they're not going to have--

CHUCK TODD:

It's an easy way to look bipartisan if you're a red-state Democrat on this pick, isn't it?

ROBERT COSTA:

And in almost any other period, they would be consumed by Gorsuch. But when I talk to progressive activists in Washington, they say, "Russia, Trump, the wiretapping allegations, chaos at the White House," they're focused on different issues.

CHUCK TODD:

And health care. Don't forget that. All right, we'll be back in 45 seconds with End Game, and a viewer's alternative version of a segment we aired last week. Yes, we really do pay attention to what you have to say. Stay with us.

ANNOUNCER:

Coming up, Meet the Press End Game, brought to you by Boeing, always working to build something better.

COMMERCIAL BREAK

ANNOUNCER:

Meet the Press End Game is brought to you by Boeing, always working to build something better.

CHUCK TODD:

Back now with End Game, and I want to actually continue quickly. We talked about on the Gorsuch conversation whether Democrats can aff-- is it the right strategy to just be party of no? George Will, the Washington, you've been used to covering for 30 years, of course the answer to that used to be no. But perhaps it's better for them politically to be the party of no.

GEORGE WILL:

It's better in the sense that it energizes their base. You get to an election and you realize you can't win an election with your base alone. The old axiom used to be that American politics took place within the 40-yard lines. I still think it's true.

CHUCK TODD:

Yet, does anybody win that way? Or if they don't think they win that way, whether they actually do or not, if they don't think they win that way, Yamiche, this is why they act the way they act.

YAMICHE ALCINDOR:

Yeah, and I think, I mean when I talk to both-- I've talked to some freshman U.S. representatives who are saying we should be the party of no, mainly because they feel as though their base is really watching this and saying, "We need to stick to our grounds, we need to not go and try to make compromises when it comes to health care but start pushing a single-payer system. So they're facing these people who are really frustrated and think that

they should be kind of like the Tea Party and that they should really stop and not make deals.

ROBERT COSTA:

But when I'm at the Capitol, we keep talking about the Democratic party. Who are the leaders of the Democratic party? We know there's Leader Schumer and there's Leader Pelosi, but who's the soul right now of the Democratic party if they are going to be the party of no? Is it Senator Warren? It's hard to tell.

KATTY KAY:

And I mean, Democrats can easily point to the last six years of the Obama presidency and say, "Hey, it didn't do the Republicans any harm being the party of no. Take Merrick Garland. Case in point. Why on earth shouldn't we try that too?"

CHUCK TODD:

All right, good luck being a centrist in today's Washington. Finally it's not often that we do viewer mail here. Actually, we never do it and we don't want to make a habit of it, trust me. But this week is an exception.

As you may remember, last week we took a tongue in cheek look at what it would be like if we applied "repeal and replace Obamacare" language to repealing and replacing American sports. We pointed out, for instance, that sports was already in a death spiral since on any given day, 50 percent of all teams are losers. And if you throw in soccer into this, we even have losers and ties. That it's important to give players greater access to more home runs, touchdowns and slam dunks, allowing players to choose the success that's best for them. And that teams need the ability to cross state lines, as the New York Giants and Jets did when they moved to New Jersey.

Well, one viewer, Kevin McGonagle, he wrote to offer perhaps a more conservative alternative to our examples.

(BEGIN TAPE)

McGonagle writes that because of sports' death spiral, the San Francisco Giants, Oakland Athletics, L.A. Dodgers, and San Diego Padres all disband, leaving just the Los Angeles Angels of Anaheim as the only baseball team in California. And without competition, the Angels could increase prices by 160 percent. Now Senators Elizabeth Warren and Bernie Sanders may insist that sports is a basic right for citizens and noncitizens alike, and that all states must have sports. So in order to cover everyone, the NHL is forced to set up a failing team in a hockey hotbed like New Mexico. Subsidizing teams like that and others would force prices to rise for all hockey fans.

(END TAPE)

And of course, everyone will be mandated to buy season tickets to their home teams, whether they want to or not. Anyway, see, we can have a little fun here.

That's all we have for today. We'll be back next week, when I guess the Big Ten is going to teach the ACC another lesson. Ugh. If it's Sunday, it's Meet the Press.

* * *END OF TRANSCRIPT* * *

James B. Comey

From: James B. Comey
Sent: Monday, March 20, 2017 5:52 PM
To: Rybicki, James E. (DO) (FBI)
Subject: RE: Senator Shaheen

Meeting went well. Just the two of us. I worry that many of my sentences were not coherent givdn how fried I am, but she was nice enough to pretend otherwise. We talked about our risk based allocation and TRP, opioid epidemic, new building, my testimony today and challenges of doing an investigation in these conditions, kids, email investigation aftermath (briefly).

It was very pleasant and worth doing.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" <[redacted]> b7E
Date: 3/20/17 4:52 PM (GMT-05:00)
To: "James B. Comey" <[redacted]>
Subject: FW: Senator Shaheen

-----Original Message-----
From: [redacted]. (FD) (FBI) b6
Sent: Monday, March 20, 2017 4:52 PM b7C
To: Rybicki, James E. (DO) (FBI) [redacted] b7E
Cc: [redacted] (FD) (FBI) [redacted]; [redacted] (DO) (FBI) [redacted]
Subject: Senator Shaheen

Hi Jim,

I know its last minute but I just saw this on Senator Shaheen's twitter page -- "Meeting w/ Director Comey shortly to discuss FBI budget. I'll work to ensure FBI has resources it needs for Trump/Russia investigation."

Not sure if it is something you want to give the Director a heads up about before he goes in with her.

https://twitter.com/SenatorShaheen/status/843918684095762432

Thanks,

[redacted] b6
b7C
[redacted] b7E
Appropriations Liaison Officer
Federal Bureau of Investigation
[redacted]

[redacted] b5

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Thanks,

[redacted]

Appropriations Liaison Officer
Federal Bureau of Investigation

[redacted]

b6
b7C
b7E

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, March 22, 2017 7:36 PM
To:	James B. Comey
Subject:	Fwd: WH Press Conference Transcript Rep. Nunes
Attachments:	Transcript Rep Nunes press conference at WH 3.22.2017.docx

-

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" [redacted]
Date: 3/22/17 6:51 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted], "Bowdich, David L. (DO) (FBI)" [redacted], "Rybicki, James E. (DO) (FBI)" [redacted], [redacted] (OGC) (FBI)" [redacted] "Strzok, Peter P. (CD) (FBI) [redacted] v>, "Ghattas, Carl (CTD) (FBI)" [redacted]
Subject: WH Press Conference Transcript Rep. Nunes

b6
b7C
b7E

Rep. Devin Nunes

>> TODAY I BRIEFED THE PRESIDENT ON THE CONCERNS THAT I HAD ABOUT INCIDENTAL COLLECTION AND HOW IT RELATES TO THE PRESIDENT-ELECT TRUMP AND HIS TRANSITION TEAM AND THE CONCERNS THAT I HAVE.
AS I SAID EARLIER, THERE WILL BE MORE INFORMATION HOPEFULLY BY FRIDAY. THE NSA IS COOPERATING VERY, VERY WELL AND LASTLY I'LL SAY THAT THE REPORTS THAT I WAS ABLE TO SEE DID NOT HAVE ANYTHING TO DO WITH RUSSIA OR THE RUSSIAN INVESTIGATION OR ANY TIE TO THE TRUMP TEAM. WITH THAT, I'LL TAKE A COUPLE OF QUESTIONS.

>> WHY IS IT APPROPRIATE FOR YOU TO BRIEF PRESIDENT TRUMP GIVEN IT IS HIS OWN CAMPAIGN OR ASSOCIATES --

>> BECAUSE WHAT I SAW HAS NOTHING TO DO WITH RUSSIA AND NOTHING TO DO WITH THE RUSSIAN INVESTIGATION. HAS EVERYTHING TO DO WITH POSSIBLE SURVEILLANCE ACTIVITIES AND THE PRESIDENT NEEDS TO KNOW THESE INTELLIGENCE REPORTS ARE OUT THERE. AND I HAVE A DUTY TO TELL HIM THAT.
>>.
[INAUDIBLE] >> I'M NOT DRAWING NIKON ANY CONCLUSIONS.

>> IT APPEARS I DON'T WANT TO GET TOO MUCH INTO THE DETAILS BUT THESE WERE INTELLIGENCE REPORTS AND IT BRINGS UP A LOT OF CONCERNS ABOUT YOU KNOW WHETHER THINGS WERE PROPERLY MINIMIZED OR NOT.
BUT I WILL TELL YOU, I'VE ONLY SEEN SOME, IT'S IN THE DOZENS. BUT WE DON'T HAVE THE FULL SCOPE OF ALL THE INTELLIGENCE REPORTS THAT WERE PRODUCED. OR, WHO ORDERED THE UNMASKING OF ADDITIONAL NAMES.

>> ARE YOU SAYING THE SURVEILLANCE IF IT WASN'T RELATED TO RUSSIA OR ANYTHING LIKE THAT, ARE YOU SAYING THEN IT WAS POLITICAL SURVEILLANCE OF POLITICAL OHPPONENTS AS WHAT THE PRESIDENT SUGGESTED IN HIS TWEETS?

>> WHAT I HAVE READ BOTHERS ME AND I THINK IT SHOULD BOTHER THE PRESIDENT HIMSELF AND HIS TEAM BECAUSE I THINK SOME OF IT SEEMS TO BE INAPPROPRIATE, BUT LIKE I SAID UNTIL WE GET ALL THE INFORMATION TO THE COMMITTEE, IT'S HARD TO REALLY SAY UNTIL WE SEE IT –

>> MR. CHAIRMAN, WE KNEW THERE WAS SOME INCIDENTAL COLLECTION BECAUSE LIEUTENANT GENERAL MICHAEL DPLIN MICHAEL FLYNN WAS CAUGHT UP TALKING WITH KISLYAK. DOES THIS GO BEYOND THAT AND QUALIFY THAT WHAT THE PRESIDENT WAS TWEETING ABOUT WIRETAPPING?

>> IT DEFINITELY GOES BEYOND WHAT HAPPENED TO GENERAL DPLIN

FLYNN. WE DON'T OFFICIALLY KNOW WHAT HAPPENED TO GENERAL FLYNN, THAT WAS ONE OF THE THINGS WE ASKED FOR IN THE MARCH 15th LETTER WAS FOR THE NSA, CIA, AND FBI TO GET DONE, SO FAR THE FBI HAS NOT TOLD US WHETHER OR NOT THEY'RE GOING TO RESPOND TO OUR MARCH 15th LETTER WHICH IS NOW A COUPLE WEEKS OLD.

>> AGAIN DOES THIS SEEM TO DESCRIBE WHAT THE PRESIDENT WAS TALKING ABOUT QUOTE WIRETAPPING WHICH THEY THEN SAID WAS BROADER SURVEILLANCE?

>> WHAT I'VE READ SEEMS TO ME TO BE SOME LEVEL OF SURVEILLANCE ACTIVITY, PERHAPS LEGAL, BUT I DON'T KNOW THAT IT'S RIGHT AND I DON'T KNOW THAT THE AMERICAN PEOPLE WOULD BE COMFORTABLE WITH WHAT I'VE READ BUT LET US GET THE ALL THE REPORTS.

>> CHAIRMAN WAS THE PRESIDENT PERSONALLY INVOLVED?
--
>> [CROSSTALKING]
>> THE PRESIDENT SAID THAT PRESIDENT OBAMA TAPPED HIS PHONES --

>> THAT DID NOT HAPPEN. I'VE SAID THIS A COUPLE WEEKS INCLUDING A DAY AFTER IN FRONT OF THE PRESS, THAT NEVER HAPPENED.

>> DID PRESIDENT OBAMA ORDER ANY KIND OF SURVEILLANCE OF THE PRESIDENT-ELECT?

>> WELL, WE DON'T KNOW WHO SEND THE TASKINGS, IF THEY WERE CHANGED INTO WHAT WENT INTO THESE INTELLIGENCE REPORTS BUT WE'RE GOING TO TRY TO FIND THAT OUT.

>> CHAIRMAN WAS THE PRESIDENT PERSONALLY INVOLVED?

>> DID THE JUSTICE DEPARTMENT GIVE YOU THE OKAY TO TALK ABOUT THIS?

>> THE JUSTICE DEPARTMENT DOESN'T HAVE ANYTHING TO DO WITH THIS. THIS IS INFORMATION THAT WAS BROUGHT TO ME THAT I THOUGHT THE PRESIDENT NEEDED TO KNOW ABOUT INCIDENTAL COLLECTION WHERE THE PRESIDENT HIMSELF AND OTHERS IN THE TRUMP TRANSITION TEAM WERE CLEARLY PUT INTO INTELLIGENCE REPORTS IN THIS WHITE HOUSE AND ACROSS A WHOLE BUNCH OF OTHER AGENCIES AND I THOUGHT IT WAS IMPORTANT FOR THE PRESIDENT TO KNOW THAT THAT'S WHY I REACHED THE SPEAKER, AND CAME DOWN HERE AS SOON AS I COULD.

>> HOW MANY PEOPLE ARE YOU SEEING IN THESE REPORTS?

AND DO ANY OF THEM CURRENTLY WORK AT THE WHITE HOUSE FOR MR. TRUMP?

>> YEAH -- WELL I DON'T WANT TO GET INTO THE SPECIFICS OF IT BECAUSE I WAS ONLY ABLE TO SEE A FEW DOZEN. OF WHICH I THINK A LOT OF IT DOES HAVE FOREIGN INTELLIGENCE VALUE.

>> REPORTS OF PEOPLE?

>> THERE WERE DOZENS OF REPORTS I WAS ABLE TO SEE THAT WE'RE HOPING THAT THE NSA, FBI, CIA WILL PROVIDE BECAUSE I KNOW THEY EXIST SO I WANT THEM TO PROVIDE THEM TO OUR COMMITTEE SO ALL MEMBERS HAVE AN OPPORTUNITY TO SEE WHAT I'VE BEEN SHOWN.

>> WHAT DID THE PRESIDENT TELL YOU AFTER YOU BRIEFED HIM ABOUT THIS?

>> I THINK THE PRESIDENT IS CONCERNED, AND HE SHOULD BE AND HE WOULD LIKE TO SEE THESE REPORTS AND HOPEFULLY WHEN WE GET THEM THEY'LL GET THEM TO THE WHITE HOUSE ALSO.

>> DO YOU BELIEVE THE PRESIDENT APPROPRIATELY USED THE WORD WIRETAPPING? WAS IT USED CORRECTLY IN HIS TWEETS BASED ON THE INFORMATION THAT YOU HAVE SEEN?

>> I THINK THE WIRETAPPING IF YOU USE IT GENERALLY LIKE THE PATH HAS SAID HE CLEARLY USED IT DIFFERENTLY THAN WHAT I THINK A LOT OF PEOPLE TOOK IT WAS DID OBAMA WIRETAP THE PRESIDENT, WHICH CLEARLY DIDN'T HAPPEN,

.

>> DO YOU SEE ANYTHING –

>> NO, AND I SAID THAT ON DAY TWO.

>> CAN YOU RULE OUT THE POSSIBLE THAT PRESIDENT OBAMA AN SENIOR OFFICIALS WERE INVOLVED IN THIS?

>> NO, I CANNOT.

>> A FISA WARRANT APPROVED BY A JUDGE ARE YOU SAYING THAT -- THEY WERE IN CONTACT WITH A TARGET OF A COUNTERINTELLIGENCE OR SOME FORM –

>> NO, I THINK YOU'RE READING TOO MUCH INTO THAT. THIS IS NORMAL INTELLIGENCE REPORTING, JUST NORMAL INTELLIGENCE REPORTING. THE QUESTION IS YOU KNOW SHOULD HE HIMSELF OR OTHERS, SHOULD

THEY HAVE BEEN PUT INTO THESE REPORTS? AND I DON'T KNOW THE ANSWER TO THAT YET, BUT WE'RE GOING TO TRY TO GET TO THE BOTTOM OF IT.

>> SO THE UNMASKING NOT THAT THERE WAS THIS MONITORING?

>> WELL, THERE'S TWO ISSUES HERE. THERE'S ADDITIONAL UNMASKING OF NAMES WHICH I THINK IS TOTALLY INAPPROPRIATE BUT I DON'T KNOW HOW MANY NAMES WERE UNMASKED BUT I KNOW THERE WERE ADDITIONAL UNMASKINGS THAT OCCURRED AND THEN THE ISSUE OF THE NAMES THAT WERE PUT INTO THESE INTELLIGENCE REPORTS THAT WE HAVE TO GET TO THE BOTTOM OF AND THIS IS WHY WE SENT THE LETTER TWO WEEKS AGO WE NEED A RESPONSE TO IT.

>> ARE YOU SUGGESTING THAT MR. TRUMP'S COMMUNICATIONS ARE IN THOSE REPORTS FIRST. SECOND, ARE YOU SAYING YOU'RE CONCERNED ENOUGH THAT THIS WILL TRIGGER A DIFFERENT SEPARATE INVESTIGATION?
AND THIRD, WHY DID YOU NOT DISCUSS THIS WITH A RANKING MEMBER BEFORE YOU CAME TO THE WHITE HOUSE?

>> YES. NO. AND I'M GOING TO BE MEETING AT SOME POINT TO TALK ABOUT WHERE TO GO WITH THIS INVESTIGATION, BUT I HAD TO BRIEF THE SPEAKER FIRST AND THEN I HAD TO TALK TO THE CIA DIRECTOR, NSA DIRECTOR, AND I'M WAITING TO TALK TO THE FBI DIRECTOR BECAUSE WE'RE STILL WAITING TO FIND OUT HOW WE'RE GOING TO GET THIS, I WENT AND VOTED AND TALKED TO THE PRESIDENT.

>> TO BE CLEAR MR. TRUMP'S COMMUNICATIONS ARE IN A REPORTS, YOU'RE NOT CONCERNED ENOUGH ABOUT IT FOR AN DECISIONAL INVESTIGATION?

>> WE ARE INVESTIGATING IT. WE'RE NOT OPENING A NEW INVESTIGATION.

>> YOU SAID IT HAS NOTHING TO DO WITH RUSSIA.

>> IT HAS TO DEAL WITH THE UNMASKING OF NAMES.

>> SO AN ON GOING INVESTIGATION YOU THOUGHT IT WAS APPROPRIATE TO COME OUT AND TALK --

>> JUST REMEMBER, WE HAVE HAD AN ON GOING INVESTIGATION INTO RUSSIA FOR A VERY, VERY LONG TIME AND ALL OF THEIR ACTIVITIES, SO WE HAVE THE SCOPING DOCUMENT OF THE RUSSIAN INVESTIGATION, AN WE WILL CONTINUE TO INVESTIGATE ANYTHING AND EVERYTHING ELSE THAT MIGHT BE CAUGHT UP IN THIS BECAUSE CLEARLY WE ARE CONCERNED ABOUT WHAT ENDS UP IN INTELLIGENCE PRODUCTS, WHY, AND WHETHER OR NOT THERE WAS UNMASKING.
>> CAN YOU SAY WHAT HE WAS COMMUNICATING ABOUT OR WHO HE

WAS COMMUNICATING WITH?

>> NO, I CAN'T GET INTO THAT I'M SORRY.

>> CAN YOU TELL US WHO BROUGHT YOU THIS INFORMATION AND WHY THEY BROUGHT YOU –

>> I CAN TELL YOU WE'VE BEEN ASKING FOR PEOPLE TO COME FORWARD AND THEY CAME THROUGH THE PROPER CHANNELS, THEY HAD THE PROPER CLEARANCES, AND I'M JUST GOING TO LEAVE IT AT THAT BECAUSE WE HAVE TO PROTECT PEOPLE WHO CAME FORWARD IN THE RIGHT MANNER.

>> CAN YOU DESCRIBE THE PERSON IN THE INTELLIGENCE --

>> I'M NOT EVEN GOING TO SAY IT WAS ONE PERSON.

>> YOU SAID IT HAS NOTHING TO DO WITH RUSSIA, BUT ARE YOU SUGGESTING IT COULD BE COLLECTED AS PART OF A CRIMINAL INVESTIGATION, A CRIMINAL WARRANT?

>> NO.

>> HOW --

>> BECAUSE IN THE DOZENS OF REPORTS I WAS ABLE TO SEE I WAS ABLE TO DETERMINE IT LOOKS LIKE IT WAS LEGAL COLLECTION, INCIDENTAL COLLECTION BUT THEN MADE ITSELF INTO INTELLIGENCE REPORTS, SO IT HAS TO DEAL WITH FISA AND MULTIPLE FISA WARRANTS OUT THERE BUT NOTHING CRIMINAL INVOLVED. HOLD ON, I'VE GOING TO TAKE ONE MORE QUESTION.

>> WAS IT'S INFORMATION LOOKED AT IN REALTIME OR INFORMATION COLLECTED, HELD, STORED AND ALLOWED TO BE LOOKED AT LATER?
>> IT WAS FAIRLY QUICKLY FROM WHAT I'VE SEEN BUT ONCE WE GET THE REPORTS THEN WE CAN ASK MORE QUESTIONS OF THE AGENCIES THAT PRODUCE THE REPORTS.

>> -- LEGAL COLLECTION WHAT IS IT THAT YOU FIND INAPPROPRIATE ABOUT IT AND ARE YOU ATTEMPTING TO GIVE THE PRESIDENT POLITICAL COVER FOR HIS WIRETAPPING CLAIMS?

>> BECAUSE WE -- THE REASON THAT WE DO THIS AND WE HAVE ALL THESE PROCEDURES IN PLACE IS TO PROTECT AMERICAN CITIZENS INCIDENTALLY COLLECT ED ED SO THERE ARE CERTAIN THINGS THAT HAVE TO BE MET INTO FOREIGN INTELLIGENCE PRODUCTS. IF SOMETHING ELSE HAPPENS -- IT APPEARS THERE WERE THINGS THAT MAYBE THEY DIDN'T MEET THE

MINIMUM QUALIFIES. THERE ARE THINGS TO ME THAT DON'T REACH THE LEVEL OF FOREIGN INTELLIGENCE VALUE. AND IF THAT'S THE CASE, YOU HAVE TO ASK YOURSELF WHY DID THOSE END UP IN REPORTS?

>> JUST TO CLARIFY, THIS IS NOT INTENTIONAL SPYING ON DONALD TRUMP OR ANYBODY IN HIS –

>> I HAVE NO IDEA. WE WON'T KNOW THAT --

>> WELL YOU SAID THIS IS INCIDENTAL –

>> WE WON'T KNOW THAT UNTIL WE GET TO THE BOTTOM OF DID PEOPLE ASK FOR THE UNMASKING OF ADDITIONAL NAMES WITHIN PRESIDENT-ELECT'S TRANSITION TEAM.

>> BUT YOU SAID LEGAL AND INCIDENTAL THAT DOESN'T SOUND LIKE A PROACTIVE EFFORT TO SPY.

>> I WOULD REFER YOU TO – WE HAD A SIMILAR ISSUE WITH MEMBERS OF CONGRESS THAT WERE BEING PICKED UP IN INCIDENTAL COLLECTION A LITTLE OVER A YEAR AGO, WE HAD TO SPENT A FULL YEAR WORKING WITH THE DNI FOR MEMBERS OF CONGRESS TO BE NOTIFIED WHICH COMES THROUGH THE GANG OF EIGHT AND I WOULD REFER YOU TO THAT BECAUSE IT LOOKS VERY SIMILAR TO THAT WOULD BE THE BEST WAY I CAN DESCRIBE IT. \

>>.
[CROSSTALKING]

>> WAS HIS NAME UNMASKED.

>> I'M NOT GOING TO GET INTO THAT BUT HAVE EVER INDICATION IT'S CLEAR WHO IS IN THESE REPORTS.

>> WHO HAS ACCESS OF THE UNMASKED NAMES? JUST PEOPLE IN INTELLIGENCE COMMUNITY?

>> WE DON'T KNOW YET. BECAUSE WE DON'T KNOW WHO IT WOULD HAVE BEEN DISSIMILAR NATED TO --

James B. Comey

From: James B. Comey
Sent: Thursday, March 23, 2017 6:59 PM
To: Richardson, Stephen E. (CID) (FBI); Kortan, Michael P. (DO) (FBI); McCabe, Andrew G. (DO) (FBI); Bowdich, David L. (DO) (FBI); Abbate, Paul M. (DO) (FBI); [redacted] (IOD) (FBI); Rybicki, James E. (DO) (FBI); Sleeper, Kerry L. (DO) (FBI); Murphy, Brian J. (OPE) (FBI) b6 b7C
Subject: RE: NYT on JCCs

Well done. My thanks to all.

--------- Original message --------
From: "Richardson, Stephen E. (CID) (FBI)" [redacted] b6 b7C b7E
Date: 3/23/17 6:58 PM (GMT-05:00)
To: "Kortan, Michael P. (DO) (FBI)" [redacted], "McCabe, Andrew G. (DO) (FBI)" [redacted], "Bowdich, David L. (DO) (FBI)" [redacted], "Abbate, Paul M. (DO) (FBI)" [redacted], [redacted] (IOD) (FBI)" [redacted], "Rybicki, James E. (DO) (FBI)" [redacted], "Sleeper, Kerry L. (DO) (FBI)" [redacted], "Murphy, Brian J. (OPE) (FBI)" [redacted], "James B. Comey" [redacted]
Subject: RE: NYT on JCCs

Thanks, Mike

--------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" [redacted] b6 b7C b7E
Date: 3/23/17 6:15 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted], "Bowdich, David L. (DO) (FBI)" [redacted], "Abbate, Paul M. (DO) (FBI)" [redacted], "Richardson, Stephen [redacted] (CID) (FBI)" [redacted], [redacted] (IOD) (FBI)" [redacted], "Rybicki, James E. (DO) (FBI)" [redacted], "Sleeper, Kerry L. (DO) (FBI)" [redacted], "Murphy, Brian J. (OPE) (FBI)" [redacted], "James B. Comey" [redacted]
Subject: NYT on JCCs

Great story.

Jewish Center Bomb Threat Suspect Is Arrested in Israel

By ISABEL KERSHNER, ADAM GOLDMAN, ALAN BLINDER and RICHARD PÉREZ-PEÑAMARCH 23, 2017

JERUSALEM — A Jewish teenager in Israel made a wave of threats to Jewish institutions in the United States and other countries in recent months, contributing to fears of a spike in anti-Semitism, law enforcement officials said on Thursday after the man was arrested.

The 18-year-old suspect, who holds dual Israeli and American citizenship, suffers from a brain tumor that can affect his behavior, his lawyer said.

An Israeli police spokesman, Micky Rosenfeld, said that the man, who lives in the Ashkelon area of southern Israel, had made threats to Jewish community centers and other sites in the United States, Australia and New Zealand, and to at least one commercial airline flight, prompting an emergency landing. The authorities did not offer a motive.

“This is the guy we are talking about,” Mr. Rosenfeld said.

A judge ordered the suspect, who has not been charged, held until at least March 30 and ordered a medical examination. The police also arrested the suspect’s father, who was ordered held for eight days, on suspicion that he might have been aware of the threats, or even been involved. The father denies any knowledge of the threats, his lawyer said. The judge imposed an order of silence forbidding Israeli authorities to release either man’s name.

The teenager, who was born in Israel, has a brain tumor that can affect his cognitive abilities and lead to “irrational” behavior, but he has no criminal record, his lawyer, Galit Bash, said. She refused to say whether her client had admitted or denied involvement.

Ms. Bash and the father’s lawyer, Eran Rau, who are both from the Office of the Israeli Public Defender, said the young man was an only child who lived with his parents and had been home-schooled, which is unusual in Israel.

While most Israelis are drafted into military service, the teenager was rejected, which Ms. Bash said was because of his medical condition. Israeli media reported that she said in court that he had the tumor since he was 14.

The father, an engineer in his early 50s, also has no criminal record, and was cooperating with investigators, Mr. Rau said. He said his client was concerned primarily with his son’s welfare, given his medical condition.

“This all seems very strange and preliminary to me,” Mr. Rau said.

Israeli news outlets reported that when the teenager was arrested, he tried to grab an officer’s gun. In his brief court appearance, the suspect, wearing khaki cargo pants, bowed his head and pulled his shirt up to conceal his

face.

The arrest appeared to be a turning point after months of investigation and waves of turmoil and panic, as Jewish community centers across the United States reported more than 100 bomb threats since the beginning of the year. The calls, which President Trump condemned during an address to Congress last month, led to evacuations and bomb sweeps and heightened worries about anti-Semitism across the country.

A Missouri man was arrested this month and charged with making some of the recent anti-Semitic threats. But some acts, like the vandalizing of Jewish cemeteries, were apparently committed by others, still unidentified. It was not immediately clear how many threats investigators had traced to the teenager.

On Thursday morning, the Federal Bureau of Investigation held a conference call with leaders of Jewish organizations to discuss the arrest. In the hours after the announcement, Joel Dinkin, the executive vice president of the Evelyn Rubenstein Jewish Community Center of Houston, said in an interview that it was "a little bit perplexing from the standpoint of the fact that it's somebody Jewish."

But Jonathan A. Greenblatt, chief executive of the Anti-Defamation League, cautioned that many of the people responsible for anti-Semitic threats, vandalism and "a torrent of abuse online" remained at large. And even the threats attributed to the Israeli teenager, he said, should still be considered acts of anti-Semitism.

"The motive may have been unclear, but the impact was crystal clear," Mr. Greenblatt said. "These were acts that terrorized a community just because of their faith."

Critics of President Trump have tied him to a rise in hate crimes, pointing to his anti-immigrant remarks and accusing him of not condemning attacks swiftly or strongly enough. On Feb. 28, in a meeting with state attorneys general, Mr. Trump suggested that some of the threats and vandalism could be a politically motivated effort to "make people look bad," rather than actual bigotry, according to people who took part in the meeting. The comment troubled Jewish leaders and people who track hate crimes, who saw it as playing down real dangers.

Despite the arrest, "we hope our elected officials will directly confront the wave of hate violence that we've seen since the election," said Heidi Beirich, the director of the Southern Poverty Law Center Intelligence Project.

The person who made the calls sent them through the internet, and used sophisticated software to disguise his location and camouflage his voice, which slowed the investigation, the authorities said. When the Israeli police searched the suspect's house, investigators confiscated computers, an antenna and other equipment.

An American official said it appeared that the man had used Tor, a widely available anonymity software that masks a computer's true whereabouts by routing its internet traffic through various points around the globe. Many people use Tor, which is managed by a nonprofit digital privacy group, including those conducting illicit business and activists trying to avoid government censorship or surveillance.

"The investigation began in several countries at the same time, in which dozens of threatening calls were received at public places, events, synagogues and community buildings that caused panic and disrupted events and activities in various organizations," the Israeli police said in a statement.

The F.B.I. worked closely with Israeli intelligence on the investigation, starting in September — months before American organizations began to note a surge in threats to American targets, according to Cary Gleicher, the bureau's top agent in Israel.

Some of the earliest American targets of bomb threats were schools, centers and museums in Alaska, Florida and New York that were affiliated with Chabad-Lubavtich, an Orthodox Jewish movement, according to a Chabad official. The movement did not publicize the threats, and they received little or no news coverage.

Mr. Gleicher said he met in early March in Washington with James B. Comey, the F.B.I. director, who asked about efforts to find the person making the threatening calls, and made it clear that he had "great interest in getting this thing done." In mid-March, Mr. Comey met with Jewish leaders at bureau headquarters in Washington to brief them on the investigation.

"I left with a level of confidence that they were definitively making strides," said Jerry B. Silverman, chief executive of the Jewish Federations of North America. "It was clear that they were moving at very rapid pace."

The American-Israeli cooperation intensified last week, when the F.B.I. sent 14 people — both agents and technical experts — to Israel to assist in the investigation, Mr. Gleicher said in an interview from Israel.

"This was a big deal," he said, adding that it took the resources of both countries to get "across the finish line."

"Monday was the eureka moment," he said, when investigators figured out who was making the calls.

In a statement, Attorney General Jeff Sessions, who described the threats as "hate crimes," said, "The Department of Justice is committed to protecting the civil rights of all Americans, and we will not tolerate the targeting of any community in this country on the basis of their religious beliefs."

The case in Israel is separate from that of the St. Louis man who was arrested this month and accused of making at least a half-dozen other threats to Jewish centers. In a complaint in Federal District Court in Manhattan, the authorities said that man, Juan Thompson, had acted as part of an effort to intimidate a former girlfriend.

Isabel Kershner reported from Jerusalem, Adam Goldman from Washington, Alan Blinder from Atlanta, and Richard Pérez-Peña from New York. Laurie Goodstein contributed reporting from New York and James Kerstetter from San Jose, Calif.

James B. Comey

From:	James B. Comey
Sent:	Thursday, April 6, 2017 6:06 PM
To:	Rybicki, James E. (DO) (FBI)
Subject:	RE: NYTimes

Confusing piece on a number of fronts. Let's discuss tomorrow.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" <[redacted]> b7E
Date: 4/6/17 5:45 PM (GMT-05:00)
To: "James B. Comey" [redacted]>
Subject: NYTimes

https://www.nytimes.com/2017/04/06/us/trump-russia-cia-john-brennan.html?hp&action=click&pgtype=Homepage&clickSource=story-heading&module=first-column-region&region=top-news&WT.nav=top-news&_r=0

James B. Comey

From: James B. Comey
Sent: Thursday, April 13, 2017 8:24 AM
To: Rybicki, James E. (DO) (FBI)
Subject: RE: Newsweek

Strange that they didn't combine the two pieces.

-

-------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" <[redacted] b7E
Date: 4/13/17 8:08 AM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Newsweek

I just started reading: http://www.newsweek.com/2017/04/21/fbi-director-james-comey-russia-investigation-583154.html

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Thursday, April 13, 2017 9:12 AM
To:	James B. Comey
Subject:	RE: Newsweek

It definitely felt like two different stories -- one praising you by friends and formers and one attacking you by anonymous sources.

From: James B. Comey
Sent: Thursday, April 13, 2017 8:24 AM
To: Rybicki, James E. (DO) (FBI) [redacted] b7E
Subject: RE: Newsweek

Strange that they didn't combine the two pieces.

--------- Original message --------
From: "Rybicki, James E. (DO) (FBI)" [redacted] b7E
Date: 4/13/17 8:08 AM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Newsweek

I just started reading: http://www.newsweek.com/2017/04/21/fbi-director-james-comey-russia-investigation-583154.html

James B. Comey

From:	James B. Comey
Sent:	Wednesday, April 19, 2017 5:53 PM
To:	Campbell, Joshua S. (DO) (FBI); Rybicki, James E. (DO) (FBI)
Subject:	RE: Houston transcript

I told you it was in Boston. Respectfully.

Jim: leave it to you to decide how to use that. Okay by me if you decide to share the full text from Josh's email.

-------- Original message --------
From: "Campbell, Joshua S. (DO) (FBI)" <[redacted]> b7E
Date: 4/19/17 3:40 PM (GMT-07:00)
To: "James B. Comey" <[redacted]>, "Rybicki, James E. (DO) (FBI)" <[redacted]>
Subject: Re: Houston transcript

FYI, the following is from the Boston field office town hall in early March:

At one point during the conversations about it, one of my great debates about what to do, one of my advisors said, "Should you consider that what you're doing may help elect Donald Trump president?" And I said, "Absolutely not. Down that road lies the death of the FBI." If we ever start considering who might be affected and in what way by what we do, we're done. I said, "I don't care what impact it has. I can't care." People say that what I did had an impact on the election. Lordy, I hope not. It makes me mildly nauseous to think that I did. But honestly, it doesn't change how I think about it. I would have done the same thing again. It stunk to high heaven, but we did the right thing for the right reasons. Someday people will calm down enough to understand that, I hope.

From: Campbell, Joshua S. (DO) (FBI)
Sent: Wednesday, April 19, 2017 5:17 PM
To: James B. Comey; Rybicki, James E. (DO) (FBI)
Subject: Houston transcript

Attached.

Thanks,
Josh

James B. Comey

From:	James B. Comey
Sent:	Tuesday, May 2, 2017 2:26 PM
To:	Rybicki, James E. (DO) (FBI)
Subject:	From today's clip: Pension aren't what they used to be

Rep. Kathleen Rice said on CNN's Situation Room (5/1, 554K) that Trump's remarks on Kim and his invitation to Duterte are part of a "disturbing pension for authoritarian figures, for dictators, for any world leader who will compliment him."

Rybicki, James E. (DO) (FBI)

From:	Rybicki, James E. (DO) (FBI)
Sent:	Wednesday, May 17, 2017 9:35 PM
To:	Reinhold Niebuhr
Subject:	Fwd: Senate Judiciary Committee Hearing Invitation
Attachments:	2017-05-17 Grassley and Feinstein - Comey Invitation.pdf

-

-------- Original message --------
From: "Brower, Gregory (OGC) (FBI)" <[redacted]> b7E
Date: 5/17/17 9:11 PM (GMT-05:00)
To: "Beers, Elizabeth R. (DO) (FBI)" <[redacted]>, "Rybicki, James E. (DO) (FBI)" <[redacted]>
Cc: "McCabe, Andrew G. (DO) (FBI)" [redacted]
Subject: Fwd: Senate Judiciary Committee Hearing Invitation

-

-------- Original message --------
From: [redacted] (Judiciary-Rep)" <[redacted]> b6 b7C b7E
Date: 5/17/17 4:12 PM (GMT-08:00)
To: "Brower, Gregory (OGC) (FBI)" <[redacted]>, [redacted] (OLA) (JMD)" [redacted]
Subject: FW: Senate Judiciary Committee Hearing Invitation

From: [redacted] (Judiciary-Rep) b6 b7C b7E
Sent: Wednesday, May 17, 2017 7:03 PM
To: [redacted]
Cc: CEG (Judiciary-Rep) <[redacted]>; [redacted] (Judiciary-Rep) <[redacted]> [redacted]
Subject: Senate Judiciary Committee Hearing Invitation

Mr. Comey,

Attached is a letter from Chairman Grassley and Ranking Member Feinstein inviting you to testify at a public hearing

of the Senate Judiciary Committee.

Thanks,

[redacted]

b6
b7C

Investigative Counsel
Chairman Charles E. Grassley
U.S. Senate Committee on the Judiciary
[redacted]

CHARLES E. GRASSLEY, IOWA, CHAIRMAN

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KOLAN L. DAVIS, Chief Counsel and Staff Director
JENNIFER DUCK, Democratic Staff Director

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

May 17, 2017

James Comey

[redacted] b6 b7C

Dear Mr. Comey:

We invite you to testify at a public hearing of the Senate Committee on the Judiciary regarding the circumstances of your termination as Director of the FBI and your interactions with Trump and Obama administration officials regarding the FBI's Russia investigation and Clinton email investigation. A date and time for the hearing have not yet been set.

Committee rules require that you provide your testimony and a short biography for distribution to members of the Committee and the press at least 24 hours before the hearing is scheduled to begin. Once a date has been arranged, we ask that you send an electronic copy of your testimony and biography to [redacted] at the appropriate time. b6 b7C

Please contact [redacted] at [redacted] with any questions. We look forward to your testimony.

Sincerely,

Charles E. Grassley
Chairman

Dianne Feinstein
Ranking Member

COMEY, JAMES B. (DO) (FBI)

From: COMEY, JAMES B. (DO) (FBI)
Sent: Wednesday, November 9, 2016 12:22 PM
To: RYBICKI, JAMES E. (DO) (FBI)
Subject: FW: A question about the election outcome on Muslim employees. Thank you --- UNCLASSIFIED

Classification: UNCLASSIFIED
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From: COMEY, JAMES B. (DO) (FBI)
Sent: Wednesday, November 09, 2016 11:34 AM
To: [redacted] (FBI) <[redacted]>
Subject: RE: A question about the election outcome on Muslim employees. Thank you --- UNCLASSIFIED

Classification: UNCLASSIFIED
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b7C

[redacted] No, please don't worry about such a thing. You have all kinds of protections from unfair treatment of any kind -- and I don't expect any in the new administration in any event. And I will be your Director and will always work to ensure that our people are treated fairly and consistently, regardless of what they believe or where they come from. It will be fine and we will continue to focus on our vital mission.

From: [redacted] (FBI)
Sent: Wednesday, November 09, 2016 9:50 AM
To: COMEY, JAMES B. (DO) (FBI) <[redacted]>
Subject: A question about the election outcome on Muslim employees. Thank you --- UNCLASSIFIED

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b7C
b7E

Classification: UNCLASSIFIED
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Good morning Director Comey,
I am so sorry to bother you, but I have a question that has been worrying me since last night.
Director Comey, now that Mr. Trump is elected as our next president, what would happen to Muslim employees like me?
Could he fire us?
Thank you very much sir.
Very respectfully,
[redacted]

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

DECLASSIFIED BY: NSICG [redacted]
ON 09-13-2022

COMEY, JAMES B. (DO) (FBI)

From: COMEY, JAMES B. (DO) (FBI) b6 b7C
Sent: Thursday, March 16, 2017 9:05 PM
To: RYBICKI, JAMES E. (DO) (FBI)
Subject: My changes put in below --- ~~SECRET//NOFORN~~

Classification: ~~SECRET~~//~~NOFORN~~
ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

~~Classified By:~~ [redacted]
Derived From: ~~FBI~~ NSIC dated 20120629
~~Declassify On:~~ 20421231
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TRANSITORY RECORD

[redacted] b5

[redacted] b5

From: RYBICKI, JAMES E. (DO) (FBI)
Sent: Thursday, March 16, 2017 7:47 PM
To: COMEY, JAMES B. (DO) (FBI)
Subject: FW: HPSCI Opening --- ~~SECRET//NOFORN~~

Classification: ~~SECRET//NOFORN~~
ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

~~Classified By:~~ [redacted] b6 b7C
~~Derived From: FBI NSIC dated 20130301~~
~~Declassify On: 20421231~~
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For review.

From: BURTON, DAWN (DO) (FBI)
Sent: Thursday, March 16, 2017 7:43 PM
To: RYBICKI, JAMES E. (DO) (FBI) [redacted]
Subject: HPSCI Opening --- ~~SECRET//NOFORN~~

Classification: ~~SECRET//NOFORN~~
ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

~~Classified By:~~ [redacted] b6 b7C b7E
~~Derived From: FBI NSIC dated 20130301~~
~~Declassify On: 20421231~~
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TRANSITORY RECORD

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Classification: ~~SECRET//NOFORN~~

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Classification: ~~SECRET//NOFORN~~

COMEY, JAMES B. (DO) (FBI)

From: COMEY, JAMES B. (DO) (FBI)
Sent: Friday, March 24, 2017 1:32 PM
To: RYBICKI, JAMES E. (DO) (FBI)
Subject: FW: Because It's the Weekend --- UNCLASSIFIED

Classification: UNCLASSIFIED
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Some gems here.

-----Original Message-----
From: [redacted] (NH) (FBI)
Sent: Friday, March 24, 2017 1:04 PM
To: COMEY, JAMES B. (DO) (FBI) [redacted]
Subject: Because It's the Weekend --- UNCLASSIFIED

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Classification: UNCLASSIFIED
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Dear Director,

I hope this email finds you well on the curtails of a long week. I imagine a many people have already urged you to watch Seth Meyer's "A Closer Look" series featuring 'Comey Hearing Adds to Chaos of Trump Presidency', but I feel I would not be doing my job if I didn't behoove you to watch it. Yes, it makes light of a tough situation, but I also feel that it gives the American people a better understanding of the political difficulties and disconnects our system throws at you every day. Please take a look, have a laugh, and know you have our every endearing respect. Thank you for all you've done and have a wonderful, much deserved, weekend.

Sincerely,

[redacted]
New Haven Division
[redacted]

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

COMEY, JAMES B. (DO) (FBI)

From: COMEY, JAMES B. (DO) (FBI)
Sent: Wednesday, March 29, 2017 1:56 PM
To: RYBICKI, JAMES E. (DO) (FBI)
Subject: Draft --- UNCLASSIFIED

Classification: UNCLASSIFIED
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TRANSITORY RECORD

b5

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Classification: UNCLASSIFIED

COMEY, JAMES B. (DO) (FBI)

From: COMEY, JAMES B. (DO) (FBI)
Sent: Tuesday, April 4, 2017 11:37 AM
To: RYBICKI, JAMES E. (DO) (FBI)
Subject: FW: Thank you --- UNCLASSIFIED

Classification: UNCLASSIFIED
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From: [redacted] WF) (FBI)
Sent: Wednesday, March 29, 2017 1:08 PM
To: COMEY, JAMES B. (DO) (FBI) <[redacted]
Subject: Thank you --- UNCLASSIFIED

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Classification: UNCLASSIFIED
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Director Comey,

I'm not fully confident this will actually make it to you, but I wanted to take a moment to say I was able to hear and watch the Trump wiretapping and Russian involvement hearing. I figure everyone likes hearing kudos for the job they have done. I wanted to say I, and members of my squad were very impressed with how you represented us in that hearing. Our mission is thankless and often misunderstood by those outside the Bureau. A cross we all bear with our service to this country and it's people.

As [redacted] I love and believe in the FBI and have known or heard of the faults of Directors in the past. With yourself and Director Mueller, I certainly believe that I have been around for Directors that have seen the greatest workload in the bureau's existence, and have seen both excel.

This may be a fruitless attempt, but just in case this makes it to you… I, along with my family, my squad mates, and I'm confident the rest of the FBI would like to say we are proud to have someone like yourself representing us.

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b7C

Thank you, God speed and God bless Director Comey.

[redacted]

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WHERE SHOWN OTHERWISE

~~SECRET~~

CLASSIFIED BY: NSICG [redacted]
REASON: 1.4 (C)
DECLASSIFY ON: 12-31-2042
DATE: 09-28-2022

b6
b7C

COMEY, JAMES B. (DO) (FBI)

From: COMEY, JAMES B. (DO) (FBI)
Sent: Friday, April 7, 2017 5:43 PM
To: RYBICKI, JAMES E. (DO) (FBI)
Subject: Call with [redacted] -- ~~SECRET//NOFORN/~~ [redacted]

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Classification: ~~SECRET//NOFORN/~~ [redacted]

~~Classified By:~~ [redacted]
~~Derived From: FBI NSIC dated 20120629~~
~~Declassify On: 20421231~~

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TRANSITORY RECORD

[redacted]

~~(S)~~

b1
b3
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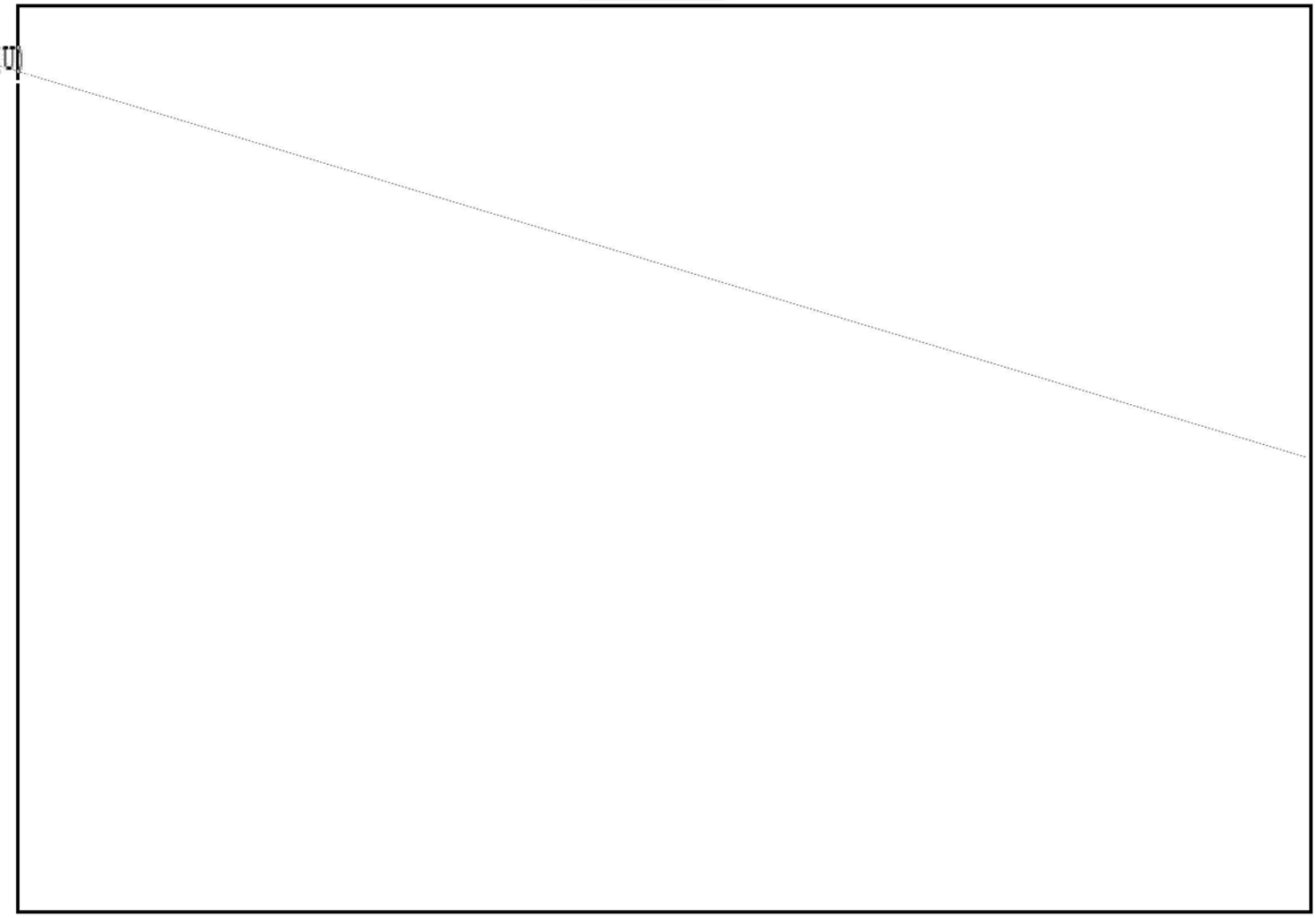
~~SECRET~~

(~~S~~) (U)



b1
b3
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JBC

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Classification: ~~SECRET~~//~~NOFORN~~/ [redacted]

b3
b7E

DECLASSIFIED BY: NSICG [redacted]
ON 09-13-2022

b6
b7C

RYBICKI, JAMES E. (DO) (FBI)

From: RYBICKI, JAMES E. (DO) (FBI)
Sent: Thursday, March 31, 2016 8:44 AM
To: COMEY, JAMES B. (DO) (FBI)
Subject: FW: Weekend Book --- ~~SECRET~~//~~NOFORN~~/[redacted]//~~LES~~
Attachments: Director Final_01Apr-16.pdf

b3
b7E

Classification: ~~SECRET~~//~~NOFORN~~/[redacted]//~~LES~~

~~Classified By:~~ [redacted]
Derived From: ~~FBI NSIC~~ dated 20120629
~~Declassify On:~~ 20411231
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b7C

From: [redacted] (DO) (FBI)
Sent: Thursday, March 31, 2016 8:39 AM
To: RYBICKI, JAMES E. (DO) (FBI) <[redacted]>; BURTON, DAWN (DO) (FBI) <[redacted]>; [redacted] (DO) (FBI) <[redacted]>; [redacted] (DO) (FBI) <[redacted]>
Subject: Weekend Book --- ~~SECRET~~//~~NOFORN~~[redacted]/~~LES~~

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b7E

Classification: ~~SECRET~~//~~NOFORN~~/[redacted]//~~LES~~

~~Classified By:~~ [redacted]
Derived From: ~~FBI NSIC~~ dated 20130301
~~Declassify On:~~ 20411231
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Good morning,

Attached is a courtesy copy of the weekend reading materials we [redacted] on yesterday. Please let me know if you have any questions or concerns.

b7E

Warm regards,

[redacted]

b6
b7C
b7E

[redacted]
Office of the Associate Deputy Director
Federal Bureau of Investigation
Room 7153 • J. Edgar Hoover Building
Office: [redacted] • Mobile: [redacted]

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Classification: SECRET//~~NOFORN~~/[redacted]//~~LES~~

b3
b7E

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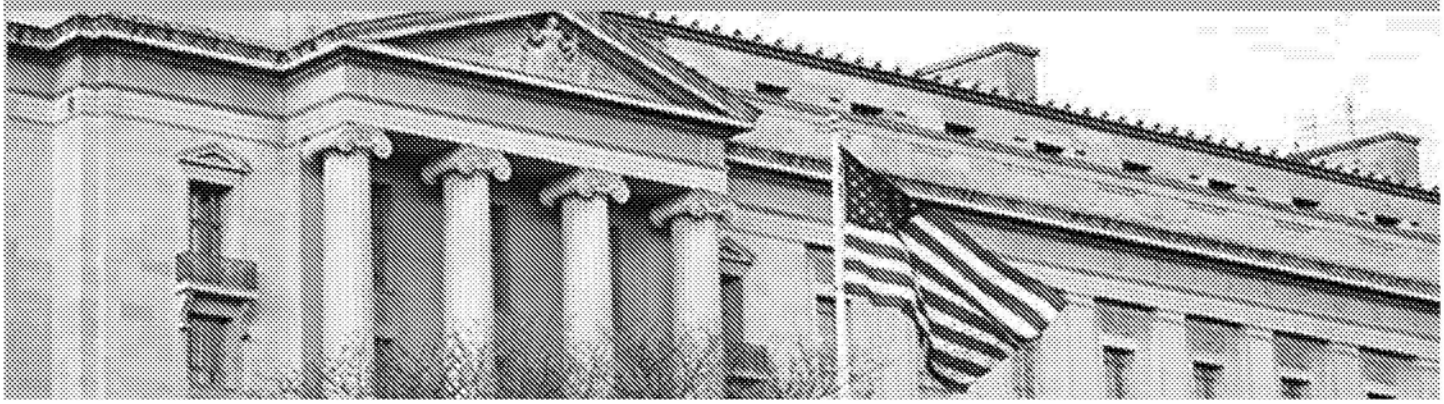
Classification: SECRET//~~NOFORN~~/[redacted]/~~LES~~

Office of the Inspector General
U.S. Department of Justice



Audit of the Federal Bureau of Investigation's New Jersey Regional Computer Forensic Laboratory Hamilton, New Jersey

Audit Division 16-11 March 2016

AUDIT OF THE FEDERAL BUREAU OF INVESTIGATION'S NEW JERSEY REGIONAL COMPUTER FORENSIC LABORATORY HAMILTON, NEW JERSEY

EXECUTIVE SUMMARY

The Federal Bureau of Investigation (FBI) Regional Computer Forensic Laboratory (RCFL) Program is a partnership between the FBI and other federal, state, and local law enforcement agencies operating within a geographic area. In 2001, Congress directed the Attorney General to establish new RCFLs, and provide support for existing RCFLs, to ensure that they have the capability to perform forensic examinations of computer evidence related to criminal activity and cyberterrorism, as well as to train and educate federal, state, and local law enforcement personnel and prosecutors about computer crime. The USA Patriot Act of 2001 authorized $50 million in annual appropriations to develop this capacity.[1] In 2002, the FBI established the RCFL National Program Office (NPO) to oversee the establishment and operations of the RCFLs.

This audit report focuses on the operations of the New Jersey RCFL (NJRCFL), located in Hamilton, New Jersey. The objectives of the audit were to assess the: (1) efficiency and effectiveness of the NJRCFL's performance, (2) effectiveness of the NJRCFL's outreach and partnership with the law enforcement community, and (3) NJRCFL's case management system and its efforts to address any service request backlog. To accomplish these objectives, we interviewed officials from the NJRCFL and reviewed documents related to the NJRCFL's structure, its accomplishments, and operational standards. We also interviewed the eight agencies that participate with the NJRCFL.

We found that the NJRCFL experienced mixed results in achieving its various performance goals in fiscal years 2011 through 2014. We found that although the FBI revised the definition of a backlog case, that reduced the number of backlog cases at the NJRCFL, a material backlog still existed as of June 2015. We found the backlog was attributable to a number of factors, but chief among them was the need for both more examiners and additional advanced training for those already conducting exams. However, we also found that participating agencies were generally satisfied with the work performed by the NJRCFL.

In addition, similar to what we found in a previous audit at the Philadelphia RCFL, we identified material weaknesses in Cell Phone Investigative Kiosk (Kiosk) usage that, if not addressed, could leave the Kiosk vulnerable to abuse.[2] A Kiosk allows users to quickly and easily view data stored on a cell phone, extract the data to use as evidence, put the data into a report, and copy the report to an electronic

---

[1] Pub. L. No 107-56 (2001).

[2] U.S. Department of Justice Office of the Inspector General, *Audit of the Federal Bureau of Investigation's Philadelphia Regional Computer Forensic Laboratory Radnor, Pennsylvania*, Audit Report 15-14 (April 2015), 2-9.

storage device. Although FBI policy requires Kiosk users to confirm they possess the proper legal authority for the search of data on cell phones or loose media, we found that the *Technical Assistance Form* used by the NJRCFL did not require users to confirm the legal authority for the search conducted using the Kiosk. However, after our audit fieldwork was complete, the RCFL National Program Office introduced a mandatory electronic form to be used on Kiosks. Law Enforcement Officers logging onto a Kiosk are required to complete the mandatory electronic form and indicate the type of legal authority and the number of devices processed. The NJRCFL has implemented the new mandatory form, which mitigates the Kiosk weaknesses we previously identified. We also found that 26 percent of Kiosk users that examined a cell phone did not certify that they had completed self-paced or hands-on training as required by FBI policy.

We also found that the current process used to capture data for the number of law enforcement personnel that the NJRCFL trained, did not include adequate supporting documentation. For example, training participants registered for courses online using a system managed by the RCFL National Program Office. The NJRCFL used that registration information to identify the number of individuals that participated in training; however, we found that not everyone who registered for a class actually attended the class, and that the registration data was never updated to reflect actual attendance information. As a result, the FBI was unable to accurately determine the degree to which the RCFL program accomplished one of its core missions.

Our report contains three recommendations to help minimize potential abuse or mishandling of the Kiosk program, maintain adequate supporting documentation to support training, and manage the current backlog.

AUDIT OF THE FEDERAL BUREAU OF INVESTIGATION'S NEW JERSEY REGIONAL COMPUTER FORENSIC LABORATORY HAMILTON, NEW JERSEY

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AUDIT OF THE FEDERAL BUREAU OF INVESTIGATION'S NEW JERSEY REGIONAL COMPUTER FORENSIC LABORATORY HAMILTON, NEW JERSEY

INTRODUCTION

According to the Federal Bureau of Investigation (FBI), the Regional Computer Forensic Laboratory (RCFL) Program was created in response to law enforcement's urgent demand for expert digital forensics services and training. It is a partnership between the FBI and other federal, state, and local law enforcement agencies operating within a geographic area. In 1999, the FBI piloted the first RCFL in San Diego, California, as a full service forensics laboratory and training center devoted to examining digital evidence in support of criminal investigations and the detection and prevention of terrorist acts.

In 2001, Congress directed the Attorney General to establish more RCFLs and provide support for existing RCFLs to ensure that each had the capability to: (1) perform forensic examinations of intercepted computer evidence related to criminal activity and cyberterrorism; (2) train and educate federal, state, and local law enforcement personnel, and prosecutors in computer crime; (3) assist federal, state, and local law enforcement in enforcing federal, state, and local laws related to computer-related crime; (4) facilitate and promote the sharing of federal law enforcement expertise and information about the investigation, analysis, and prosecution of computer-related crime, including the use of multijurisdictional task forces; and (5) to carry out such other activities as the Attorney General considers appropriate. The USA Patriot Act of 2001 authorized $50 million in annual appropriations to develop these capabilities.[3] In 2002, the FBI established the RCFL National Program Office (NPO) to oversee the establishment and operations of the RCFLs. In June 2015, the FBI's RCFL Program consisted of 16 RCFLs.

FBI Regional Computer Forensics Laboratories

RCFLs were established to strengthen law enforcement computer forensic capabilities throughout the United States and have provided forensic expertise and training to thousands of law enforcement personnel. The primary forensic responsibilities of an RCFL are to:

1. Conduct a comprehensive examination of digital evidence;
2. Provide a complete and timely report to the contributor;
3. Provide testimony as needed; and

[3] The USA Patriot Act is an antiterrorism law enacted by Congress in October 2011 in response to the terrorist attacks of September 11, 2001. Title VIII of the USA Patriot Act directs the Attorney General to create RCFLs to strengthen the fight against terrorism.

4. Act as a regional focal point for digital evidence issues.

According to the FBI, the key goals of the RCFL Program are to:

1. Provide timely, professional, and technically advanced digital forensic services to law enforcement agencies in an RCFL's service area;

2. Fully utilize applied science and engineering capabilities to support digital forensic examinations;

3. Increase the confidence of investigators, prosecutors, and judges in the digital forensics examination discipline through standardized training and forensic protocols;

4. Provide responsive and flexible services in support of diverse investigative programs; and

5. Meet legal and administrative requirements of diverse judicial systems.

General information on the governance of RCFLs, RCFL personnel and Program Membership, RCFL accreditation, and a summary of backlog service requests at RCFLs for fiscal years (FY) 2011 through 2013 can be found in our previous audit report on the Philadelphia RCFL.[4]

New Jersey Regional Forensic Laboratory

The New Jersey Regional Forensic Laboratory (NJRCFL), located in Hamilton, New Jersey, was established in 2004 and obtained its American Society of Crime Laboratory Directors (ASCLD)/ Laboratory Accreditation Board (LAB) Legacy Accreditation in 2006, and its ASCLD/LAB International Accreditation in 2012.[5] From FYs 2011 through 2014, the NJRCFL had a combined budget of $452,470 that was used for rent, equipment, supplies, administrative services, and other items such as travel and training.[6]

The NJRCFL's mission is to provide its customers with high quality digital forensics services and training. In FY 2014, the NJRCFL had 29 staff members from

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[4] U.S. Department of Justice Office of the Inspector General, *Audit of the Federal Bureau of Investigation's Philadelphia Regional Computer Forensic Laboratory Radnor, Pennsylvania*, Audit Report 15-14 (April 2015), 13-15.

[5] The American Society of Crime Laboratory Directors (ASCLD) is a nonprofit professional society of crime laboratory directors and forensic science managers dedicated to providing excellence in forensic science. The ASCLD/LAB Accreditation Program, currently known as the ASCLD Legacy Accreditation Program, was the first accreditation program in the world for crime laboratories. The Legacy Accreditation Program has been replaced by the International Accreditation.

[6] The NJRCFL is located within a New Jersey Department of Law and Public Safety (NJ L&PS) facility. There is a current Memorandum of Agreement in place which states, "FBI will not reimburse L&PS for… apportionment for space rent, building utilities, building security, custodial services…."

8 participating agencies, including: 8 FBI Special Agents, 6 FBI support staff, 10 sworn task force officers and 4 non-sworn task force officers, and 1 FBI contractor (a system administrator).[7] The NJRCFL provides law enforcement agencies in New Jersey with pre-seizure consultation, on-site seizure and collection, duplication and storage of electronic equipment and other digital evidence, examination of digitally stored media, and courtroom testimony. Organizationally, the NJRCFL is a laboratory facility operated out of the FBI's Operational Technology Division (OTD) under the RCFL NPO and the third largest RCFL by staff size. Within the NJRCFL, the Lab Director position is funded by the OTD as a temporary position and not a permanent position within the Newark Field Office. All other FBI positions assigned to the NJRCFL report to the Newark Field Office.

Office of the Inspector General Audit Approach

The objectives of our audit were to assess the: (1) efficiency and effectiveness of the NJRCFL's performance, (2) effectiveness of the NJRCFL's outreach and partnership with the law enforcement community, and (3) NJRCFL's case management system and its efforts to address any service request backlog.

To accomplish these objectives, we interviewed officials from the NJRCFL and reviewed documents related to the NJRCFL's organizational structure, accomplishments, and operational standards. We also interviewed representatives from the 8 NJRCFL participating agencies and 1 non-participating agency to obtain their opinions on the effectiveness of the NJRCFL operations. To assess the NJRCFL's efforts to address its service request backlog, we examined the FBI's Computer Analysis Response Team's (CART) database information to determine if a backlog existed. After determining that the NJRCFL had a backlog, we reviewed the NJRCFL requests for examination for unassigned cases and aging reports for open cases to determine the cause of the backlog.

The results of our review are detailed in the Findings and Recommendations section of this report.

[7] The eight participating agencies at the NJRCFL are the New Jersey State Police, the Essex County Prosecutor's Office, the Mercer County Prosecutor's Office, the Middlesex County Prosecutor's Office, the Monmouth County Prosecutor's Office, the New Jersey Division of Criminal Justice, the FBI Newark Field Office, and the New Jersey Attorney General's Office. The Somerset County Prosecutor's Office was a participating agency through FY 2013; however, in FY 2014 it was no longer able to participate because its lone assignee became a part-time employee and the NJRCFL rules require participating agencies to provide at least one full-time employee.

FINDINGS AND RECOMMENDATIONS

NEW JERSEY RCFL PERFORMANCE, PARTNERSHIPS, AND CASE BACKLOG

RCFLs are responsible for providing timely and high quality digital forensics services and training to the FBI and their RCFL partners. The NJRCFL had mixed success in meeting its various performance goals in FYs 2011 through 2014. We identified weaknesses in the Cell Phone Investigative Kiosk (Kiosk) program that, if not addressed, could increase the risk of abuse and mishandling in the NJRCFL's Kiosk. Further, we also identified weaknesses in the training program that could result in the misreporting of the number of personnel trained, one of the key goals of the RCFL program. Finally, we found that NJRCFL had a backlog as of June 2015. Despite the backlog, participating agencies were still satisfied with the work completed at the NJRCFL.

Performance

Performance for RCFLs is measured across a wide range of services – including laboratory performance, partnerships, and casework. We focused our audit testing on the capabilities that the USA Patriot Act of 2001 cited as the basis for the creation of the RCFLs.

Forensic Examinations, Assisting Law Enforcement, Sharing Expertise

The FBI's Operational Technology Division maintains the CART Database, which tracks forensic examination work from inception to completion. In our audit of the Philadelphia RCFL, we assessed the reliability of the information in the CART Database and found it to be reliable for the purpose of evaluating performance achievements during the period covered by our audit. Additionally, the OTD recently identified the need for a more robust digital evidence tracking system. OTD has engineered and is in the process of fielding its new Digital Evidence Management System (DEMS) to better capture digital forensic matrices and replace the CART Database. The NJRCFL is in the process of transitioning from the CART Database to DEMS.

The NJRCFL is the third largest RCFL by staff size and number of cases. The performance of an RCFL can be measured by different sets of data, including the number of service requests received, examinations completed, and terabytes of data processed. Table 1 provides a summary of these metrics included in our period of review for this audit.

Table 1

CART Database Performance Data
For the NJRCFL in FYs 2011 through 2014

Performance Area	FY 2011	FY 2012	FY 2013	FY 2014	Average
Service Requests Received	535	494	422	470	**480**
Exams Completed	476	423	352	423	**419**
Terabytes Processed	302	346	458	227	**333**

Source: OIG Analysis of CART Database Data

Cell Phone Kiosk Program

The Cell Phone Investigative Kiosk (Kiosk) allows users to quickly and easily view data stored on a cell phone, extract the data to use as evidence, put the data into a report, and copy the report to an electronic storage device such as a compact disk.[8] In addition to the Kiosk, there is also a Loose Media Kiosk, which processes digital evidence stored on loose media, such as a DVD or memory card. Kiosks may be located at an FBI field office, FBI resident agency, or at an RCFL.[9] The NJRCFL Kiosk, which was first available for use in December 2008, is located in the reception area of the NJRCFL, which is outside of the FBI laboratory. To use the Kiosk, law enforcement personnel are required to schedule an appointment. However, the NJRCFL does not require Kiosk users to sign its Visitors Log since users do not go beyond the reception area or enter the NJRCFL's laboratory space. While the Kiosk is housed in the reception area, the cables necessary to connect the Kiosk to a cell phone are not stored with the Kiosk. Instead, the NJRCFL examiner responsible for supervising the Kiosk provides the cables to a visiting user. Without the cables, cell phones cannot be connected to the Kiosk, ensuring that the examiner on duty would have to know that a person was attempting to use the Kiosk because the examiner would have to supply the appropriate cable. This procedure provides the appropriate level of assurance that a person cannot use the Kiosk without the knowledge of the examiner on duty.

To make an appointment to use the Kiosk, generally, users email the NJRCFL Management and Program Analyst or the Operational Support Specialist to schedule their visit. According to the Director, sometimes one investigator will schedule a Kiosk appointment and another investigator will show up in his or her place, or

[8] Unlike a full exam by a Certified Forensic Examiner, the report generated by a law enforcement officer using the Kiosk might not be acceptable as evidence at trial. However, its value in providing police and agents with quick access to the information on a cell phone without having to wait for a full exam to be conducted, which could be delayed for weeks or months, is often critical in helping law enforcement obtain investigative leads, gather evidence for additional arrest or search warrants or to convince a defendant who doesn't contest the charges to plead guilty.

[9] According to the FBI, non-FBI law enforcement personnel are allowed to use the Kiosks located in FBI field offices and resident agencies, but FBI personnel must escort them at all times.

more than one investigator may accompany the scheduled investigator to use the Kiosk. According to the Director, NJRCFL personnel assume that all of the personnel who arrive for a scheduled appointment are part of the same case. However, he said that the NJRCFL does not verify that everyone arriving for a scheduled appointment is working on the same investigative matter.

As a result of the procedures and practices described above, we found that the NJRCFL did not have adequate controls over the access to and use of its Kiosk. FBI policy requires Kiosk users to confirm they possess the proper legal authority for the search of data on cell phones or loose media. During our fieldwork, neither the FBI nor the NJRCFL provided any confirmation to show that NJRCFL Kiosk users possessed the proper legal authority to search for evidence on the devices examined. In addition, the FBI did not provide us with any information regarding controls in place at the NJRCFL to ensure that users do not use the Kiosk for non-law enforcement matters, an inherent risk of Kiosks without adequate controls.

We reviewed two versions of NJRCFL's *Technical Assistance Form*, which Kiosk users are required to complete and return to the NJRCFL for their records. The first version of the form, used from January to June 2011, included the user's name, agency, type of case, case number, and the type of technical assistance requested and/or provided. It also included a signature line. In June 2011, the form was revised to add the following four statements and corresponding signature lines:

- I certify that the legal authority indicated above is valid and authorizes a preview/examination of the items described above and this preview/examination does not exceed the scope of such authorization.

- I certify that I have taken the Kiosk training (when applicable).

- I understand that I must conduct all processing with the Kiosk and am responsible for testifying to any results generated. I also understand that laboratory personnel will not conduct any processing, prepare reports as to processing, or testify regarding results.

- I certify that I have AUSA [Assistant United States Attorney] concurrence to conduct this preview (FBI/LMK only).

While the first of the four statements asks each user to certify that he or she has valid legal authority to examine the device in question, the form does not request that the person completing the form list the specific legal authority for the examination, nor does it even offer a list of possible legal authorities for conducting such a search. When we brought this concern to the attention of the NJRCFL Director, he said he was not aware of this omission. Because the *Technical Assistance Form* used by the NJRCFL did not require users to cite the legal authority for their search each time they used the Kiosk, we were unable to determine if the Kiosk users had the appropriate legal authority to use the Kiosk.

As discussed in our previous report on the Philadelphia RCFL, we believe that although the Kiosk is an efficient tool for Law Enforcement Officers to use to examine digital evidence that may not require the extensive examination of a Certified Forensic Examiner, they are potentially vulnerable to serious abuse.[10] In its July 2015 response to our audit, the FBI stated that the RCFL NPO introduced a mandatory electronic form on the front end of all Kiosks requiring that any Law Enforcement Officer logging on to the Kiosk provide the type of legal authority and the number of devices processed. This new mandatory electronic form was not being used at the NJRCFL Kiosk at the time of our initial visit.

We reviewed all 330 *Technical Assistance Forms* that were made available to us during our fieldwork to verify that each form had the required content and signatures. We found that more than a quarter of the forms did not have a signature attesting that the user had completed the required Kiosk training. According to the FBI's Digital Evidence Corporate Policy Directive and Policy Implementation Guide (Implementation Guide), prior to Kiosk use, self-paced or hands on training is required.[11] Training is required to familiarize the user with the Kiosk equipment to prevent improper usage. In addition, as shown in Table 2, we also found that five percent of the forms were missing a signature for the statement concerning the user's responsibility for testifying about the results generated by the Kiosk and two percent were missing all of the signatures.

Table 2

OIG Review of NJRCFL Technical Assistance Forms

	Frequency	Total Universe	Percent
Missing All Signatures	5	330	2%
Missing Kiosk Training Signature	77	301	26%
Missing "Testifying to any Results" Signature	18	330	5%

Source: OIG Analysis of NJRCFL Technical Assistance Forms

We believe that without completing the required training, Kiosk users could mishandle or improperly use the Kiosk or the results generated by it. However, after our audit fieldwork was complete, the NJRCFL implemented the new mandatory electronic form requiring Law Enforcement Officers to cite the legal authority allowing the officer to search the device and the number of devices processed.

[10] U.S. Department of Justice Office of the Inspector General, *Audit of the Federal Bureau of Investigation's Philadelphia Regional Computer Forensic Laboratory Radnor, Pennsylvania*, Audit Report 15-14 (April 15), 13-15.

[11] FBI Operational Technology Division, *Digital Evidence Corporate Policy Directive and Policy Implementation Guide,* January 03, 2014.

Training

The RCFL program's mission includes training law enforcement personnel around the nation on topics related to seizing and handling digital evidence, using FBI-developed preview tools, and understanding digital forensic examination results. The NJRCFL included expanding the number of tools on which laboratory examiners are trained as one of its annual goals for FYs 2013 and 2014. Additionally, during that period, the NJRCFL offered training to law enforcement personnel that included the proper techniques for seizing, handling, and examining digital evidence.

According to information provided by the FBI, the NJRCFL trained 422 personnel in FY 2011, 493 in FY 2012, 303 in FY 2013, and 301 in FY2014. However, as described below, we were unable to verify the accuracy of these reported accomplishments because the NJRCFL did not maintain adequate documentation for training. As shown in Table 3, the FBI accomplishment data did not match the training records made available to us by the NJRCFL.

Table 3

NJRCFL Number of Persons Trained

Fiscal Year	FBI Accomplishment Data	Training Records	Percent Difference
2011	422	394	7%
2012	493	388	21%
2013	303	309	-2%
2014	301	277	8%

Source: OIG Analysis of NJRCFL Training Records and FBI Data

As a result of not having adequate documentation, the accomplishment data reported by the FBI on the number of personnel trained was not reliable. Until spring 2014, personnel attending training offered by the NJRCFL registered using the RCFL NPO's Training Registration System (TRS). All training data, including the attendance roster, was maintained on the registration website. However, according to a NJRCFL staff member, the instructors at the NJRCFL never retrieved an updated attendance sheet from TRS and therefore could not remove those registered participants who did not actually attend.

According to the FBI, in spring 2014, the TRS was compromised after an intruder gained unauthorized access, and it was taken out of service until a more secure website could be deployed. During our audit, we compared the number of participants listed on the NJRCFL's training records to the information reported in the accomplishment data the FBI provided to the Office of the Inspector General (OIG). As the comparison in the Table 3 above shows, the training records did not support the information reported to the OIG. The percent difference between the FBI accomplishment data and the NJRCFL training records ranged from 2 to 21 percent. According to a NJRCFL staff member, since TRS was taken offline, the

NJRCFL has been responsible for printing the class roster, creating and maintaining a sign-in sheet, and subsequently reporting training data to the RCFL NPO.

In addition to the training conducted at the NJRCFL, staff also conduct seminars and speak outside of the NJRCFL. For this outside training, NJRCFL personnel did not require participants to sign-in. Instead, attendance at these events was estimated. These estimates were reported to the RCFL NPO and included in the Annual Report. Because no supporting documentation was available for training conducted outside the NJRCFL, we could not reconcile the numbers provided by the FBI or those subsequently included in the Annual Reports.

Because the RCFL NPO maintains the TRS, the challenges encountered by the NJRCFL are not unique to the NJRCFL. In our previous report on the Philadelphia RCFL, we recommended that the FBI create a secure automated system to register users for training held at local RCFLs, record user attendance at RCFL training, and report training data to the NPO. Following this audit, the FBI stated that while the RCFL NPO had sought to develop a technical solution to track all training, the cost and current budget do not permit such a training registration system at this time. Despite this, we recommend that the FBI develop interim procedures to accurately capture all training registrations and attendance for training conducted at the NJRCFL and at off-site locations.

Law Enforcement Agency Participation

According to the FBI, partnering is a central part of the RCFL Program and the key to its success. As of May 2015, there were 8 participating agencies at the NJRCFL. To become a participating agency, a law enforcement agency must sign a Memorandum of Understanding (MOU) and detail personnel certified as forensic examiners to the local RCFL. According to officials from participating agencies, performance reviews of law enforcement personnel assigned to the NJRCFL are performed by their parent agency. Therefore, each agency is responsible for the conduct of its own NJRCFL assignee.

Since partnering with other agencies is critical to the RCFL Program's success, through 2014, the NJRCFL has made it a goal to expand the number of participating agencies. However, NJRCFL did not successfully meet this goal in 2011 and 2012, but had success in adding three new agencies in 2013 and 2014. According to the NJRCFL Director, efforts to recruit additional agencies have not always been successful because: (1) travel time to the NJRCFL has been problematic for some agencies, and (2) at least one agency utilized the same forensic services that are available at the NJRCFL from another source at no cost and without a commitment for personnel to be detailed to the agency.

We interviewed all eight participating agencies and one non-participating agency to obtain their opinions on the effectiveness of the NJRCFL operations. Overall, the participating agencies were satisfied with the services provided by the NJRCFL. However, when it came to the timeliness of examinations, the

participating agencies agreed that the timeliness of examinations was an issue, but it did not present a problem for their daily operations.

Case Backlog

Beginning in January 2014, the FBI defined a 'backlog' request as a service request that had not been assigned to an examiner within 30 days of the request. Prior to January 2014, a 'backlog' request was any request not closed within 60 days of receipt from the requesting agency. According to the FBI, the change was necessary because the original definition did not take into account the complexity of each case. According to the January 2014 Implementation Guide, to ensure an effective and efficient workflow, supervisors should assign service requests as examiners become available. At no time should a service request be assigned to avoid being identified as a backlog.

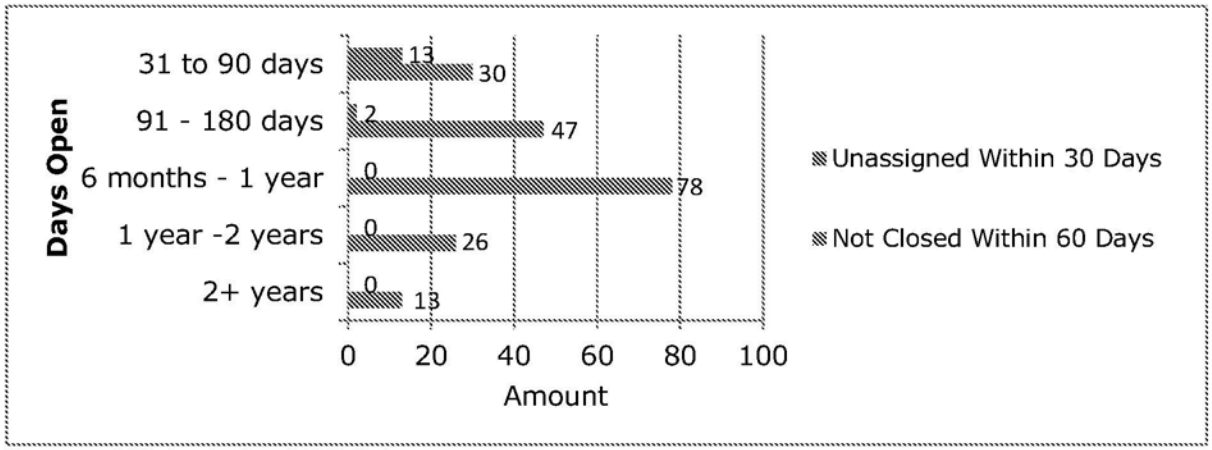
According to the FBI, the goal of the new definition is to more accurately track any backlog by identifying requests that an RCFL does not have the resources to address. To help keep an accurate accounting of backlogged requests, FBI policy now limits service requests to no more than 10 unique items.[12] The case agent or requesting agency should list the items in the service request and rank them in order of priority to the investigation.

Using these criteria, we reviewed the case backlog and aging reports from the CART Database and interviewed the NJRCFL Director. Based on our review, the NJRCFL carries a backlog of requests, both assigned and unassigned. As shown in the figure below, using the new backlog definition, the NJRCFL carried 15 backlog service requests at the time of our review. However, when using the previous backlog definition, the NJRCFL had 194 service requests that were not closed within 60 days, including 39 that were more than a year old.

[12] A unique item is considered a laptop, cell phone, desktop, tablet, etc. An exception is made for numerous items of the same type of disposable media (e.g., CDs, DVDs, flash drives and SD cards less than 1 GB), which can be counted as one item in a service request.

Table 4

Backlog Service Requests by Days Open



Source: OIG Analysis of FBI Data

The NJRCFL Director requires that each examiner close at least 2 cases each month. However, according to NJRCFL's Director, Deputy Director, and the Chief Forensic Examiner, this goal has become increasingly difficult to achieve as the storage capacity of the items to be reviewed has dramatically increased over the past three years.

In December 2014, all RCFLs were informed by FBI's Operational Technology Division that service requests that remain open for more than a year are seen as a high risk and could potentially impact the FBI's operational cycle and ability to conduct effective and timely investigations. Therefore, a new measurement for CART service requests open for 1 year or more has been added to the Director's Scorecard.[13] The FY 2015 target is to have less than 20 percent of total service requests open for longer than 1 year. According to the FBI, less than 20 percent is a target that all CART programs are requested to work towards; it is not a mandate. As shown in the table below, even when using a different definition of what constitutes a backlog, the NJRCFL is still trying to reduce its backlog.

[13] The Director receives a Scorecard monthly that provides the same information as the service request but at the program level and encompasses the entire CART/RCFL Programs.

Table 5

Status of Open Service Requests

Month (2015)	Percentage of Total Service Requests Open for a Year or More
January	17%
February	17%
March	17%
April	19%
May	21%
June	22%

Source: FBI Data

Efforts to Address Service Request Backlog

Based on our interviews, the NJRCFL has made several efforts to manage their case backlog, including bringing on more examiners, implementing policies specific to reducing the backlog that have been approved by the NJRCFL Local Executive Board (LEB), streamlining the examination process, and providing additional advanced training to staff.[14] However, these efforts have not effectively reduced the case backlog.

According to the Director, the clearest solution to the backlog is bringing on additional examiners. However, the NJRCFL wants to balance the need for more examiners that come with more participating agencies against the need to complete the additional examination work. The Director estimated that it takes approximately 14-24 months to get a new RCFL employee through the training program to become a Certified Forensic Examiner. According to the Implementation Guide, Forensic Examiners in Training (FET) are only authorized to perform forensic tasks under the supervision of a Certified Forensic Examiner, which therefore limits the amount of exams they can complete. Accordingly, the NJRCFL Director cited their high percentage of FETs as a cause for the backlog.

Table 6

NJRCFL Certified Forensic Examiner and Forensic Examiners in Training Staffing Levels by Fiscal Year

Fiscal Year	Forensic Examiner	Forensic Examiner in Training	TOTAL
2011	16	4	20
2012	12	5	17
2013	13	4	17
2014	13	7	20

Source: FBI Data

[14] The Local Executive Board (LEB) sets policies for the NJRCFL. The LEB is comprised of the head of each of the participating agencies, or a chosen representative.

NJRCFL's LEB implemented new policies to help manage the case backlog. In FY 2011, the LEB adopted a policy to only process non-participating cases that involved crimes that were at least 2nd degree offenses, except for crimes against children. In FY 2012, the LEB established that all case-related cellular devices must be processed on the Kiosk prior to laboratory submission. This policy was fine-tuned in FY 2013 requiring all agencies to provide a "Page 2" in conjunction with any cellular device or loose media service request. Page 2 is the supplemental form for cellular phones that accompanies all service requests that include a cellular telephone as a submission. As mentioned earlier, all cellular devices must be analyzed utilizing the Kiosk before being submitted for a forensic examination. If the Kiosk is unable to recover the necessary information, the cellular telephone will be assigned to a forensic examiner for further analysis. No cellular telephone will be accepted for examination without this supplemental form.

The NJRCFL sought to streamline the examination process through the Digital Crime Analysis Position (DCAP), the Virtual Machine Forensics Platform, and Centralized Imaging. DCAP was designed to enable state and local cases to have their review process performed remotely by the persons most familiar with the case, the investigator. DCAP is similar to FBI's Case Agent Investigative Review in that it helps to free up the specialized examiner time for case processing and not image and review analysis. At the time of our audit, there were six stations with DCAP access available for state and local use at the NJRCFL. Additionally, three participating agencies obtained DCAP access outside of the NJRCFL; however, none of the three agencies were able to establish the remote connection at the time of our audit – which may be a result of certain firewall issues.

According to the NJRCFL Director, participating agencies have been encouraged to use DCAP; however, he acknowledged that while this was supposed to alleviate some of the backlog issues, it may have actually caused some additional delays. He said that while it is a great idea to have the investigator most closely related to a particular case reviewing the data; it may take additional time because of the investigator's competing priorities, which may result in un-reviewed data on the network. Additionally, many of the participating agencies we interviewed stated that DCAP is cumbersome to navigate and too time consuming to use.

The Virtual Machine Forensics Platform enables NJRCFL examiners to work numerous cases on a single workstation. Additionally, Centralized Imaging is a tool that can image numerous computers in a large case simultaneously, reducing the wait time for pending cases to begin examination. According to the NJRCFL Director, Centralized Imaging has worked for the NJRCFL, especially with exigent, large cases; however, it also has not helped reduce the backlog as much as he thought it would. According to the NJRCFL Director, RCFL examiners have found that the Virtual Machine Forensic Platform was more troublesome than helpful in streamlining the examination process.

According to the NJRCFL Director, in recent years, there had been very few advanced examiner training classes offered by the FBI and none were offered during sequestration. According to the FBI, the training budget has been

significantly reduced every year for the past 5 years. The Digital Forensic Analysis Section, Digital Sciences Development and Staffing Unit has encouraged examiners to find local sources of training and has made funds available to allow examiners to attend advanced training. When a class was advertised, before an examiner could sign up for it, it would be either cancelled or quickly filled by other RCFL examiners. The more advanced training an examiner receives, the greater the examiner's skill sets. A well-rounded examiner with multiple skill sets can complete most, if not all, of the different service requests received (e.g., Linux, Mac, cell phone, etc.). However, examiners cannot examine particular evidence if they have not received certification in that specific area. For example, if an iPhone arrives at the NJRCFL, the examiner must be cell phone certified as well as Mac certified. The Director explained that at least part of the backlog could be attributed to the lack of advanced training. Some of his examiners are unable to get certification in specialized areas because the training is unavailable. Therefore, NJRCFL has examiners that cannot complete certain exam requests and must wait until the certified examiners are available to complete the task.

One of the primary responsibilities of an RCFL is to provide a complete and timely report to the requestor. Because the NJRCFL maintains a backlog, the timeliness with which the requestor receives the report can be problematic and may hinder an investigation where digital evidence plays a significant role. As a result, we recommend that the FBI ensure that the NJRCFL continue to examine its backlog to determine the causes and to develop and implement new measures to address the causes. In its July 2015 response to our Philadelphia RCFL report, the FBI stated that the Forensic Operations Unit has been in contact with the RCFLs experiencing a backlog to determine the reason for the backlogs and to assist with addressing them on a weekly basis. Furthermore, the FBI stated that the RCFL NPO will temporarily transfer personnel to RCFLs that are unable to address the backlog on their own, or identify other RCFLs, Field Divisions, or Headquarters' laboratories that are able to accept additional workload to help reduce the backlog.

Conclusion

In FYs 2011 through 2014, the NJRCFL experienced mixed results in achieving its various performance goals. We found that while a material backlog existed at the NJRCFL, participating agencies were still satisfied with the work performed there. We also found that the current process for training law enforcement personnel was inadequate. As a result, the FBI was unable to accurately determine the degree to which the RCFL program is accomplishing one of its core missions. Therefore, we make the following recommendations.

Recommendations

We recommend that the FBI:

1. Ensure compliance with the FBI's Implementation Guide policy that requires Kiosk users to have taken proper training prior to Kiosk usage.

2. Continue to examine NJRCFL's backlog to determine the causes and to develop and implement new measures to address them.

3. Develop interim procedures to accurately capture all training registrations and attendance for training conducted at the NJRCFL and at off-site locations.

STATEMENT ON INTERNAL CONTROLS

As required by the *Government Auditing Standards*, we tested, as appropriate, internal controls significant within the context of our audit objectives. A deficiency in an internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to timely prevent or detect: (1) impairments to the effectiveness and efficiency of operations, (2) misstatements in performance information, or (3) violations of laws and regulations. Our evaluation of the Federal Bureau of Investigation's internal controls was *not* made for the purpose of providing assurance on its internal control structure as a whole. FBI management is responsible for the establishment and maintenance of internal controls.

Through our audit testing, we did not identify any deficiencies in the FBI's internal controls that are significant within the context of the audit objectives and based upon the audit work performed that we believe would affect the FBI's ability to effectively and efficiently operate, to correctly state performance information, and to ensure compliance with laws and regulations.

Because we are not expressing an opinion on the FBI's internal control structure as a whole, this statement is intended solely for the information and use of the FBI. This restriction is not intended to limit the distribution of this report, which is a matter of public record.

STATEMENT ON COMPLIANCE WITH LAWS AND REGULATIONS

As required by the *Government Auditing Standards* we tested, as appropriate given our audit scope and objectives, selected transactions, records, procedures, and practices, to obtain reasonable assurance that FBI management complied with federal laws and regulations, for which noncompliance, in our judgment, could have a material effect on the results of our audit. FBI's management is responsible for ensuring compliance with applicable federal laws and regulations. In planning our audit, we identified the following law that concerned the operations of the auditee and that was significant within the context of the audit objectives:

- Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA Patriot Act of 2001).

Our audit included examining, on a test basis, the FBI's compliance with the aforementioned law that could have a material effect on the FBI's operations, through interviewing FBI personnel, surveying NJRCFL participants, and reviewing program performance documentation. Nothing came to our attention that caused us to believe that the FBI was not in compliance with the aforementioned law.

APPENDIX 1

OBJECTIVES, SCOPE, AND METHODOLOGY

Objectives

The objectives were to review performance in the following areas: (1) assess the efficiency and effectiveness of the NJRCFL's laboratory performance; (2) assess the effectiveness of the NJRCFL's outreach and partnership with the law enforcement community; and (3) assess the NJRCFL's case management system and its efforts to address its service request backlog.

Scope and Methodology

We conducted the audit in accordance with generally accepted government auditing standards. These standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We conducted work at the NJRCFL in Hamilton, New Jersey.

In conducting our audit, we interviewed officials from the NJRCFL and from the eight participating agencies. We also reviewed documents related to the NJRCFL organizational structure, RCFL accomplishments, and operational standards.

To assess the efficiency and effectiveness of the NJRCFL's laboratory performance, we examined the NJRCFL's progress towards achieving its annual goals. We reviewed and compared the annual goals to the statistics maintained in the CART Database. We compared the number of participants listed on the training roster to the information reported in the accomplishment data the FBI provided to the OIG. In addition, we compared the number of law enforcement and non-law enforcement persons trained at the NJRCFL.

To assess the effectiveness of the NJRCFL's outreach and partnership with the law enforcement community, we interviewed representatives from NJRCFL participating agencies to determine the effectiveness of the work conducted at the NJRCFL. In addition, we assessed the practices regarding the NJRCFL Kiosk usage and training.

To assess the controls surrounding the NJRCFL Kiosk usage, we reviewed the NJRCFL Technical Assistance Form for required items, selected a judgmental sample of NJRCFL Technical Assistance Forms and compared the names on the forms to those for whom an appointment was made. In addition we reviewed the forms to determine whether they contained the required signatures.

To assess NJRCFL training practices, we compared the number that attended NJRCFL training as reported by the FBI in its Accomplishment Data to the number of sign-ins for those training classes. Additionally, we tabulated the number of Law Enforcement Officers and non-law enforcement persons trained.

To assess the NJRCFL's efforts to address its service request backlog, we examined CART Database information to determine if a backlog existed. Based on the information obtained, the NJRCFL had a backlog. We also reviewed the NJRCFL requests for examination for unassigned cases and aging reports for open cases.

APPENDIX 2

FEDERAL BUREAU OF INVESTIGATION RESPONSE TO THE DRAFT AUDIT REPORT

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

March 14, 2016

The Honorable Michael E. Horowitz
Inspector General
Office of the Inspector General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

Dear Mr. Horowitz:

The Federal Bureau of Investigation (FBI) appreciates the opportunity to review and respond to your office's report entitled, *Audit of the Federal Bureau of Investigation's New Jersey Regional Computer Forensics Laboratory Hamilton, New Jersey.*

We are pleased that you found, "…the participating agencies were satisfied with the services provided by the NJRCFL."

We agree that it is important to minimize potential abuse of the Kiosk program, maintain adequate supporting documentation to support training, and manage backlogs appropriately. In that regard, we concur with your three recommendations for the FBI.

Should you have any questions, feel free to contact me. We greatly appreciate the professionalism of your audit staff throughout this matter.

Sincerely,

Cindy L. Hall
Acting Section Chief
External Audit and Compliance Section
Inspection Division

Enclosure

The Federal Bureau of Investigation's (FBI) Response to the Office of the Inspector General's Audit of the FBI's New Jersey Regional Computer Forensics Laboratory, Hamilton, New Jersey

Recommendation #1: Ensure compliance with the FBI's Implementation Guide policy that requires Kiosk users to have taken proper training prior to Kiosk usage.

FBI Response to Recommendation #1: Concur. The Digital Forensics and Analysis Section (DFAS) will issue a new version of the Cell Phone Investigative Kiosk (CPIK) statistic report program which will require the Kiosk user to indicate, via a checkbox prompt at sign on, whether or not they have received the self paced training associated with the Kiosk. If user indicates they have not yet received training, a training document will open allowing the user to take a self paced course with step by step instructions on how operate the Kiosk. Once the user passes the course, they will be able to access the functionality of the Kiosk. DFAS will implement this update for all Regional Computer Forensic Laboratories (RCFLs) by the end of June 2016.

Recommendation #2: Continue to examine NJRCFL's backlog to determine the causes and to develop and implement new measures to address them.

FBI Response to Recommendation #2: Concur. Digital Evidence Field Operations (DEFO) personnel will continue to contact the RCFLs to assess the material backlog. Thus far, the material backlog is trending down for all RCFLs. Prior to the OIG Audit, the Field Operations Unit was contacting the RCFLs experiencing a backlog to determine reasons for the backlogs and to assist with addressing the backlog. Currently, DEFO personnel are contacting the RCFLs quarterly to assess the material backlog. DEFO will canvas and provide travel for Temporary Duty (TDY) assignments to RCFLs that are unable to address the backlog on their own. NJRCFL currently has no backlog.

Recommendation #3: Develop interim procedures to accurately capture all training registrations and attendance for training conducted at the NJRCFL and at off-site locations.

FBI Response to Recommendation #3: Concur. DEFO is currently working with the developers of RCFL.GOV to include a link on the web page allowing for the recording of trainees registered for training held at RCFLs and their personnel attendance, which will be reported back to the DEFO Unit. In discussions with the web developers, it was determined that security restrictions will not allow the RCFL.GOV website to function as a training portal at this time. Training is currently tracked manually and reported to the RCFL National Program Office by each RCFL. DEFO Unit continues to work to get this functionality added to the RCFL.GOV website or find another viable method of tracking.

APPENDIX 3

OFFICE OF THE INSPECTOR GENERAL ANALYSIS AND SUMMARY OF ACTIONS NECESSARY TO CLOSE THE REPORT

The Office of the Inspector General (OIG) provided a draft of this audit report to the Federal Bureau of Investigation (FBI). The FBI's response is incorporated in Appendix 2 of this final report. The following provides the OIG analysis of the response and summary of actions necessary to close the report.

Recommendation:

1. **Ensure compliance with the FBI's Implementation Guide policy that requires Kiosk users to have taken proper training prior to Kiosk usage.**

   Resolved. The FBI concurred with our recommendation. In its response, the FBI stated that its Digital Forensics and Analysis Section will issue a new version of the Kiosk statistic report program which will require the Kiosk users to indicate, via a checkbox prompt at sign on, whether or not they have received the self-paced training associated with the Kiosk. If users indicate they have not yet received training, a training document will open allowing the user to take a self-paced course with step by step instructions on how to operate the Kiosk. Once the user passes the course, he or she will be able to access the functionality of the Kiosk. The FBI stated that it will implement this update for all Regional Computer Forensics Laboratories (RCFL) by the end of June 2016.

   This recommendation can be closed when we receive evidence that the Digital Forensics and Analysis Section has implemented a new version of the Kiosk statistic report program for all RCFLs that requires Kiosk users to indicate that they have taken the proper training or prompts the user to take the proper training prior to using the Kiosk.

2. **Continue to examine New Jersey RCFL's (NJRCFL) backlog to determine the causes and to develop and implement new measures to address them.**

   Resolved. The FBI concurred with our recommendation. In its response, the FBI stated that Digital Evidence Field Operations (DEFO) personnel will continue to contact the RCFLs to assess the material backlog. Further, the FBI stated that DEFO personnel are currently contacting the RCFLs quarterly to assess the material backlog. DEFO will canvas and provide travel for Temporary Duty assignments to RCFLs that are unable to address the backlog on their own. The FBI's response also stated that the NJRCFL

currently has no backlog, however, no documentation demonstrating that the backlog no longer exists was provided.

This recommendation can be closed when we receive evidence that DEFO personnel have assessed the RCFLs material backlog, the underlying causes and measures to address them and, when necessary, have provided additional resources to RCFLs unable to address their backlog on their own. We also ask that the FBI provide evidence to demonstrate that the NJRCL has no backlog currently, or as of the response to our audit report.

3. Develop interim procedures to accurately capture all training registrations and attendance for training conducted at the NJRCFL and at off-site locations.

Resolved. The FBI concurred with our recommendation. In its response, the FBI stated DEFO is currently working with the developers of RCFL.GOV to include a link on the web page allowing for the recording of trainees registered for training held at RCFLs and their personnel attendance, which will be reported back to the DEFO. In discussions with the web developers, it was determined that security restrictions will not allow the RCFL.GOV website to function as a training portal at this time. The FBI further stated that training is currently tracked manually and reported to the RCFL National Program Office by each RCFL. In addition, the DEFO continues to work to get this functionality added to the RCFL.GOV website or find another viable method of tracking.

This recommendation can be closed when we receive evidence that the FBI has developed a viable method of tracking who registered for and attended training held at the RCFLs and off-site locations.

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Page 5 ~ b1; b3; b6; b7C; b7E;
Page 6 ~ b1; b3; b6; b7C; b7E;
Page 8 ~ b5; b6; b7C;
Page 9 ~ b5;
Page 10 ~ Referral/Consult;
Page 11 ~ Referral/Consult;
Page 12 ~ Referral/Consult;
Page 13 ~ Referral/Consult;
Page 14 ~ Referral/Consult;
Page 17 ~ b6; b7C; b7E;
Page 18 ~ b6; b7C; b7E;
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Page 21 ~ b6; b7C; b7E;
Page 22 ~ b3; b6; b7C; b7D; b7E;
Page 23 ~ b1; b3; b6; b7C; b7E;
Page 24 ~ b1; b3; b6; b7C; b7D; b7E;
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Page 126 ~ b7E;

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DECLASSIFIED BY: NSICG [redacted]
ON 09-15-2022

b6
b7C

RYBICKI, JAMES E. (DO) (FBI)

From: RYBICKI, JAMES E. (DO) (FBI)
Sent: Saturday, July 30, 2016 7:14 PM
To: COMEY, JAMES B. (DO) (FBI)
Subject: FW: Report --- ~~SECRET//NOFORN/~~[redacted]
Attachments: [redacted]docx

b3
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b7C
b7E

Classification: ~~SECRET//NOFORN~~[redacted]

~~Classified By:~~ [redacted]
~~Derived From: FBI NSIC dated 20130301~~
~~Declassify On: 20411231~~
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From: MOFFA, JONATHAN C. (CD) (FBI)
Sent: Friday, July 29, 2016 4:08 PM
To: RYBICKI, JAMES E. (DO) (FBI)
Cc: PRIESTAP, E W. (CD) (FBI); STRZOK, PETER P. (CD) (FBI); [redacted](OGC) (FBI); [redacted](OGC) (FBI); [redacted](OGC) (FBI)
Subject: Report --- ~~SECRET//NOFORN/~~[redacted]

b3
b6
b7C
b7E

Classification: ~~SECRET//NOFORN/~~[redacted]

~~Classified By:~~ [redacted]
~~Derived From: FBI NSIC dated 20130301~~
~~Declassify On: 20411231~~
==========

Jim,

[redacted] that the Deputy Director mentioned to the Director this morning. AD Preistap requested that I send this to you.

Please let us know if you need any additional information.

b3
b7E

Jon Moffa, Section Chief
Counterintelligence Analysis Section I [redacted]
Counterintelligence Division
[redacted]
Rm. 5829

[redacted]



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Classification: SECRET//~~NOFORN~~/

b3
b7E

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Classification: SECRET//~~NOFORN~~/

DECLASSIFIED BY: NSICG [redacted]
ON 09-15-2022

b6
b7C

RYBICKI, JAMES E. (DO) (FBI)

From: RYBICKI, JAMES E. (DO) (FBI)
Sent: Wednesday, September 7, 2016 5:33 PM
To: COMEY, JAMES B. (DO) (FBI)
Subject: FW: Updated Op-Ed --- ~~SECRET~~//~~NOFORN~~
Attachments: Russia Op Ed Draft 7 September 2016 with D's final edit.docx

Classification: ~~SECRET~~//~~NOFORN~~

~~Classified By:~~ [redacted]
Derived From: ~~FBI NSIC~~ dated 20130301
~~Declassify~~ On: 20411231

b6
b7C

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Current draft.

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Classification: ~~SECRET~~//~~NOFORN~~

DECLASSIFIED BY: NSICG [redacted]
ON 09-15-2022

b6
b7C

RYBICKI, JAMES E. (DO) (FBI)

From: RYBICKI, JAMES E. (DO) (FBI)
Sent: Thursday, December 22, 2016 3:37 PM
To: COMEY, JAMES B. (DO) (FBI)
Subject: FW: Weekend Book --- ~~SECRET//ORCON/NOFORN//LES~~
Attachments: Director's Weekend Book_23Dec-16.pdf

Classification: ~~SECRET//ORCON/NOFORN//LES~~

~~Classified By:~~ [redacted]
Derived From: ~~FBI NSIC dated 20130301~~
~~Declassify On:~~ 20411231
==========

b6
b7C

From: [redacted] (DO) (FBI)
Sent: Thursday, December 22, 2016 9:19 AM
To: RYBICKI, JAMES E. (DO) (FBI) <[redacted]>; BURTON, DAWN (DO) (FBI) [redacted]; CAMPBELL, JOSHUA S. (DO) (FBI) [redacted] [redacted] (DO) (FBI) [redacted]; [redacted] (DO) (FBI) <[redacted]>
Cc: [redacted] (DO) (FBI) <[redacted]>
Subject: Weekend Book --- ~~SECRET//ORCON/NOFORN//LES~~

b6
b7C
b7E

Classification: ~~SECRET//ORCON/NOFORN//LES~~

~~Classified By:~~ [redacted]
Derived From: ~~FBI NSIC dated 20130301~~
~~Declassify On:~~ 20411231
==========

Good morning,

Attached is a copy of the Weekend Book.

Please let me know if you have questions or concerns regarding any of the content.

Merry Christmas!

[redacted]

b6
b7C
b7E

[redacted] Office of the Deputy Director
Desk: [redacted] Cell: [redacted] Fax: [redacted] [redacted]

==========
Classification: ~~SECRET//ORCON/NOFORN//LES~~

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Classification: ~~SECRET//ORCON/NOFORN//LES~~

RYBICKI, JAMES E. (DO) (FBI)

From: RYBICKI, JAMES E. (DO) (FBI)
Sent: Thursday, January 5, 2017 4:12 PM
To: COMEY, JAMES B. (DO) (FBI)
Subject: FW: [redacted] for 1/10/17 Hearing - Director Comey --- UNCLASSIFIED
Attachments: [redacted] b7E

Classification: UNCLASSIFIED
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From: [redacted] (DO) (FBI) b6 b7C b7E
Sent: Thursday, January 05, 2017 3:42 PM
To: RYBICKI, JAMES E. (DO) (FBI) <[redacted]; BURTON, DAWN (DO) (FBI) <[redacted]>
Cc: HERRING, JASON V. (CD) (FBI) <[redacted]; BEERS, ELIZABETH RAE (OCA) (FBI) <[redacted]; [redacted] (DO) (FBI) [redacted]>; [redacted] (DO) (FBI) <[redacted]>
Subject: [redacted] for 1/10/17 Hearing - Director Comey --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

Hi All!

Attached you will find the [redacted] for the Director's upcoming hearing on 1/10/2017 concerning the Russian Hacking matter. The file was sent to [redacted] and is being uploaded to [redacted] so he will have it for the weekend.

The file has also been uploaded to the Congressional Hearing SharePoint site and can be accessed via the below link: b6 b7C b7E

[redacted]

Please let me or [redacted] (cc'd) know if you have any problems opening or accessing [redacted]

Thanks,

UC [redacted]
Special Projects Unit
Office of Congressional Affairs
Office [redacted]
Fax [redacted]

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Classification: UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1374160-000

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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CLASSIFIED BY: NSICG [redacted]
REASON: 1.4 (C)
DECLASSIFY ON: 12-31-2042
DATE: 10-07-2022

b6
b7C

RYBICKI, JAMES E. (DO) (FBI)

From: RYBICKI, JAMES E. (DO) (FBI)
Sent: Thursday, January 5, 2017 5:07 PM
To: COMEY, JAMES B. (DO) (FBI)
Subject: FW: Weekend Book --- ~~SECRET//ORCON/REL TO US~~[redacted]~~/LES~~ (U)
Attachments: Director's Weekend Book_06Jan-17.pdf; [redacted]

b1
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~~Classification: SECRET//ORCON/REL TO USA~~ [redacted] ~~/LES~~ (U)

~~Classified By:~~ [redacted]
~~Derived From: FBI NSIC dated 20130301~~
~~Declassify On:~~ 20421231
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From: [redacted] (DO) (FBI)
Sent: Thursday, January 05, 2017 4:17 PM
To: RYBICKI, JAMES E. (DO) (FBI) <[redacted]>; BURTON, DAWN (DO) (FBI) [redacted];
CAMPBELL, JOSHUA S. (DO) (FBI) <[redacted]> [redacted] (DO) (FBI) <[redacted]>;
[redacted] (DO) (FBI) [redacted]
Cc [redacted] (DO) (FBI) [redacted]
Subject: Weekend Book --- ~~SECRET//ORCON/REL TO USA~~ [redacted] ~~/LES~~ (U)

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~~Classification: SECRET//ORCON/REL TO USA~~ [redacted] ~~/LES~~ (U)

~~Classified By:~~ [redacted]
~~Derived From: FBI NSIC dated 20130301~~
~~Declassify On:~~ 20421231
==========

Hello,

Attached is a courtesy copy of the Weekend Book that was loaded to [redacted] today. Also attached is a copy of the [redacted] for the Director's SSCI Hearing next week on Russian Hacking. Please let me or [redacted] know if you have questions/concerns regarding any of the content. Have a great evening! -[redacted]

b6
b7C
b7E

[redacted]
Office of the Associate Deputy Director
Federal Bureau of Investigation
Room 7151 • J. Edgar Hoover Building
Office: [redacted] • Mobile: [redacted]

~~SECRET~~

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Classification: SECRET//ORCON/REL TO USA [redacted] LES

(U)

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Classification: SECRET//ORCON/REL TO USA [redacted] LES

(U)

b1
b3
b7E

DECLASSIFIED BY: NSICG [redacted]
ON 09-19-2022

b6
b7C

RYBICKI, JAMES E. (DO) (FBI)

From: RYBICKI, JAMES E. (DO) (FBI)
Sent: Friday, January 13, 2017 9:08 PM
To: COMEY, JAMES B. (DO) (FBI)
Subject: FW: Weekend Book --- ~~SECRET~~
Attachments: Director's Weekend Book_13Jan-17.pdf

Classification: ~~SECRET~~

~~Classified By:~~ [redacted]
~~Derived From: FBI NSIC dated 20130301~~
~~Declassify On:~~ 20421231
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b6
b7C

From: [redacted] (DO) (FBI)
Sent: Thursday, January 12, 2017 3:13 PM
To: RYBICKI, JAMES E. (DO) (FBI) [redacted]; BURTON, DAWN (DO) (FBI) [redacted]; [redacted] (DO) (FBI) [redacted]; CAMPBELL, JOSHUA S. (DO) (FBI) [redacted]; JAMES, ALTHEA D. (DO) (FBI) [redacted]
Cc: [redacted] (DO) (FBI) [redacted]
Subject: Weekend Book --- ~~SECRET~~

b6
b7C
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Classification: ~~SECRET~~

~~Classified By:~~ [redacted]
~~Derived From: FBI NSIC dated 20130301~~
~~Declassify On:~~ 20421231
==========

Hello,

Attached is a courtesy copy of the Weekend Book that was loaded [redacted] today. Please let me or [redacted] know if you have questions/concerns regarding any of the content. Have a great evening! – [redacted]

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b7C
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Classification: ~~SECRET~~

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Classification: ~~SECRET~~

RYBICKI, JAMES E. (DO) (FBI)

From: RYBICKI, JAMES E. (DO) (FBI)
Sent: Tuesday, February 7, 2017 8:18 AM
To: COMEY, JAMES B. (DO) (FBI)
Subject: RE: [redacted]-- UNCLASSIFIED
Attachments: ElectionHateIncidentsIN_2-6-17.pdf

b3
b7E

Classification: UNCLASSIFIED
==========

CID put out the attached intelligence note yesterday (they must be surveilling your e-mail). I think it hits the mark, but let me know if you have something else in mind.

From: COMEY, JAMES B. (DO) (FBI)
Sent: Monday, February 06, 2017 6:17 PM
To: RYBICKI, JAMES E. (DO) (FBI) [redacted]
Subject: RE: [redacted]-- UNCLASSIFIED

b3
b7E

Classification: UNCLASSIFIED
==========

Unrelated: I also need a sense from CID as to whether we are seeing any trends in hate crimes/civil rights crimes post election.

From: RYBICKI, JAMES E. (DO) (FBI)
Sent: Monday, February 06, 2017 1:12 PM
To: COMEY, JAMES B. (DO) (FBI)
Subject: RE: [redacted]--- UNCLASSIFIED

b3
b7E

Classification: UNCLASSIFIED
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Copy.

From: COMEY, JAMES B. (DO) (FBI)
Sent: Monday, February 06, 2017 1:00 PM
To: RYBICKI, JAMES E. (DO) (FBI) [redacted]
Subject: [redacted]- UNCLASSIFIED

b3
b7E

Classification: UNCLASSIFIED
==========
TRANSITORY RECORD

For some time now, I have heard various concerns expressed about the [redacted] Query whether now is a good time to revisit any concerns our team may have so we can discuss with [redacted] Would you make sure folks are thinking about that and engaging me as necessary? Respectfully.

b3
b7E

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

~~SECRET~~

CLASSIFIED BY: NSICG [redacted]
REASON: 1.4 (C)
DECLASSIFY ON: 12-31-2042
DATE: 09-28-2022

RYBICKI, JAMES E. (DO) (FBI)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

From: RYBICKI, JAMES E. (DO) (FBI)
Sent: Friday, March 10, 2017 6:58 AM
To: COMEY, JAMES B. (DO) (FBI)
Subject: FW: TPs -- Final --- ~~SECRET~~//~~NOFORN~~ [redacted] (S) (U)
Attachments: 030817 TPs re CH cases v9.docx; 030917 TPs re CH cases - final.docx

b1
b3
b6
b7C
b7E

Classification: ~~SECRET~~//~~NOFORN~~ [redacted] (S) (U)
DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

~~Classified By:~~ [redacted]
~~Derived From: FBI NSIC dated 20130301~~
~~Declassify On:~~ 20421231
==========

From: [redacted](OGC) (FBI)
Sent: Thursday, March 09, 2017 11:37 AM
To: MCCABE, ANDREW G. (DO) (FBI) [redacted]; GHATTAS, CARL (CTD) (FBI) [redacted]; PRIESTAP, E. W. (CD) (FBI) [redacted]; BAKER, JAMES A. (OGC) (FBI) [redacted]; [redacted](OGC) (FBI) [redacted]; STRZOK, PETER P. (CD) (FBI) [redacted]; MOFFA, JONATHAN C. (CD) (FBI) [redacted](OGC) (FBI) [redacted]; RYBICKI, JAMES E. (DO) (FBI) [redacted]
Subject: TPs -- Final --- ~~SECRET~~//~~NOFORN~~ [redacted] (S) (U)

b1
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Classification: ~~SECRET~~//~~NOFORN~~ [redacted] (S) (U)
DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

~~Classified By:~~ [redacted]
~~Derived From: FBI NSIC dated 20130301~~
~~Declassify On:~~ 20421231
==========

Just for everyone's records, attached is the last version of the TPs we received from DOJ (with one more addition by the A/DAG), as well as a final, clean version. Thanks for everyone's quick help on this.

[redacted]

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Classification: SECRET//~~NOFORN~~ [redacted] (S) (U)
==========
Classification: SECRET//~~NOFORN~~ [redacted] (S) (U)

~~SECRET~~

DECLASSIFIED BY: NSICG [redacted]
ON 09-19-2022

b6
b7C

RYBICKI, JAMES E. (DO) (FBI)

From: RYBICKI, JAMES E. (DO) (FBI)
Sent: Thursday, March 16, 2017 7:47 PM
To: COMEY, JAMES B. (DO) (FBI)
Subject: FW: [redacted] --- ~~SECRET~~//~~NOFORN~~
Attachments: [redacted]

b5
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Classification: ~~SECRET~~//~~NOFORN~~
ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED
INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

~~Classified By:~~ [redacted]
~~Derived From: FBI NSIC dated 20130301~~
~~Declassify On:~~ 20421231
==========

For review.

From: BURTON, DAWN (DO) (FBI)
Sent: Thursday, March 16, 2017 7:43 PM
To: RYBICKI, JAMES E. (DO) (FBI) <[redacted]>
Subject: [redacted] --- ~~SECRET~~//~~NOFORN~~

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b7E

Classification: ~~SECRET~~//~~NOFORN~~
ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED
INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

~~Classified By:~~ [redacted]
~~Derived From: FBI NSIC dated 20130301~~
~~Declassify On:~~ 20421231
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TRANSITORY RECORD

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Classification: ~~SECRET~~//~~NOFORN~~

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Classification: ~~SECRET~~//~~NOFORN~~

DECLASSIFIED BY: NSICG
ON 09-19-2022

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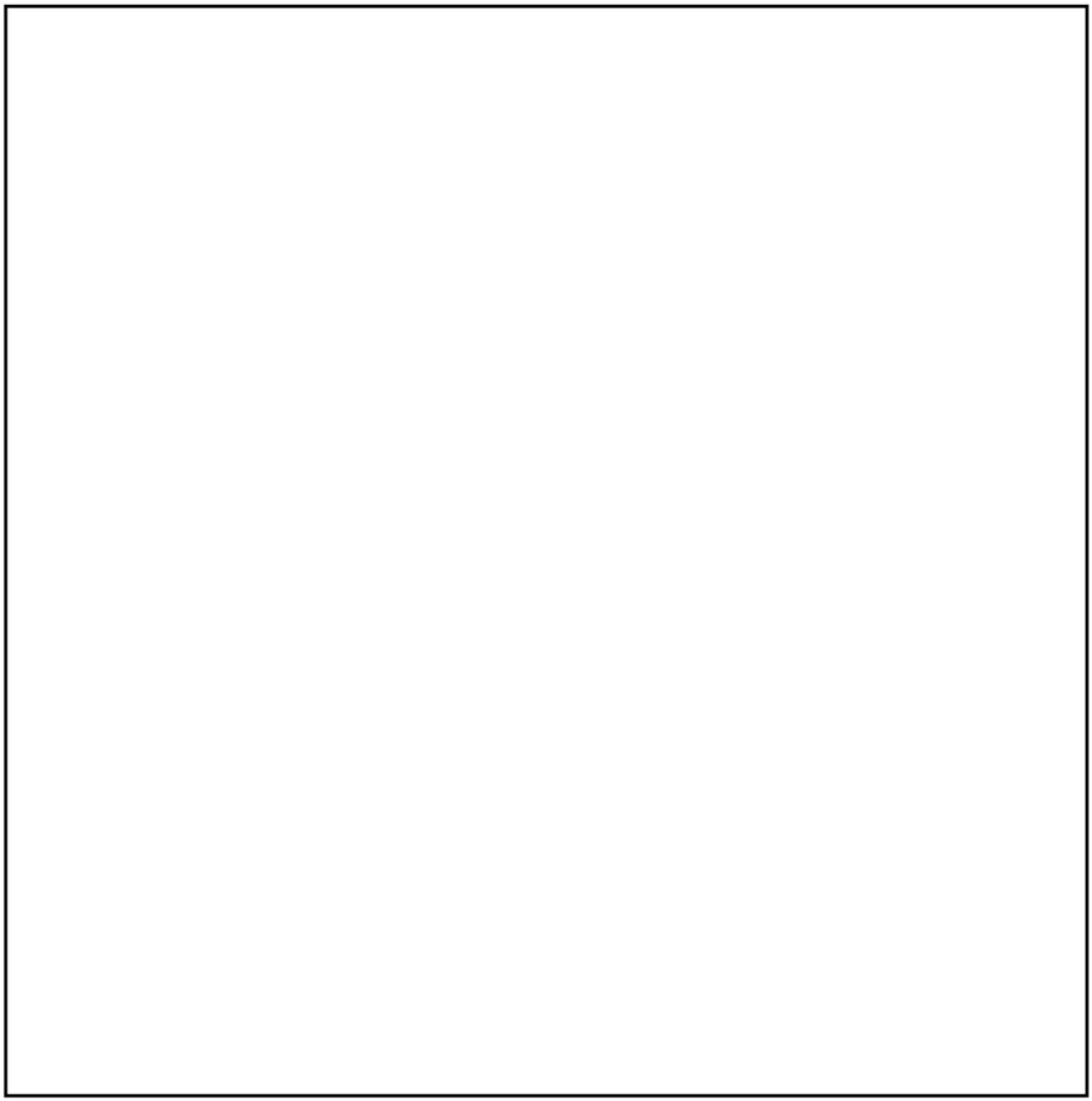
ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS
PRIVILEGED DOCUMENT

b5



~~SECRET~~
ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS
PRIVILEGED DOCUMENT

DECLASSIFIED BY: NSICG [redacted]
ON 09-19-2022

b6
b7C

RYBICKI, JAMES E. (DO) (FBI)

From: RYBICKI, JAMES E. (DO) (FBI)
Sent: Friday, March 24, 2017 12:37 PM
To: COMEY, JAMES B. (DO) (FBI)
Subject: FW: Weekend Book --- ~~SECRET~~//~~ORCON/NOFORN~~/[redacted]//~~LES~~
Attachments: Director's Weekend Book_24Mar-17.pdf

b3
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b7E

Classification: ~~SECRET~~//~~ORCON/NOFORN~~/[redacted]//~~LES~~

~~Classified By:~~ [redacted]
Derived From: ~~FBI NSIC~~ dated 20130301
~~Declassify On:~~ 20421231
==========

From: [redacted] (DO) (FBI)
Sent: Friday, March 24, 2017 11:12 AM
To: RYBICKI, JAMES E. (DO) (FBI) [redacted]>; BURTON, DAWN (DO) (FBI) [redacted] (DO) (FBI) [redacted]>; CAMPBELL, JOSHUA S. (DO) (FBI) [redacted]; JAMES, ALTHEA D. (DO) (FBI) [redacted]; BOWDICH, DAVID L. (DO) (FBI) [redacted] (DO) (FBI) [redacted] (DO) (FBI) [redacted]>
Subject: Weekend Book --- ~~SECRET~~//~~ORCON/NOFORN~~/[redacted]//~~LES~~

b3
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b7E

Classification: ~~SECRET~~//~~ORCON/NOFORN~~/[redacted]//~~LES~~

~~Classified By:~~ [redacted]
Derived From: ~~FBI NSIC~~ dated 20130301
Declassify On: 20421231
==========

Hello everyone,

Attached is a courtesy copy of the weekend book that was loaded [redacted] today. Please let me or [redacted] know if you have questions/concerns regarding any of the content. Thx! – [redacted]

b6
b7C
b7E

[redacted]

Office of the Associate Deputy Director
Federal Bureau of Investigation

Room 7153 • J. Edgar Hoover Building
Office: [redacted] • Mobile: [redacted]

b3
b7E

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Classification: SECRET//~~ORCON/NOFORN~~/[redacted]//~~LES~~

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Classification: SECRET//~~ORCON/NOFORN~~/[redacted]//~~LES~~

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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FOI/PA# 1374160-000

Total Deleted Page(s) = 152
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Page 18 ~ Duplicate;
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Page 160 ~ b5; b6; b7C;
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[redacted]

From: [redacted] b7E

To: James B. Comey

Cc: Rybicki, James E. (DO) (FBI)

Subject: Fwd: Confirmation of ODNI Briefing for Candidate Trump (Aug 17)

Boss,

I normally just forward these type of e-mails to Andy, but in his absence I will keep you looped in directly. That said, I will filter out the nonsense, so as not to inundate you with minutiae.

Dave

-------- Original message --------
From: "Grigg, Gurvais C. (DO) (FBI)" [redacted]
Date: 08/12/2016 3:13 PM (GMT-08:00)
To: "Bowdich, David L. (DO) (FBI)" [redacted], "Mccabe, Andrew G. (DO) (FBI)" [redacted], [redacted] (DO) (FBI)" [redacted]
Cc: [redacted] (OGC) (FBI)" [redacted], [redacted] (DO) (FBI)" [redacted], [redacted] (DO) (FBI)" [redacted], [redacted] (DO) (FBI)" [redacted], [redacted] (WF) (FBI)" [redacted], "Grigg, Gurvais [redacted] (DO) (FBI)" [redacted], [redacted] (ITADD) (FBI)" [redacted] b6 b7C b7E
Subject: Confirmation of ODNI Briefing for Candidate Trump (Aug 17)

[redacted] b7E

From: [redacted]
To: James B. Comey
Subject: RE: Confirmation of ODNI Briefing for Candidate Trump (Aug 17)

Yes sir.

DB

...

-------- Original message --------
From: "James B. Comey" [redacted] b7E
Date: 08/12/2016 3:42 PM (GMT-08:00)
To: "Bowdich, David L. (DO) (FBI)" [redacted]
Cc: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: RE: Confirmation of ODNI Briefing for Candidate Trump (Aug 17)

Bowdich, David L. (DO) (FBI)

From:	Bowdich, David L. (DO) (FBI)
Sent:	Friday, August 12, 2016 6:47 PM
To:	James B. Comey
Subject:	RE: Confirmation of ODNI Briefing for Candidate Trump (Aug 17)

Yes sir.

DB

-------- Original message --------
From: "James B. Comey" [redacted] b7E
Date: 08/12/2016 3:42 PM (GMT-08:00)
To: "Bowdich, David L. (DO) (FBI)" [redacted]
Cc: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: RE: Confirmation of ODNI Briefing for Candidate Trump (Aug 17)

Thanks. Let's chat about this on Monday.

-------- Original message --------
From: "Bowdich, David L. (DO) (FBI)" [redacted] b7E
Date: 08/12/2016 6:25 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Cc: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: Fwd: Confirmation of ODNI Briefing for Candidate Trump (Aug 17)

Boss,

I normally just forward these type of e-mails to Andy, but in his absence I will keep you looped in directly. That said, I will filter out the nonsense, so as not to inundate you with minutiae.

Dave

-------- Original message --------
From: "Grigg, Gurvais C. (DO) (FBI)" [redacted] b6 b7C b7E
Date: 08/12/2016 3:13 PM (GMT-08:00)
To: "Bowdich, David L. (DO) (FBI)" [redacted], "Mccabe, Andrew G. (DO) (FBI)" [redacted], [redacted] (DO) (FBI)" [redacted]
Cc: [redacted] (OGC) (FBI)" [redacted], [redacted] (DO) (FBI)" [redacted], [redacted] (DO) (FBI)" [redacted], [redacted] (DO) (FBI)" [redacted], [redacted] (WF) (FBI)" [redacted], "Grigg, Gurvais [redacted] (DO) (FBI)" [redacted], [redacted] (ITADD) (FBI)" [redacted]
Subject: Confirmation of ODNI Briefing for Candidate Trump [redacted]

~~LAW ENFORCEMENT SENSITIVE~~

DELIBERATIVE PROCESS/PRIVILEDGED DOCUMENT

NO ACTION REQUIRED

SITUATIONAL AWARENESS ONLY

Sirs, b3 b5 b7E

The ODNI has confirmed that the Trump Campaign has requested their first ODNI briefing for [redacted]

[redacted]

[redacted]

b5
b6
b7C

G. (Gurvais) Clayton Grigg
Deputy Assistant Director

Presidential Transition Lead
FBI Director's Office
Federal Bureau of Investigation
Office: [redacted]
Cell: [redacted]

b7E

This communication is UNCLASSIFIED but may contain information that is ~~Law Enforcement Sensitive~~ and/or ~~For Official Use Only~~. The contents of this communication are considered to be draft, deliberative, and pre-decisional in nature and are intended solely for the personal review of the captioned recipients.

Bowdich, David L. (DO) (FBI)

From:	Bowdich, David L. (DO) (FBI)
Sent:	Monday, October 3, 2016 9:06 PM
To:	James B. Comey; Mccabe, Andrew G.
Cc:	Rybicki, James E. (DO) (FBI)
Subject:	RE: Daily Report

Copy, will handle with [redacted] tomorrow Boss to ensure it works it's way all the way up for your approval before HRT is deployed. b6 b7C

Dave

...

-------- Original message --------
From: "James B. Comey" [redacted] b7E
Date: 10/03/2016 8:29 PM (GMT-05:00)
To: "Bowdich, David L. (DO) (FBI)" [redacted], "Mccabe, Andrew G." [redacted]
Cc: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: RE: Daily Report

Thanks. My MO is to be notified whenever HRT is deployed on an operation. Not a big deal but let's see what broke there. I caught it in weekend book but I need Andy (or whoever is covering DD) slot to tell me in advance you are aware of the deployment and think it makes sense.

-

-------- Original message --------
From: "Bowdich, David L. (DO) (FBI)" [redacted] b7E
Date: 10/3/16 7:42 PM (GMT-05:00)
To: "James B. Comey" [redacted], "Mccabe, Andrew G." [redacted]
Cc: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: Daily Report

Boss,

Not too many things to be briefed tonight other than below items:

1. Candidate Trump's team has requested a briefing on Cyber threats. We are awaiting further details/response from the DNI who actually controls the briefings. I will keep you updated as I know more.
2. Former Top Ten fugitive [redacted] will be extradited from Mexico City to Dallas on October 6th. [redacted] is the 19th FBI b6 b7C

Top Tenner apprehended in Mexico. As you may recall, [redacted] is believed to be responsible for orchestrating a murder-for-hire plot of a prominent Dallas area dentist who was shot and killed next to her car in a basement parking garage. b6 b7C

3. The Baltimore takedown went well and you were correct, HRT did assist.....can't find "emogi" or you would get a smiley face. As of tonight, there were 46 subjects in custody. All total, the breakdown of individuals indicted were as follows: 18 correctional officers, 34 inmates, and 28 outside facilitators.

I asked [redacted] to stay behind tomorrow to quickly brief you on the Weiner matter which is growing more complicated, but it can wait until then.

That's it for tonight.

Dave

James B. Comey

From: James B. Comey
Sent: Wednesday, January 11, 2017 6:47 PM
To: Burton, Dawn (DO) (FBI)
Subject: RE:

Thanks. [redacted] with tell [redacted] to get lost. b6 b7C

-------- Original message --------
From: "Burton, Dawn (DO) (FBI)" <[redacted]> b7E
Date: 1/11/17 12:26 PM (GMT-05:00)
To: "James B. Comey" <[redacted]>
Subject:

Per our chat.

http://www.today.com/news/trump-chief-staff-reince-priebus-strikes-down-report-president-elect-t106915

Dawn M. Burton
Deputy Chief of Staff
Office of the Director
[redacted] b7E

James B. Comey

From: James B. Comey
Sent: Wednesday, January 11, 2017 7:33 PM
To: Burton, Dawn (DO) (FBI)
Subject: RE: RE:

Indeed. and I'm all hash tagged out.

[redacted] b5

.

-------- Original message --------
From: "Burton, Dawn (DO) (FBI)" [redacted] b7E
Date: 1/11/17 7:03 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: RE: RE:

Copy.

Ps – Please don't ever tell anyone to tell me to get lost. #don'teventryit

---

From: James B. Comey
Sent: Wednesday, January 11, 2017 6:47 PM
To: Burton, Dawn (DO) (FBI) [redacted] b6 b7C b7E
Subject: RE:

Thanks [redacted] with tell [redacted] to get lost.

.

-------- Original message --------
From: "Burton, Dawn (DO) (FBI)" [redacted] b7E
Date: 1/11/17 12:26 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject:

Per our chat.

http://www.today.com/news/trump-chief-staff-reince-priebus-strikes-down-report-president-elect-t106915

Dawn M. Burton
Deputy Chief of Staff
Office of the Director
[redacted]

b7E

James B. Comey

From: James B. Comey
Sent: Wednesday, January 11, 2017 7:44 PM
To: Burton, Dawn (DO) (FBI)
Subject: RE: RE:

TBD. Send save the date. Thanks

-------- Original message --------
From: "Burton, Dawn (DO) (FBI)" [redacted] b7E
Date: 1/11/17 7:40 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: RE: RE:

[redacted] At Chez Chuck or TBD? I can send a save the date tomorrow with more to follow. b5

-------- Original message --------
From: "James B. Comey" [redacted] b7E
Date: 01/11/2017 7:32 PM (GMT-05:00)
To: "Burton, Dawn (DO) (FBI)" [redacted]
Subject: RE: RE:

Indeed. and I'm all hash tagged out.

[redacted] b5

-------- Original message --------
From: "Burton, Dawn (DO) (FBI)" [redacted] b7E
Date: 1/11/17 7:03 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: RE: RE:

Copy.

Ps – Please don't ever tell anyone to tell me to get lost. #don'teventryit

---

From: James B. Comey
Sent: Wednesday, January 11, 2017 6:47 PM
To: Burton, Dawn (DO) (FBI) [redacted] b6 b7C b7E
Subject: RE:

Thanks [redacted] with tel [redacted] to get lost.

-

-------- Original message --------
From: "Burton, Dawn (DO) (FBI)" [redacted] b7E
Date: 1/11/17 12:26 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject:

Per our chat.

http://www.today.com/news/trump-chief-staff-reince-priebus-strikes-down-report-president-elect-t106915

Dawn M. Burton
Deputy Chief of Staff
Office of the Director
[redacted] b7E

Mccabe, Andrew G. (DO) (FBI)

From: Mccabe, Andrew G. (DO) (FBI)
Sent: Wednesday, November 2, 2016 6:57 PM
To: James B. Comey
Subject: Wrap

Boss:

Not much to share after wrap today.

1. CID: [redacted] went without incident today. b6 b7C b7E
2. CID: Late last night Hopewell Missionary Baptist Church was set on fire in Greenville, MS. The words "Vote Trump" were painted on the side of the church. Jackson has opened a case.
3. Good conversation with [redacted] today. Building bridges back.
4. Tomorrow we have a 0900 prep with you for your PC on Friday on [redacted] is pushing some of the materials to you now so you can pre-read tonight if you wish. Not necessary, but there if you want it.
5. Will also send you tomorrow a paper PC that we need to chop on before you depart on Friday. Very strait forward DOD issue, we have no objections.

That's it for now. Have a great night.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
W
M [redacted] b7E

James B. Comey

From: James B. Comey
Sent: Wednesday, November 2, 2016 7:12 PM
To: Mccabe, Andrew G. (DO) (FBI)
Subject: RE: Wrap

Thanks.

-

-------- Original message --------
From: "Mccabe, Andrew G. (DO) (FBI)" [redacted] b7E
Date: 11/2/16 6:57 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: Wrap

Boss:

Not much to share after wrap today.

1. CID: [redacted] went without incident today. b6
2. CID: Late last night Hopewell Missionary Baptist Church was set on fire in Greenville, MS. The words "Vote Trump" were painted on the side of the church. Jackson has opened a case. b7C b7E
3. Good conversation with [redacted] today. Building bridges back.
4. Tomorrow we have a 0900 prep with you for your PC on Friday on [redacted] is pushing some of the materials to you now so you can pre-read tonight if you wish. Not necessary, but there if you want it.
5. Will also send you tomorrow a paper PC that we need to chop on before you depart on Friday. Very strait forward DOD issue, we have no objections.

That's it for now. Have a great night.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
W [redacted] b7E
M

Mccabe, Andrew G. (DO) (FBI)

From: Mccabe, Andrew G. (DO) (FBI)
Sent: Friday, November 18, 2016 2:45 PM
To: James B. Comey
Subject: FW: DOJ - 4 PETT Members Named

FYI

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
W
M b7E

From: Grigg, Gurvais C. (DO) (FBI)
Sent: Friday, November 18, 2016 2:29 PM
To: Mccabe, Andrew G. (DO) (FBI) <; Bowdich, David L. (DO) (FBI) b6 b7C b7E
(DO) (FBI) <
Cc: (DO) (FBI) <; (DO) (FBI) <>;
(OGC) (FBI) <; (DO) (FBI) <;
(DO) (FBI) <; DO) (FBI) <>;
(WF) (FBI) <; (ITADD) (FBI) <; Grigg, Gurvais C. (DO) (FBI) <; (FD) (FBI) <
(FD) (FBI) <; (DO) (FBI) <>;
(DO) (FBI) <
Subject: DOJ - 4 PETT Members Named

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
DELIBERATIVE PROCESS//PRIVILEGED DOCUMENT
SENSITIVE INFORMATION

NO ACTION REQUIRED
FOR YOUR SITUATIONAL AWARENESS

Sirs,

We have the first four (4) initial President Elect Transition Team (PETT) names assigned to the DOJ.

1. - Former DOJ b6 b7C
2. - Former DOJ
3.
4.

These four were introduced by AAG Lee Lofthus during the 1pm Executive Officer/Transition meeting today at DOJ who indicated additional names (up to possibly 10 total) are anticipated.

The four met with the AG and DAG today and have space at DOJ. They are anticipated to begin by receiving high level DOJ overviews and budget briefings next week followed by requests to meet with indivudual components over the next few weeks.

The PETT will publish their schedule to DOJ of which agencies they want to meet with and on what issues. Agencies should be prepared but contact may not be for days or weeks.

However, I spoke with AAG Lofthus who indicated the FBI should be ready which may telegraph an interest to meet with FBI as one of the first

As we learn more about these individuals, get additional names and briefing/schedule requests we will advise.

G. (Gurvais) Clayton Grigg
Deputy Assistant Director

Presidential Transition Lead
FBI Director's Office
Federal Bureau of Investigation
Office: [redacted] b7E
Cell: [redacted]

This communication is UNCLASSIFIED but may contain information that is ~~Law Enforcement Sensitive~~ and/or ~~For Official Use Only~~. The contents of this communication are considered to be draft, deliberative, and pre-decisional in nature and are intended solely for the personal review of the captioned recipients.

James B. Comey

From: James B. Comey
Sent: Friday, November 18, 2016 2:48 PM
To: Mccabe, Andrew G. (DO) (FBI)
Subject: RE: DOJ - 4 PETT Members Named

Thanks.

-

-------- Original message --------
From: "Mccabe, Andrew G. (DO) (FBI)" [redacted] b7E
Date: 11/18/16 2:45 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject: FW: DOJ - 4 PETT Members Named

FYI

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
W 202-324-3315
M 202-615-1140

From: Grigg, Gurvais C. (DO) (FBI)
Sent: Friday, November 18, 2016 2:29 PM
To: Mccabe, Andrew G. (DO) (FBI) [redacted]; Bowdich, David L. (DO) (FBI) [redacted]; Castor, Andrew J. (DO) (FBI) [redacted] b6 b7C b7E
Cc [redacted] (DO) (FBI) [redacted] (DO) (FBI) [redacted] (OGC) (FBI) [redacted] (DO) (FBI) [redacted] (DO) (FBI) [redacted] (DO) (FBI) [redacted] (WF) (FBI) [redacted] (ITADD) (FBI) [redacted]; Grigg, Gurvais C. (DO) (FBI) [redacted] (FD) (FBI) [redacted] (FD) (FBI) [redacted] (DO) (FBI) [redacted] (DO) (FBI) [redacted]
Subject: DOJ - 4 PETT Members Named

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SENSITIVE INFORMATION

NO ACTION REQUIRED
FOR YOUR SITUATIONAL AWARENESS

Burton, Dawn (DO) (FBI)

From: Burton, Dawn (DO) (FBI)
Sent: Wednesday, January 11, 2017 12:27 PM
To: James B. Comey

Per our chat.

http://www.today.com/news/trump-chief-staff-reince-priebus-strikes-down-report-president-elect-t106915

Dawn M. Burton
Deputy Chief of Staff
Office of the Director
[redacted]

b7E

Burton, Dawn (DO) (FBI)

From:	Burton, Dawn (DO) (FBI)
Sent:	Wednesday, January 11, 2017 7:04 PM
To:	James B. Comey
Subject:	RE: RE:

Copy.

Ps – Please don't ever tell anyone to tell me to get lost. #don'teventryit

---

From: James B. Comey
Sent: Wednesday, January 11, 2017 6:47 PM
To: Burton, Dawn (DO) (FBI) <[redacted]>
Subject: RE:

b6
b7C
b7E

Thanks. [redacted] with tel [redacted] to get lost.

--- Original message ---
From: "Burton, Dawn (DO) (FBI)" <[redacted]>
Date: 1/11/17 12:26 PM (GMT-05:00)
To: "James B. Comey" <[redacted]>
Subject:

b7E

Per our chat.

http://www.today.com/news/trump-chief-staff-reince-priebus-strikes-down-report-president-elect-t106915

Dawn M. Burton
Deputy Chief of Staff
Office of the Director
[redacted]

Burton, Dawn (DO) (FBI)

From: Burton, Dawn (DO) (FBI)
Sent: Wednesday, January 11, 2017 7:41 PM
To: James B. Comey
Subject: RE: RE:

[redacted] At Chez Chuck or TBD? I can send a save the date tomorrow with more to follow. b5

-------- Original message --------
From: "James B. Comey" [redacted] b7E
Date: 01/11/2017 7:32 PM (GMT-05:00)
To: "Burton, Dawn (DO) (FBI)" [redacted]
Subject: RE: RE:

Indeed. and I'm all hash tagged out.

[redacted] b5

-------- Original message --------
From: "Burton, Dawn (DO) (FBI)" [redacted]
Date: 1/11/17 7:03 PM (GMT-05:00)
To: "James B. Comey" [redacted] b7E
Subject: RE: RE:

Copy.

Ps – Please don't ever tell anyone to tell me to get lost. #don'teventryit

---

From: James B. Comey
Sent: Wednesday, January 11, 2017 6:47 PM
To: Burton, Dawn (DO) (FBI) [redacted] b6 b7C b7E
Subject: RE:

Thanks. [redacted] with tell [redacted] to get lost.

-------- Original message --------
From: "Burton, Dawn (DO) (FBI)" [redacted]
Date: 1/11/17 12:26 PM (GMT-05:00)
To: "James B. Comey" [redacted]
Subject:

Per our chat.

b7E

http://www.today.com/news/trump-chief-staff-reince-priebus-strikes-down-report-president-elect-t106915

Dawn M. Burton
Deputy Chief of Staff
Office of the Director
[redacted]

McCabe, Andrew G. (DO) (FBI)

From: McCabe, Andrew G. (DO) (FBI)
Sent: Sunday, January 29, 2017 3:13 PM
To: James B. Comey
Subject: RE: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council

That's right. No difference to us from the previous order in 2009.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted]

-------- Original message --------
From: "James B. Comey" <[redacted]> b7E
Date: 1/29/17 12:43 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted]
Subject: RE: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council

Thanks. My feelings aren't hurt by absence of our name but I don't think we were named in last administration either and ended up in a whole lot of meetings.

--

-------- Original message --------
From: "McCabe, Andrew G. (DO) (FBI)" <[redacted]> b6 b7C b7E
Date: 1/29/17 11:03 AM (GMT-05:00)
To: "James B. Comey" [redacted]
Cc: "Rybicki, James E. (DO) (FBI)" <[redacted]>, "Bowdich, David L. (DO) (FBI)" [redacted]
Subject: Fwd: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council

Boss

Below is the WH memo laying out the NSC, PC, et al. [redacted] shop will pull together a cheat sheet for us to compare to the old organization.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From: "[redacted](DO) (FBI)" [redacted]gov> b6 b7C b7E
Date: 1/28/17 9:33 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted], [redacted](OGC) (FBI)" [redacted]
Subject: RE: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council

FYI - On Monday, the ONP will draft a cheat sheet that compares PPD-1 to this doc.

-------- Original message --------
From: [redacted](DO) (FBI)" [redacted] b6 b7C b7E
Date: 01/28/2017 6:32 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted], [redacted] (OGC) (FBI)" [redacted]
Subject: Fwd: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council

Please see below for National Security Presidential Memorandum 2 which lays out the framework for the NSC, HSC, PC, DC, and Policy Coordination Committees (PCC). We are not listed as a regular member of any committee, which is consistent with PPD-1 in 2009. Also, members of the NSC staff will chair the PCCs, but the DC may add co-chairs.

-------- Original message --------
From: [redacted] [redacted]
Date: 01/28/2017 6:02 PM (GMT-05:00)
To: [redacted]DO) (FBI)" [redacted] b6 b7C b7E
Subject: Fwd: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council

Begin forwarded message:

From: White House Press Office <whitehouse-noreply@useopwh.service.govdelivery.com<mailto:whitehouse-noreply@useopwh.service.govdelivery.com>>
Date: January 28, 2017 at 5:37:15 PM EST
To: [redacted]

Subject: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council
Reply-To: <whitehouse-noreply@useopwh.service.govdelivery.com<mailto:whitehouse-noreply@useopwh.service.govdelivery.com>>

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

January 28, 2017

NATIONAL SECURITY PRESIDENTIAL MEMORANDUM - 2

MEMORANDUM FOR THE VICE PRESIDENT
THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF AGRICULTURE
THE SECRETARY OF HEALTH AND HUMAN SERVICES
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF COMMERCE
THE SECRETARY OF ENERGY
THE SECRETARY OF HOMELAND SECURITY
THE ASSISTANT TO THE PRESIDENT AND CHIEF OF STAFF
THE ASSISTANT TO THE PRESIDENT AND CHIEF STRATEGIST
THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET
THE REPRESENTATIVE OF THE UNITED STATES TO THE UNITED NATIONS
THE UNITED STATES TRADE REPRESENTATIVE
THE CHAIR OF THE COUNCIL OF ECONOMIC ADVISERS
THE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM
THE DIRECTOR OF NATIONAL INTELLIGENCE
THE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY
THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF
THE ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS
THE ASSISTANT TO THE PRESIDENT FOR HOMELAND SECURITY AND COUNTERTERRORISM
THE ASSISTANT TO THE PRESIDENT FOR ECONOMIC POLICY
THE ASSISTANT TO THE PRESIDENT FOR TRADE AND MANUFACTURING POLICY
THE ASSISTANT TO THE PRESIDENT FOR INTRAGOVERNMENTAL AND TECHNOLOGY INITIATIVES
THE Deputy Assistant to the President and National Security Advisor to the Vice President
THE COUNSEL TO THE PRESIDENT
THE ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT
THE ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
THE CHAIRMAN OF THE NUCLEAR REGULATORY COMMISSION
THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION
THE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY
THE DIRECTOR OF NATIONAL DRUG CONTROL POLICY
THE CHAIRMAN OF THE PRESIDENT'S INTELLIGENCE ADVISORY BOARD

THE ADMINISTRATOR OF THE FEDERAL EMERGENCY
MANAGEMENT AGENCY
THE ARCHIVIST OF THE UNITED STATES

SUBJECT: Organization of the National Security Council and the Homeland Security Council

As President, my highest priority is to ensure the safety and security of the American people. In order to advise and assist me in executing this solemn responsibility, as well as to protect and advance the national interests of the United States at home and abroad, I hereby direct that my system for national security policy development and decision-making shall be organized as follows:

A. The National Security Council, the Homeland Security Council, and Supporting Staff

The National Security Act of 1947, as amended, established the National Security Council (NSC) to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security. There is also a Homeland Security Council (HSC) -- established through Executive Order 13228 of October 8, 2001, and subsequently codified in the Homeland Security Act of 2002 -- that has the purpose of advising the President on matters pertaining to homeland security. Each Council is also responsible for the effective coordination of the security-related activities and functions of the executive departments and agencies.

The security threats facing the United States in the 21st century transcend international boundaries. Accordingly, the United States Government's decision-making structures and processes to address these challenges must remain equally adaptive and transformative. Both Councils are statutory bodies that the President will continue to chair. Invitations to participate in specific Council meetings shall be extended to those heads of executive departments and agencies, and other senior officials, who are needed to address the issue or issues under consideration. When the President is absent from a meeting of either Council, the Vice President may preside at the President's direction.

The Assistant to the President for National Security Affairs (National Security Advisor) and the Assistant to the President for Homeland Security and Counterterrorism (Homeland Security Advisor) shall be responsible, as appropriate and at the President's direction, for determining the agenda for the NSC or HSC, respectively, ensuring that the necessary papers are prepared, and recording Council actions and Presidential decisions in a timely manner. When international economic issues are on the agenda of the NSC, the National Security Advisor and the Assistant to the President for Economic Policy shall perform these tasks in concert.

The NSC and HSC shall have as their regular attendees (both statutory and non-statutory) the President, the Vice President, the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Energy, the Secretary of Homeland Security, the National Security Advisor, the Homeland Security Advisor, and the Representative of the United States to the United Nations. When international economic issues are on the agenda of the NSC, the NSC's regular attendees will include the Secretary of Commerce, the United States Trade Representative, and the Assistant to the President for Economic Policy. The Director of National Intelligence and the Chairman of the Joint Chiefs of Staff, as statutory advisers to the NSC, shall also attend NSC meetings. The Assistant to the President and Chief of Staff, the Assistant to the President and Chief Strategist, the Counsel to the President, the Deputy Counsel to the President for National Security Affairs, and the Director of the Office of Management and Budget are invited as attendees to any NSC meeting.

In addition to the NSC and HSC, there is also a single NSC staff within the Executive Office of the President that serves both the NSC and HSC. The staff is composed of regional, issue-focused, and functional directorates and headed by a single civilian Executive Secretary, pursuant to 50 U.S.C. 3021, who is also the Chief of Staff. All policy and staff activity decisions will be transmitted to the Executive Secretary for appropriate distribution and awareness. The purpose of the NSC staff is to advise me, the National Security Advisor, the Homeland Security Advisor, the NSC members, the HSC members, and others in the White House; to facilitate the implementation of Administration policy; and to help coordinate the national-security-related activities of the executive departments and agencies.

B. The Principals Committee

The Principals Committee (PC) shall continue to serve as the Cabinet-level senior interagency forum for considering policy issues that affect the national security interests of the United States. The PC shall be convened and chaired by the National Security Advisor or the Homeland Security Advisor, as appropriate, in consultation with the appropriate attendees of the PC. The Chair shall determine the agenda in consultation with the appropriate committee members, and the Executive Secretary shall ensure that necessary papers are prepared and that conclusions and decisions are communicated in a timely manner. Invitations to participate in or attend a specific PC shall be extended at the discretion of the National Security Advisor and the Homeland Security Advisor, and may include those Cabinet-level heads of executive departments and agencies, and other senior officials, who are needed to address the issue under consideration.

The PC shall have as its regular attendees the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, the Assistant to the President and Chief of Staff, the Assistant to the President and Chief Strategist, the National Security Advisor, and the Homeland Security Advisor. The Director of National Intelligence and the Chairman of the Joint Chiefs of Staff shall attend where issues pertaining to their responsibilities and expertise are to be discussed. The Counsel to the President, the Deputy Counsel to the President for National Security Affairs, and the Director of the Office of Management and Budget may attend all PC meetings.

The Assistant to the President and Deputy National Security Advisor (Deputy National Security Advisor), the Deputy Assistant to the President and National Security Advisor to the Vice President, and the Executive Secretary (who shall serve as the Executive Secretary of the PC) shall attend all of the meetings of the PC, and the Representative of the United States to the United Nations and the Assistant to the President for Intragovernmental and Technology Initiatives may attend as appropriate.

When international economic issues are on the agenda of the PC, the Committee's regular attendees will include the Secretary of Commerce, the United States Trade Representative, and the Assistant to the President for Economic Policy (who shall serve as Chair for agenda items that principally pertain to international economics).

C. The Deputies Committee

The Deputies Committee (DC) shall continue to serve as the senior sub-Cabinet interagency forum for consideration of, and where appropriate, decision-making on, policy issues that affect the national security interests of the United States. The DC shall be convened and chaired by the Deputy National Security Advisor or the Deputy Assistant to the President and Deputy Homeland Security Advisor (Deputy Homeland Security Advisor), as appropriate. The Chair shall determine the agenda in consultation with the regular DC members, and the Executive Secretary shall ensure that necessary papers are prepared and that conclusions and decisions are communicated in a timely manner. Invitations to participate in or attend a specific DC meeting shall be extended by the Chair to those at the Deputy or Under Secretary level of executive departments and agencies, and to other senior officials, who are needed to address the issue under consideration.

The DC shall have as its regular members the Deputy Secretary of State, the Deputy Secretary of the Treasury, the Deputy Secretary of Defense, the Deputy Attorney General, the Deputy Secretary of Homeland Security, the Deputy Director of the Office of Management and Budget, the Deputy Director of National Intelligence, the Vice Chairman of the Joint Chiefs of Staff, the Deputy Assistant to the President and National Security Advisor to the Vice President, the Deputy National Security Advisor, the Deputy Homeland Security Advisor, and the Administrator of the United States Agency for International Development.

The Executive Secretary shall attend the DC meetings. The Deputy Counsel to the President for National Security Affairs may attend all DC meetings. The relevant Deputy Assistant to the President for the specific regional and functional issue under consideration shall also be invited to attend. Likewise, when and where appropriate, the Deputy Assistant to the President for Strategic Planning, the Deputy Assistant to the President for Strategic Communication, the Deputy Assistant to the President for International Economic Affairs, the Deputy Assistant to the President for Transnational Issues, and the Deputy Representative of the United States to the United Nations, shall also be invited to attend. Other senior officials shall be invited where appropriate.

The DC shall review and monitor the work of the interagency national security process, including the interagency groups established pursuant to section D below. The DC shall help to ensure that issues brought before the NSC, HSC, and PC have been properly analyzed and prepared for decision. The DC shall also focus significant attention on monitoring the implementation of policies and decisions and shall conduct periodic reviews of the Administration's major national security and foreign policy initiatives. The DC is responsible for establishing Policy Coordination Committees (PCCs) and for providing objectives and clear guidance.

D. Policy Coordination Committees

Management of the development and implementation of national security policies by multiple executive departments and agencies typically shall be accomplished by the PCCs, with participation primarily occurring at the Assistant Secretary level. As the main day-to-day fora for interagency coordination of national security policies, the PCCs shall provide policy analysis for consideration by the more senior committees of the national security system and ensure timely responses to the President's decisions.

Regional and issue-related PCCs shall be established at the direction of the DC. Members of the NSC staff (or National Economic Council staff, as appropriate) will chair the PCCs; the DC, at its discretion, may add co-chairs to any PCC. The PCCs shall review and coordinate the implementation of Presidential decisions in their respective policy areas. The Chair of each PCC, in consultation with the Executive Secretary, shall invite representatives of other executive departments and agencies to attend meetings of the PCC where appropriate. The Chair of each PCC, with the agreement of the Executive Secretary, may establish subordinate working groups to assist that PCC in the performance of its duties.

An early meeting of the DC will be devoted to establishing the PCCs, determining their memberships, and providing them with mandates and strict guidance. Until the DC has established otherwise, the existing system of Interagency Policy Committees shall continue.

E. General

The President and the Vice President may attend any and all meetings of any entity established by or under this memorandum.

This document is part of a series of National Security Presidential Memoranda that shall replace both Presidential Policy Directives and Presidential Study Directives as the instrument for communicating relevant Presidential decisions. This memorandum shall supersede all other existing Presidential guidance on the organization or support of the NSC and the HSC. With regard to its application to economic matters, this document shall be interpreted in concert with any Executive Order governing the National Economic Council and with Presidential Memoranda signed hereafter that implement either this memorandum or that Executive Order.

The Secretary of Defense is hereby authorized and directed to publish this memorandum in the Federal Register.

DONALD J. TRUMP

###

Unsubscribe<http://messages.whitehouse.gov/accounts/USWHPO/subscriber/new?preferences=true>

The White House · 1600 Pennsylvania Avenue, NW · Washington DC 20500 · 202-456-1111

McCabe, Andrew G. (DO) (FBI)

From: McCabe, Andrew G. (DO) (FBI)
Sent: Saturday, March 4, 2017 10:25 AM
To: James B. Comey
Subject: RE: Wiretap?

I have absolutely no idea. I'm not even sure what he could be referring to. Whatever that is, we have nothing to do with it.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From: "James B. Comey" [redacted]
Date: 3/4/17 9:46 AM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted]
Subject: RE: Wiretap?

Awesome. What on earth is he talking about?

-------- Original message --------
From: "McCabe, Andrew G. (DO) (FBI)" [redacted] b7E
Date: 3/4/17 9:12 AM (GMT-05:00)
To: "James B. Comey" [redacted], "Rybicki, James E. (DO) (FBI)" [redacted],
"Bowdich, David L. (DO) (FBI)" [redacted]
Subject: Fwd: Wiretap?

Heads up. Mike is getting a lot of calls about this.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" [redacted] b7E
Date: 3/4/17 8:11 AM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted], "Ghattas, Carl (CTD) (FBI)" [redacted], "Priestap, E. W. (CD) (FBI)" [redacted]
Subject: Fwd: Wiretap?

Fyi

-------- Original message --------
From: [redacted] b6 b7C b7E
Date: 03/04/2017 6:45 AM (GMT-05:00)
To: "Quinn, Richard P. (DO) (FBI)" [redacted]
Subject: Wiretap?

Good morning.

Reaching out to see if FBI has a reaction to the President's tweet on alleged wiretaps.

I will be on CBS This Morning in a few minutes, but will be available on my cell [redacted] if you have any guidance to provide.

Sent from my iPhone

Begin forwarded message:

From: [redacted] b6 b7C
Date: March 4, 2017 at 6:37:08 AM EST
To: "@Wash Politics" <WashPolitics@cbs.com>
Subject: Trump Tweet on Obama wiretapping Trump Tower

Donald J. Trump (@realDonaldTrump)
3/4/17, 6:35 AM

Terrible! Just found out that Obama had my "wires tapped" in Trump Tower just before the victory. Nothing found. This is McCarthyism!

Download the Twitter app

Sent from my iPhone

McCabe, Andrew G. (DO) (FBI)

From: McCabe, Andrew G. (DO) (FBI)
Sent: Saturday, March 18, 2017 1:58 PM
To: James B. Comey
Subject: RE: twitter articles.

Ditto.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted]

-------- Original message --------
From: "James B. Comey" <[redacted]> b7E
Date: 3/18/17 1:48 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" <[redacted]>, "Kortan, Michael P. (DO) (FBI)" <[redacted]>, "Rybicki, James E. (DO) (FBI)" <[redacted]>
Subject: RE: twitter articles.

Crazy stuff. I'm tempted to tease about John being accused of being the "brains" behind our operation, but that's the only fun part of this sick piece. The whole thing leaves me incredulous, as usual.

-------- Original message --------
From: "McCabe, Andrew G. (DO) (FBI)" <[redacted]> b7E
Date: 3/18/17 1:37 PM (GMT-05:00)
To: "Kortan, Michael P. (DO) (FBI)" <[redacted]>, "James B. Comey" <[redacted]>, "Rybicki, James E. (DO) (FBI)" <[redacted]>
Subject: Fwd: twitter articles.

Mike

This stuff is picking up steam on Twitter. Anything we should do?

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation

[redacted] b7E

http://truepundit.com/exclusive-fbis-own-political-terror-plot-deputy-director-and-fbi-brass-secretly-conspired-to-wage-coup-against-flynn-trump-2/

Sent from my iPhone

McCabe, Andrew G. (DO) (FBI)

From:	McCabe, Andrew G. (DO) (FBI)
Sent:	Tuesday, April 11, 2017 12:41 PM
To:	James B. Comey
Subject:	FW: Per your request
Attachments:	MEMORANDUM FOR THE DEPUTY DIRECTOR.docx

Boss:

Attached is the current draft of [redacted] memo. I reviewed it in detail last night. Barring any edits from you, I will have [redacted] inalize and send over. b6 b7C b7E

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted]

-----Original Message-----
From: [redacted] (DO) (FBI) b6 b7C b7E
Sent: Tuesday, April 11, 2017 10:08 AM
To: McCabe, Andrew G. (DO) (FBI) [redacted]
Subject: Per your request

[redacted]
Office of Integrity and Compliance, FBI
[redacted]

Mccabe, Andrew G.

From: Mccabe, Andrew G.
Sent: Monday, October 3, 2016 8:33 PM
To: James B. Comey; Bowdich, David L. (DO) (FBI)
Cc: Rybicki, James E. (DO) (FBI)
Subject: RE: Daily Report

Copy that. We missed this one and will fix the process.

--

-------- Original message --------
From: "James B. Comey" [redacted] b7E
Date: 10/3/16 8:29 PM (GMT-05:00)
To: "Bowdich, David L. (DO) (FBI)" [redacted], "Mccabe, Andrew G." [redacted]
Cc: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: RE: Daily Report

Thanks. My MO is to be notified whenever HRT is deployed on an operation. Not a big deal but let's see what broke there. I caught it in weekend book but I need Andy (or whoever is covering DD) slot to tell me in advance you are aware of the deployment and think it makes sense.

--

-------- Original message --------
From: "Bowdich, David L. (DO) (FBI)" [redacted] b7E
Date: 10/3/16 7:42 PM (GMT-05:00)
To: "James B. Comey" [redacted], "Mccabe, Andrew G." [redacted]
Cc: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: Daily Report

Boss,

Not too many things to be briefed tonight other than below items:

1. Candidate Trump's team has requested a briefing on Cyber threats. We are awaiting further details/response from the DNI who actually controls the briefings. I will keep you updated as I know more.
2. Former Top Ten fugitive [redacted] will be extradited from Mexico City to Dallas on October 6th. [redacted] is the 19th FBI Top Tenner apprehended in Mexico. As you may recall, [redacted] is believed to be responsible for orchestrating a murder-for-hire plot of a prominent Dallas area dentist who was shot and killed next to her car in a basement parking garage. b6 b7C
3. The Baltimore takedown went well and you were correct, HRT did assist.....can't find "emogi" or you would get a smiley face. As of tonight, there were 46 subjects in custody. All total, the breakdown of individuals indicted were as follows: 18 correctional

officers, 34 inmates, and 28 outside facilitators.

I asked [redacted] to stay behind tomorrow to quickly brief you on the Weiner matter which is growing more complicated, but it can wait until then. b6 b7C

That's it for tonight.

Dave

McCabe, Andrew G. (DO) (FBI)

From:	McCabe, Andrew G. (DO) (FBI)
Sent:	Thursday, December 1, 2016 2:02 PM
To:	James B. Comey; Rybicki, James E. (DO) (FBI)
Subject:	Fwd: No. of PETT Assigned by Organization (13 at DOJ as of 12/1)
Importance:	High

FYI

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From: "Grigg, Gurvais C. (DO) (FBI)" <[redacted]> b6 b7C b7E
Date: 12/1/16 12:09 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" <[redacted]>
Cc: [redacted](DO) (FBI)" <[redacted]>, '[redacted], (DO) (FBI)" <[redacted]>, [redacted](OGC) (FBI)" <[redacted]>, [redacted](DO) (FBI)" <[redacted]>, [redacted](WF) (FBI)" <[redacted]>
Subject: FW: No. of PETT Assigned by Organization (13 at DOJ as of 12/1)

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SENSITIVE INFORMATION

NO ACTION REQUIRED
FOR YOUR SITUATIONAL AWARENESS

Sir,
See below being sent now to your updated email address (per [redacted].

G. (Gurvais) Clayton Grigg
Deputy Assistant Director b6 b7C b7E

Presidential Transition Lead
FBI Director's Office
Federal Bureau of Investigation
Office: [redacted]

Cell: [redacted] b7E

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From: Grigg, Gurvais C. (DO) (FBI)
Sent: Thursday, December 01, 2016 11:25 AM
To: Mccabe2, Andrew (DO) (FBI) [redacted]; Bowdich, David L. (DO) (FBI) [redacted]; Castor, Andrew J. (DO) (FBI) [redacted]; Steinbach, Michael B. (DO) (FBI) [redacted]; Coleman, Randall C. (CD) (FBI) [redacted]; Piehota, Christopher M. (NS) (FBI) [redacted]; [redacted] DO) (FBI) [redacted]; [redacted] (DO) (FBI) [redacted]; Skule, Joshua (DI) (FBI) [redacted]; Baker, James A. (OGC) (FBI) [redacted]; Kortan, Michael P. (DO) (FBI) [redacted]; Herring, Jason V. (CD) (FBI) [redacted]; [redacted] (FD) (FBI) [redacted]; [redacted] (SECD) (FBI) [redacted]; Rybicki, James E. (DO) (FBI) [redacted]; Abbate, Paul M. (WF) (FBI) [redacted] b6
Cc: [redacted] (DO) (FBI) [redacted] (OGC) (FBI) [redacted]; [redacted] (DO) (FBI) [redacted]; [redacted] (DO) (FBI) b7C b7E
[redacted] (DO) (FBI) [redacted] (WF) (FBI) [redacted]; [redacted] (ITADD) (FBI) [redacted]; [redacted] (FD) (FBI) [redacted]; [redacted] (DO) (FBI) [redacted]; [redacted] (DO) (FBI) [redacted]; Rybicki, James E. (DO) (FBI) [redacted]; Burton, Dawn (DO) (FBI) [redacted]; Dantiki, Sumon S (DO) (OGA) [redacted]; [redacted] (DO) (FBI) [redacted]; [redacted] (DO) (FBI) [redacted]; [redacted] (DO) (FBI) [redacted]; Grigg, Gurvais C. (DO) (FBI) [redacted]; [redacted] (RO) (FBI) [redacted]; [redacted] (DI) (FBI) [redacted]; [redacted] (NS) (FBI) [redacted]; [redacted] (SECD) (FBI) [redacted]; Burton, Dawn (DO) (FBI) [redacted]
Subject: No. of PETT Assigned by Organization (13 at DOJ as of 12/1)
Importance: High

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
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NO ACTION REQUIRED
FOR YOUR SITUATIONAL AWARENESS

All,

Since last week's update, five additional names (#9 to 13) have been announced as members of the President Elect's Transition Team (PETT) assigned to the Department of Justice (DOJ) as indicated below:

1. [redacted] Employer (current or most recent): Kirkland & Ellis LLP b6
2. [redacted] Employer (current or most recent): Doctors' Hospital at Renaissance b7C

3. [redacted] Employer (current or most recent): Jones Day LLP
4. [redacted] Employer (current or most recent): Jones Day LLP
5. [redacted] - Employer (current or most recent): City of Alexandria Public Schools
6. [redacted] Employer (current or most recent): McGuireWoods LLP
7. [redacted] - Employer (current or most recent): Morrison & Foerster LLP
8. [redacted] - Employer (current or most recent): Morgan, Lewis & Bockius LLP
9. [redacted] - Employer (current or most recent): Strayer University
10. [redacted] - Employer (current or most recent): Dechert LLP
11. [redacted] - Employer (current or most recent): Frost Brown Todd, LLC
12. [redacted] - Employer (current or most recent): Stefani Carter & Associates, LLC
13. [redacted] Employer (current or most recent): Hunton & Williams LLP

b6
b7C

The FBI Presidential Transition Team has not yet received any official requests for briefings or materials from the President Elect's Transition Team (PETT) at the DOJ. ASAC [redacted] and I are scheduled to participate in a DOJ led transition teleconference this afternoon with AAG Lee Lofthus where we may learn more about the potential PETT schedule and activities. We will keep you posted.

For your situational awareness, according to the President Elect's website (https://www.greatagain.gov/index.html), below is the count of PETT members assigned by department or agency that have been announced so far. It should be noted that DOJ (at 13) is second only to Department of Defense (at 16) in the total number assigned. The Department of State has 9 currently assigned, six at the National Security Council, four at Department of Homeland Security, and the Office of the Director of National Intelligence currently has one assigned. If past is prologue, some agencies may not be assigned any review teams prior to the inauguration and some may only have one or two assigned. Traditionally, the larger the agency and the larger the number of potential appointees, the larger the number of PETTs assigned.

Number Assigned - Organization

16 - Department of Defense
13 - Department of Justice
9 - Department of State
8 - Department of Veterans Affairs
6 - National Security Council
6 - Department of Commerce
6 - Department of the Treasury
5 - Department of Health and Human Services
4 - U.S. Trade Representative
4 - Department of Homeland Security
4 - Department of Housing and Urban Development
3 - Federal Communications Commission
3 - Department of Energy
2 - Social Security Administration
2 - Small Business Administration
2 - Consumer Financial Protection Bureau
2 - Department of Education
2 - Department of Transportation
2 - Office of Management and Budget
1 - Commodity Futures Trading Commission
1 - Department of Agriculture
1 - Department of Labor
1 - Department of the Interior
1 - Environmental Protection Agency
1 - Export-Import Bank
1 - Farm Credit Administration

1 - Federal Deposit Insurance Corporation
1 - Federal Housing Finance Agency
1 - Federal Reserve Board
1 - Federal Trade Commission
1 - Financial Stability Oversight Council
1 - General Services Administration
1 - National Credit Union Administration
1 - Office of the Comptroller of the Currency
1 - Office of Personnel Management
1 - Office of the Director of National Intelligence
1 - U.S. Securities and Exchange Commission
1 - National Aeronautics and Space Administration

G. (Gurvais) Clayton Grigg
Deputy Assistant Director

Presidential Transition Lead
FBI Director's Office
Federal Bureau of Investigation
Office [redacted] b7E
Cell: [redacted]

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McCabe, Andrew G. (DO) (FBI)

From:	McCabe, Andrew G. (DO) (FBI)
Sent:	Thursday, December 29, 2016 6:18 PM
To:	James Comey [redacted]; Quinn, Richard P. (DO) (FBI) b7E
Cc:	Bowdich, David L. (DO) (FBI); Rybicki, James E. (DO) (FBI)
Subject:	FW: JAR/Related Materials
Attachments:	Joint Analysis Report (JAR).PDF; Executive Briefing Points (JAR).DOCX; WH Press Guidance.DOCX

Boss: For your reading pleasure, Rich and the OPA shop loaded the JAR and some of the press guidance on today's actions. Also below are links to agency press statements.

Thanks Rich for the help on this.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-----Original Message-----
From: Quinn, Richard P. (DO) (FBI)
Sent: Thursday, December 29, 2016 5:18 PM
To: McCabe, Andrew G. (DO) (FBI) <[redacted]> b7E
Subject: JAR/Related Materials

Boss,

Please find the attached Joint Analysis Report (JAR), WH Executive Briefing Points (JAR), and WH Press Guidance documents. In addition, links to the various press statements by participating agencies are included below:

https://www.fbi.gov/news/pressrel/press-releases/joint-dhs-odni-fbi-statement-on-russian-malicious-cyber-activity

https://www.whitehouse.gov/the-press-office/2016/12/29/statement-president-actions-response-russian-malicious-cyber-activity

https://www.whitehouse.gov/the-press-office/2016/12/29/fact-sheet-actions-response-russian-malicious-cyber-activity-and

https://www.treasury.gov/press-center/press-releases/Pages/jl0693.aspx

https://www.state.gov/r/pa/prs/ps/2016/12/266145.htm

https://www.dhs.gov/news/2016/12/29/joint-dhs-odni-fbi-statement-russian-malicious-cyber-activity

https://www.us-cert.gov/security-publications/GRIZZLY-STEPPE-Russian-Malicious-Cyber-Activity

https://www.dni.gov/index.php/newsroom/press-releases/215-press-releases-2016/1463-joint-dhs,-odni,-fbi-statement-on-russian-malicious-cyber-activity

Best,

Rich

NCCIC

Federal Bureau of Investigation

JOINT ANALYSIS REPORT

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Reference Number: JAR-16-20296 **December 29, 2016**

GRIZZLY STEPPE – Russian Malicious Cyber Activity

Summary

This Joint Analysis Report (JAR) is the result of analytic efforts between the Department of Homeland Security (DHS) and the Federal Bureau of Investigation (FBI). This document provides technical details regarding the tools and infrastructure used by the Russian civilian and military intelligence Services (RIS) to compromise and exploit networks and endpoints associated with the U.S. election, as well as a range of U.S. Government, political, and private sector entities. The U.S. Government is referring to this malicious cyber activity by RIS as GRIZZLY STEPPE.

Previous JARs have not attributed malicious cyber activity to specific countries or threat actors. However, public attribution of these activities to RIS is supported by technical indicators from the U.S. Intelligence Community, DHS, FBI, the private sector, and other entities. This determination expands upon the Joint Statement released October 7, 2016, from the Department of Homeland Security and the Director of National Intelligence on Election Security.

This activity by RIS is part of an ongoing campaign of cyber-enabled operations directed at the U.S. government and its citizens. These cyber operations have included spearphishing campaigns targeting government organizations, critical infrastructure entities, think tanks, universities, political organizations, and corporations leading to the theft of information. In foreign countries, RIS actors conducted damaging and/or disruptive cyber-attacks, including attacks on critical infrastructure networks. In some cases, RIS actors masqueraded as third parties, hiding behind false online personas designed to cause the victim to misattribute the source of the attack. This JAR provides technical indicators related to many of these operations, recommended mitigations, suggested actions to take in response to the indicators provided, and information on how to report such incidents to the U.S. Government.

Description

The U.S. Government confirms that two different RIS actors participated in the intrusion into a U.S. political party. The first actor group, known as Advanced Persistent Threat (APT) 29, entered into the party's systems in summer 2015, while the second, known as APT28, entered in spring 2016.

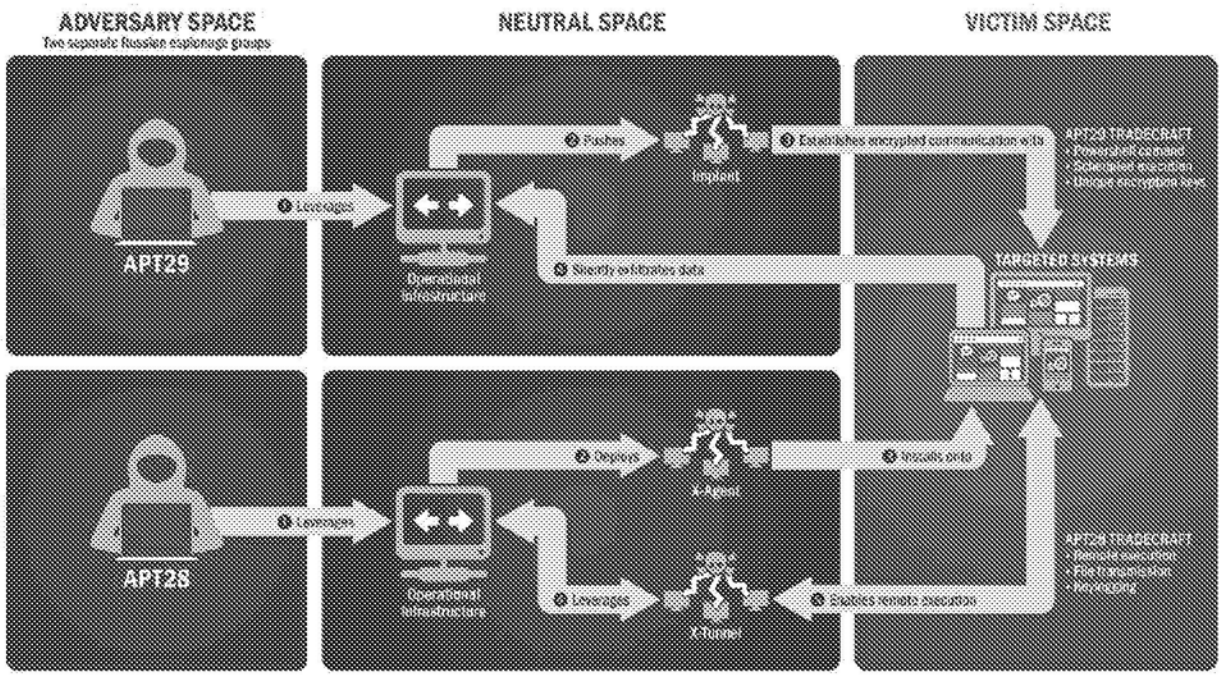

Figure 1: The tactics and techniques used by APT29 and APT 28 to conduct cyber intrusions against target systems

Both groups have historically targeted government organizations, think tanks, universities, and corporations around the world. APT29 has been observed crafting targeted spearphishing campaigns leveraging web links to a malicious dropper; once executed, the code delivers Remote Access Tools (RATs) and evades detection using a range of techniques. APT28 is known for leveraging domains that closely mimic those of targeted organizations and tricking potential victims into entering legitimate credentials. APT28 actors relied heavily on shortened URLs in their spearphishing email campaigns. Once APT28 and APT29 have access to victims, both groups exfiltrate and analyze information to gain intelligence value. These groups use this information to craft highly targeted spearphishing campaigns. These actors set up operational infrastructure to obfuscate their source infrastructure, host domains and malware for targeting organizations, establish command and control nodes, and harvest credentials and other valuable information from their targets.

In summer 2015, an APT29 spearphishing campaign directed emails containing a malicious link to over 1,000 recipients, including multiple U.S. Government victims. APT29 used legitimate

domains, to include domains associated with U.S. organizations and educational institutions, to host malware and send spearphishing emails. In the course of that campaign, APT29 successfully compromised a U.S. political party. At least one targeted individual activated links to malware hosted on operational infrastructure of opened attachments containing malware. APT29 delivered malware to the political party's systems, established persistence, escalated privileges, enumerated active directory accounts, and exfiltrated email from several accounts through encrypted connections back through operational infrastructure.

In spring 2016, APT28 compromised the same political party, again via targeted spearphishing. This time, the spearphishing email tricked recipients into changing their passwords through a fake webmail domain hosted on APT28 operational infrastructure. Using the harvested credentials, APT28 was able to gain access and steal content, likely leading to the exfiltration of information from multiple senior party members. The U.S. Government assesses that information was leaked to the press and publicly disclosed.

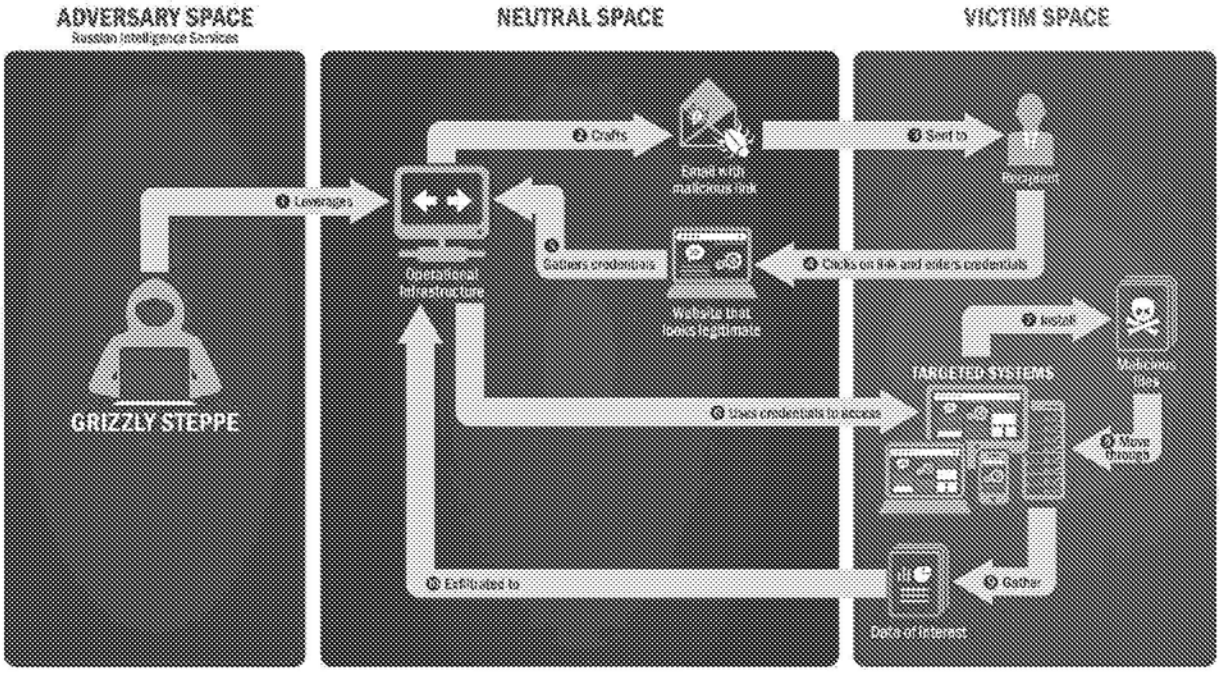

Figure 2: APT28's Use of Spearphishing and Stolen Credentials

Actors likely associated with RIS are continuing to engage in spearphishing campaigns, including one launched as recently as November 2016, just days after the U.S. election.

Reported Russian Military and Civilian Intelligence Services (RIS)

Alternate Names
APT28
APT29
Agent.btz
BlackEnergy V3
BlackEnergy2 APT
CakeDuke
Carberp
CHOPSTICK
CloudDuke
CORESHELL
CosmicDuke
COZYBEAR
COZYCAR
COZYDUKE
CrouchingYeti
DIONIS
Dragonfly
Energetic Bear
EVILTOSS
Fancy Bear
GeminiDuke
GREY CLOUD
HammerDuke
HAMMERTOSS
Havex
MiniDionis
MiniDuke
OLDBAIT
OnionDuke
Operation Pawn Storm
PinchDuke
Powershell backdoor
Quedagh
Sandworm
SEADADDY
Seaduke
SEDKIT
SEDNIT
Skipper
Sofacy
SOURFACE
SYNful Knock
Tiny Baron
Tsar Team
twain_64.dll (64-bit X-Agent implant)
VmUpgradeHelper.exe (X-Tunnel implant)
Waterbug
X-Agent

Technical Details

Indicators of Compromise (IOCs)

IOCs associated with RIS cyber actors are provided within the accompanying .csv and .stix files of JAR-16-20296.

Yara Signature

```
rule PAS_TOOL_PHP_WEB_KIT
{
meta:
description = "PAS TOOL PHP WEB KIT FOUND"
strings:
$php = "<?php"
$base64decode = /\='base'\.\(\d+\*\d+\)\.'_de'\.'code'/
$strreplace = "(str_replace("
$md5 = ".substr(md5(strrev("
$gzinflate = "gzinflate"
$cookie = "_COOKIE"
$isset = "isset"
condition:
(filesize > 20KB and filesize < 22KB) and
#cookie == 2 and
#isset == 3 and
all of them
}
```

Actions to Take Using Indicators

DHS recommends that network administrators review the IP addresses, file hashes, and Yara signature provided and add the IPs to their watchlist to determine whether malicious activity has been observed within their organizations. The review of network perimeter netflow or firewall logs will assist in determining whether your network has experienced suspicious activity.

When reviewing network perimeter logs for the IP addresses, organizations may find numerous instances of these IPs attempting to connect to their systems. Upon reviewing the traffic from these IPs, some traffic may correspond to malicious activity, and some may correspond to legitimate activity. Some traffic that may appear legitimate is actually malicious, such as vulnerability scanning or browsing of legitimate public facing services (e.g., HTTP, HTTPS, FTP). Connections from these IPs may be performing vulnerability scans attempting to identify websites that are vulnerable to cross-site scripting (XSS) or Structured Query Language (SQL) injection attacks. If scanning identified vulnerable sites, attempts to exploit the vulnerabilities may be experienced.

Network administrators are encouraged to check their public-facing websites for the malicious file hashes. System owners are also advised to run the Yara signature on any system that is suspected to have been targeted by RIS actors.

Threats from IOCs

Malicious actors may use a variety of methods to interfere with information systems. Some methods of attack are listed below. Guidance provided is applicable to many other computer networks.

- ***Injection Flaws*** are broad web application attack techniques that attempt to send commands to a browser, database, or other system, allowing a regular user to control behavior. The most common example is SQL injection, which subverts the relationship between a webpage and its supporting database, typically to obtain information contained inside the database. Another form is command injection, where an untrusted user is able to send commands to operating systems supporting a web application or database. See the United States Computer Emergency Readiness Team (US-CERT) Publication on SQL Injection for more information.
- ***Cross-site scripting (XSS) vulnerabilities*** allow threat actors to insert and execute unauthorized code in web applications. Successful XSS attacks on websites can provide the attacker unauthorized access. For prevention and mitigation strategies against XSS, see US-CERT's Alert on Compromised Web Servers and Web Shells.
- ***Server vulnerabilities*** may be exploited to allow unauthorized access to sensitive information. An attack against a poorly configured server may allow an adversary access to critical information including any websites or databases hosted on the server. See US-CERT's Tip on Website Security for additional information.

Recommended Mitigations

Commit to Cybersecurity Best Practices

A commitment to good cybersecurity and best practices is critical to protecting networks and systems. Here are some questions you may want to ask your organization to help prevent and mitigate against attacks.

1. **Backups**: Do we backup all critical information? Are the backups stored offline? Have we tested our ability to revert to backups during an incident?
2. **Risk Analysis**: Have we conducted a cybersecurity risk analysis of the organization?
3. **Staff Training**: Have we trained staff on cybersecurity best practices?
4. **Vulnerability Scanning & Patching**: Have we implemented regular scans of our network and systems and appropriate patching of known system vulnerabilities?
5. **Application Whitelisting**: Do we allow only approved programs to run on our networks?
6. **Incident Response**: Do we have an incident response plan and have we practiced it?

7. **Business Continuity**: Are we able to sustain business operations without access to certain systems? For how long? Have we tested this?
8. **Penetration Testing**: Have we attempted to hack into our own systems to test the security of our systems and our ability to defend against attacks?

Top Seven Mitigation Strategies

DHS encourages network administrators to implement the recommendations below, which can prevent as many as 85 percent of targeted cyber-attacks. These strategies are common sense to many, but DHS continues to see intrusions because organizations fail to use these basic measures.

1. **Patch applications and operating systems** – Vulnerable applications and operating systems are the targets of most attacks. Ensuring these are patched with the latest updates greatly reduces the number of exploitable entry points available to an attacker. Use best practices when updating software and patches by only downloading updates from authenticated vendor sites.
2. **Application whitelisting** – Whitelisting is one of the best security strategies because it allows only specified programs to run while blocking all others, including malicious software.
3. **Restrict administrative privileges** – Threat actors are increasingly focused on gaining control of legitimate credentials, especially those associated with highly privileged accounts. Reduce privileges to only those needed for a user's duties. Separate administrators into privilege tiers with limited access to other tiers.
4. **Network Segmentation and Segregation into Security Zones** – Segment networks into logical enclaves and restrict host-to-host communications paths. This helps protect sensitive information and critical services and limits damage from network perimeter breaches.
5. **Input validation** – Input validation is a method of sanitizing untrusted user input provided by users of a web application, and may prevent many types of web application security flaws, such as SQLi, XSS, and command injection.
6. **File Reputation** – Tune Anti-Virus file reputation systems to the most aggressive setting possible; some products can limit execution to only the highest reputation files, stopping a wide range of untrustworthy code from gaining control.
7. **Understanding firewalls** – When anyone or anything can access your network at any time, your network is more susceptible to being attacked. Firewalls can be configured to block data from certain locations (IP whitelisting) or applications while allowing relevant and necessary data through.

Responding to Unauthorized Access to Networks

Implement your security incident response and business continuity plan. It may take time for your organization's IT professionals to isolate and remove threats to your systems and restore normal operations. Meanwhile, you should take steps to maintain your organization's essential functions according to your business continuity plan. Organizations should maintain and regularly test backup plans, disaster recovery plans, and business continuity procedures.

Contact DHS or law enforcement immediately. We encourage you to contact DHS NCCIC (NCCICCustomerService@hq.dhs.gov or 888-282-0870), the FBI through a local field office or the FBI's Cyber Division (CyWatch@ic.fbi.gov or 855-292-3937) to report an intrusion and to request incident response resources or technical assistance.

Detailed Mitigation Strategies

Protect Against SQL Injection and Other Attacks on Web Services

Routinely evaluate known and published vulnerabilities, perform software updates and technology refreshes periodically, and audit external-facing systems for known Web application vulnerabilities. Take steps to harden both Web applications and the servers hosting them to reduce the risk of network intrusion via this vector.[1]

- Use and configure available firewalls to block attacks.
- Take steps to further secure Windows systems such as installing and configuring Microsoft's Enhanced Mitigation Experience Toolkit (EMET) and Microsoft AppLocker.
- Monitor and remove any unauthorized code present in any www directories.
- Disable, discontinue, or disallow the use of Internet Control Message Protocol (ICMP) and Simple Network Management Protocol (SNMP) and response to these protocols as much as possible.
- Remove non-required HTTP verbs from Web servers as typical Web servers and applications only require GET, POST, and HEAD.
- Where possible, minimize server fingerprinting by configuring Web servers to avoid responding with banners identifying the server software and version number.
- Secure both the operating system and the application.
- Update and patch production servers regularly.
- Disable potentially harmful SQL-stored procedure calls.
- Sanitize and validate input to ensure that it is properly typed and does not contain escaped code.
- Consider using type-safe stored procedures and prepared statements.
- Perform regular audits of transaction logs for suspicious activity.
- Perform penetration testing against Web services.
- Ensure error messages are generic and do not expose too much information.

[1] http://msdn.microsoft.com/en-us/library/ff648653.aspx. Web site last accessed April 11, 2016.

Phishing and Spearphishing

- Implement a Sender Policy Framework (SPF) record for your organization's Domain Name System (DNS) zone file to minimize risks relating to the receipt of spoofed messages.
- Educate users to be suspicious of unsolicited phone calls, social media interactions, or email messages from individuals asking about employees or other internal information. If an unknown individual claims to be from a legitimate organization, try to verify his or her identity directly with the company.
- Do not provide personal information or information about your organization, including its structure or networks, unless you are certain of a person's authority to have the information.
- Do not reveal personal or financial information in social media or email, and do not respond to solicitations for this information. This includes following links sent in email.
- Pay attention to the URL of a website. Malicious websites may look identical to a legitimate site, but the URL often includes a variation in spelling or a different domain than the valid website (e.g., .com vs. .net).
- If you are unsure whether an email request is legitimate, try to verify it by contacting the company directly. Do not use contact information provided on a website connected to the request; instead, check previous statements for contact information. Information about known phishing attacks is also available online from groups such as the Anti-Phishing Working Group (http://www.antiphishing.org).
- Take advantage of anti-phishing features offered by your email client and web browser.
- Patch all systems for critical vulnerabilities, prioritizing timely patching of software that processes Internet data, such as web browsers, browser plugins, and document readers.

Permissions, Privileges, and Access Controls

- Reduce privileges to only those needed for a user's duties.
- Restrict users' ability (permissions) to install and run unwanted software applications, and apply the principle of "Least Privilege" to all systems and services. Restricting these privileges may prevent malware from running or limit its capability to spread through the network.
- Carefully consider the risks before granting administrative rights to users on their own machines.
- Scrub and verify all administrator accounts regularly.
- Configure Group Policy to restrict all users to only one login session, where possible.
- Enforce secure network authentication where possible.
- Instruct administrators to use non-privileged accounts for standard functions such as Web browsing or checking Web mail.

- Segment networks into logical enclaves and restrict host-to-host communication paths. Containment provided by enclaving also makes incident cleanup significantly less costly.
- Configure firewalls to disallow RDP traffic coming from outside of the network boundary, except for in specific configurations such as when tunneled through a secondary VPN with lower privileges.
- Audit existing firewall rules and close all ports that are not explicitly needed for business. Specifically, carefully consider which ports should be connecting outbound versus inbound.
- Enforce a strict lockout policy for network users and closely monitor logs for failed login activity. This can be indicative of failed intrusion activity.
- If remote access between zones is an unavoidable business need, log and monitor these connections closely.
- In environments with a high risk of interception or intrusion, organizations should consider supplementing password authentication with other forms of authentication such as challenge/response or multifactor authentication using biometric or physical tokens.

Credentials

- Enforce a tiered administrative model with dedicated administrator workstations and separate administrative accounts that are used exclusively for each tier to prevent tools, such as Mimikatz, for credential theft from harvesting domain-level credentials.
- Implement multi-factor authentication (e.g., smart cards) or at minimum ensure users choose complex passwords that change regularly.
- Be aware that some services (e.g., FTP, telnet, and .rlogin) transmit user credentials in clear text. Minimize the use of these services where possible or consider more secure alternatives.
- Properly secure password files by making hashed passwords more difficult to acquire. Password hashes can be cracked within seconds using freely available tools. Consider restricting access to sensitive password hashes by using a shadow password file or equivalent on UNIX systems.
- Replace or modify services so that all user credentials are passed through an encrypted channel.
- Avoid password policies that reduce the overall strength of credentials. Policies to avoid include lack of password expiration date, lack of lockout policy, low or disabled password complexity requirements, and password history set to zero.
- Ensure that users are not re-using passwords between zones by setting policies and conducting regular audits.
- Use unique passwords for local accounts for each device.

Logging Practices

- Ensure event logging (applications, events, login activities, security attributes, etc.) is turned on or monitored for identification of security issues.
- Configure network logs to provide enough information to assist in quickly developing an accurate determination of a security incident.
- Upgrade PowerShell to new versions with enhanced logging features and monitor the logs to detect usage of PowerShell commands, which are often malware-related.
- Secure logs, potentially in a centralized location, and protect them from modification.
- Prepare an incident response plan that can be rapidly implemented in case of a cyber intrusion.

How to Enhance Your Organization's Cybersecurity Posture

DHS offers a variety of resources for organizations to help recognize and address their cybersecurity risks. Resources include discussion points, steps to start evaluating a cybersecurity program, and a list of hands-on resources available to organizations. For a list of services, visit https://www.us-cert.gov/ccubedvp. Other resources include:

- **The Cyber Security Advisors (CSA)** program bolsters cybersecurity preparedness, risk mitigation, and incident response capabilities of critical infrastructure entities and more closely aligns them with the Federal Government. CSAs are DHS personnel assigned to districts throughout the country and territories, with at least one advisor in each of the 10 CSA regions, which mirror the Federal Emergency Management Agency regions. For more information, email cyberadvisor@hq.dhs.gov.
- **Cyber Resilience Review (CRR)** is a no-cost, voluntary assessment to evaluate and enhance cybersecurity within critical infrastructure sectors, as well as state, local, tribal, and territorial governments. The goal of the CRR is to develop an understanding and measurement of key cybersecurity capabilities to provide meaningful indicators of an entity's operational resilience and ability to manage cyber risk to critical services during normal operations and times of operational stress and crisis. Visit https://www.cert.org/resilience/rmm.html to learn more about the CERT Resilience Management Model.
- **Enhanced Cybersecurity Services (ECS)** helps critical infrastructure owners and operators protect their systems by sharing sensitive and classified cyber threat information with Commercial Service Providers (CSPs) and Operational Implementers (OIs). CSPs then use the cyber threat information to protect CI customers. OIs use the threat information to protect internal networks. For more information, email ECS_Program@hq.dhs.gov.
- **The Cybersecurity Information Sharing and Collaboration Program (CISCP)** is a voluntary information-sharing and collaboration program between and among critical

infrastructure partners and the Federal Government. For more information, email CISCP@us-cert.gov.

- **The Automated Indicator Sharing (AIS)** initiative is a DHS effort to create a system where as soon as a company or federal agency observes an attempted compromise, the indicator will be shared in real time with all of our partners, protecting them from that particular threat. That means adversaries can only use an attack once, which increases their costs and ultimately reduces the prevalence of cyber-attacks. While AIS will not eliminate sophisticated cyber threats, it will allow companies and federal agencies to concentrate more on them by clearing away less sophisticated attacks.
- AIS participants connect to a DHS-managed system in the NCCIC that allows bidirectional sharing of cyber threat indicators. A server housed at each participant's location allows each to exchange indicators with the NCCIC. Participants will not only receive DHS-developed indicators, but can share indicators they have observed in their own network defense efforts, which DHS will then share with all AIS participants. For more information, visit https://www.dhs.gov/ais.
- **The Cybersecurity Framework (Framework)**, developed by the National Institute of Standards and Technology (NIST) in collaboration with the public and private sectors, is a tool that can improve the cybersecurity readiness of entities. The Framework enables entities, regardless of size, degree of cyber risk, or cyber sophistication, to apply principles and best practices of risk management to improve the security and resiliency of critical infrastructure. The Framework provides standards, guidelines, and practices that are working effectively today. It consists of three parts—the Framework Core, the Framework Profile, and Framework Implementation Tiers—and emphasizes five functions: Identify, Protect, Detect, Respond, and Recover. Use of the Framework is strictly voluntary. For more information, visit https://www.nist.gov/cyberframework or email cyberframework@nist.gov.

Contact Information

Recipients of this report are encouraged to contribute any additional information that they may have related to this threat. Include the JAR reference number (JAR-16-20296) in the subject line of all email correspondence. For any questions related to this report, please contact NCCIC or the FBI.

NCCIC:
Phone: +1-888-282-0780
Email: NCCICCustomerService@hq.dhs.gov

FBI:
Phone: +1-855-292-3937
Email: cywatch@ic.fbi.gov

Feedback

NCCIC continuously strives to improve its products and services. You can help by answering a few short questions about this product at the following URL:
https://www.us-cert.gov/forms/feedback.

McCabe, Andrew G. (DO) (FBI)

From:	McCabe, Andrew G. (DO) (FBI)
Sent:	Saturday, March 18, 2017 1:38 PM
To:	Kortan, Michael P. (DO) (FBI); James B. Comey; Rybicki, James E. (DO) (FBI)
Bcc:	[redacted] (OGC) (FBI)
Subject:	Fwd: twitter articles.

b6
b7C

Mike

This stuff is picking up steam on Twitter. Anything we should do?

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted]

b7E

http://truepundit.com/exclusive-fbis-own-political-terror-plot-deputy-director-and-fbi-brass-secretly-conspired-to-wage-coup-against-flynn-trump-2/

Sent from my iPhone

Burton, Dawn (DO) (FBI)

From:	Burton, Dawn (DO) (FBI)
Sent:	Wednesday, July 27, 2016 7:05 AM
To:	James B. Comey
Cc:	Rybicki, James E. (DO) (FBI)
Subject:	Fwd: Update from ICCS Cyber Conference

Director - Please see below for notes from [redacted] on the speakers and Q and A yesterday at the ICCS conference. Thanks, dawn. b6 b7C

-------- Original message --------
From: [redacted](DO) (FBI)" [redacted] b6 b7C
Date: 07/26/2016 5:44 PM (GMT-05:00)
To: "Burton, Dawn (DO) (FBI)" [redacted] "Quinn, Richard P. (DO) (FBI)" [redacted] "Kortan, Michael P. (DO) (FBI)" [redacted], [redacted] (DO) (FBI)" [redacted]
Cc [redacted] (DO) (FBI)" [redacted]. (DO) (FBI)" [redacted]
Subject: Update from ICCS Cyber Conference

By way of update for the Director's speech tomorrow, neither Jim Trainor nor Lisa Monaco addressed the DNC hack, save to confirm that FBI is investigating. Monaco named FBI in particular as lead responder in significant intrusion impacting national security, per PPD, as expected.

Much discussion on the impact of DNC hack during final panel today with Ted Koppel and Keith Alexander. Lots of media present and all focused on hack. All assume it is Russia and want to know what can be done about it.

There are index cards by each seat for questions for the Director so that seems to be the plan, as opposed to the free-for-all from today. Questions to be moderated by Father McShane and ADIC Rodriguez.

Cy Vance spoke about impact of encryption on state and locals, per his report of earlier this year. Proposed following solution: Tech companies should keep operating systems encrypted but still be able to answer lawful search warrants issued by neutral judges, as they did before September 2014. No back door for law enforcement. Only ability to respond.

Let me know if you need anything from me.

Mccabe, Andrew G. (DO) (FBI)

From:	Mccabe, Andrew G. (DO) (FBI)
Sent:	Friday, July 29, 2016 9:28 AM
To:	James B. Comey
Cc:	Rybicki, James E. (DO) (FBI)
Subject:	FW: Slate Article

Boss:

FYI only, here is the Slate article I mentioned.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
W
M

b7E

Putin's Puppet
If the Russian president could design a candidate to undermine American interests—and advance his own—he'd look a lot like Donald Trump.
By Franklin Foer

Photo illustration by Lisa Larson-Walker. Photos by Spencer Platt/Getty Images News, Mikhail Svetlov/Getty Images.

On Wednesday, Donald Trump told the New York Times that he would not necessarily come to the aid of NATO states threatened by Russia and would make his decision to defend them from an attack after reviewing whether they "have fulfilled their obligations to us." It was the latest statement from Trump that was likely greeted with delight in the Kremlin. Earlier this month, Franklin Foer wrote on the frightening ways in which Trump seems to be playing right into Vladimir Putin's plans for destabilizing the West.?

Vladimir Putin has a plan for destroying the West—and that plan looks a lot like Donald Trump. Over the past decade, Russia has boosted right-wing populists across Europe. It loaned money to Marine Le Pen in France, well-documented transfusions of cash to keep her presidential campaign alive. Such largesse also wended its way to the former Italian premier Silvio Berlusconi, who profited "personally and handsomely" from Russian energy deals, as an American ambassador to Rome once put it. (Berlusconi also shared a 240-year-old bottle of Crimean wine with Putin and apparently makes ample use of a bed gifted to him by the Russian president.)

There's a clear pattern: Putin runs stealth efforts on behalf of politicians who rail against the European Union and want to push away from NATO. He's been a patron of Golden Dawn in Greece, Ataka in Bulgaria, and Jobbik in Hungary. Joe Biden warned about this effort last year in a speech at the Brookings Institution: "President Putin sees such political forces as useful tools to be manipulated, to create cracks in the European body politic which he can then exploit." Ruptures that will likely multiply after Brexit—a

campaign Russia's many propaganda organs bombastically promoted.

The destruction of Europe is a grandiose objective; so is the weakening of the United States. Until recently, Putin has only focused glancing attention on American elections. Then along came the presumptive Republican nominee.

Donald Trump is like the Kremlin's favored candidates, only more so. He celebrated the United Kingdom's exit from the EU. He denounces NATO with feeling. He is also a great admirer of Vladimir Putin. Trump's devotion to the Russian president has been portrayed as buffoonish enthusiasm for a fellow macho strongman. But Trump's statements of praise amount to something closer to slavish devotion. In 2007, he praised Putin for "rebuilding Russia." A year later he added, "He does his work well. Much better than our Bush." When Putin ripped American exceptionalism in a New York Times op-ed in 2013, Trump called it "a masterpiece." Despite ample evidence, Trump denies that Putin has assassinated his opponents: "In all fairness to Putin, you're saying he killed people. I haven't seen that." In the event that such killings have transpired, they can be forgiven: "At least he's a leader." And not just any old head of state: "I will tell you that, in terms of leadership, he's getting an A."

Donald Trump is like the Kremlin's favored candidates, only more so.

That's a highly abridged sampling of Trump's odes to Putin. Why wouldn't the Russians offer him the same furtive assistance they've lavished on Le Pen, Berlusconi, and the rest? Indeed, according to Politico's Michael Crowley, Russian propaganda has gone full throttle for Trump, using its Russia Today apparatus to thrash Hillary Clinton and hail the courage of Trump's foreign policy. (Sample headline: "Trump Sparks NATO Debate: 'Obsolete' or 'Tripwire That Could Lead to World War III.' ") Russian intelligence services hacked the Democratic National Committee's servers, purloining its opposition research files on Trump and just about everything else it could find. They also wormed their way into the computers of the Clinton Foundation, a breach reported by Bloomberg. And though it may be a mere coincidence, Trump's inner circle is populated with advisers and operatives who have long careers advancing the interests of the Kremlin.

We shouldn't overstate Putin's efforts, which will hardly determine the outcome of the election. Still, we should think of the Trump campaign as the moral equivalent of Henry Wallace's communist-infiltrated campaign for president in 1948, albeit less sincere and idealistic than that. A foreign power that wishes ill upon the United States has attached itself to a major presidential campaign.

* * *

Donald Trump's interest in Russia dates back to Soviet times. In fact, there's extraordinary footage of him shaking hands with Mikhail Gorbachev. It comes from 1988, the peak of perestroika and Gorbachev's efforts to charm the American public. On his legendary trip to Washington and New York, the Soviet in chief left the confines of his limousine and security cordon to glad-hand with the American people. Donald Trump suggested to reporters that the Soviet leader would be making his way to Trump Tower, a crucial station on his journey to capitalism. This was, in fact, a self-aggrandizing fabrication that Trump himself planted in the tabloids, but it was a convincing lie. A year earlier, Trump had traveled to Russia at the invitation of the Soviets. They wanted Trump to develop luxury hotels in Moscow and Leningrad to feed the regime's new appetite for Western business. "The idea of building two monuments in the U.S.S.R. has captured his imagination," Newsweek reported.

Trump likely reveled in the newspaper stories that reported Gorbachev's forthcoming visit to his HQ as fact. But surely even he never expected his fake story to become reality. He must have been gobsmacked when

he received word that Gorbachev wanted to pay a spontaneous visit to Trump Tower. The skyscraper's namesake rushed down from his penthouse office to pay obeisance. From the video, we can see the blotched head of Gorbachev emerge from his car. Trump and his retinue push through the crowd. “Great, great honor,” the mogul says as he pumps the hand of the Soviet supremo.

One of Trump's vulnerabilities is that he doesn't always vet his people, whether it's business partners, the dubious characters he retweets, or the foreign leaders who show up at his door. As it turns out, this Gorbachev wasn't really the Soviet leader but an impersonator called Ronald Knapp. Trump was lavishing praise on the winner of a look-alike contest.

“The Russian market is attracted to me.”
Donald Trump

It was merely the first instance of Trump carelessly sucking up to Russian power in the hopes of securing business. Those Soviet hotel projects never went anywhere. But over the years, Trump has returned to the idea of building in Russia again and again. Effective real estate developers are genuine seers; they can conjure mental images of glorious structures and vibrant neighborhoods where other mortals see mere blight. Trump had the brashness to imagine developing hotels in Moscow when that was a fatal enterprise. In 1996, a Kalashnikov sprayed the American hotelier Paul Tatum, who had the temerity to complain about the Chechen mafia and the less-than-scrupulous business culture he endured. Yet it wasn't hard to see the appeal of Russia, to both the bottom line and the ego. An article in the Moscow Times described Trump as the city's first grand builder since Stalin. Indeed, he later planned a development on the site where Stalin once hoped to construct the Palace of Soviet Congresses.

Five separate times Trump attempted Russian projects, hotels, apartments, and retail on the grandest scale. In one iteration, he promised an ice rink, a “members club,” and a spa, for “the finest residences in Moscow.” Another project he described as “the largest hotel in the world.” His gaudy style appealed to Russian nouveau riche, and he knew it. “The Russian market is attracted to me,” he once boasted. He registered his name as a trademark in Moscow and even licensed it to a liquor company, which sold Trump Super Premium Vodka. Government officials claimed that they wanted to do business with Trump because they also considered him super premium. In the mid-'90s, the general-turned-politician Alexander Lebed told him, “If Trump goes to Moscow, I think America will follow.”

Trump never could quite simultaneously align all the elements—investment, approval—to actually break ground. Yet his foray into Russia should be considered a smashing success; Trump set himself up for triumph even as he failed. With each doomed real estate project, he lavished praise on the key constituency that blesses deals, namely Russian politicians. (In front of a pack of reporters he told Lebed, “We've been reading a lot of great things about this gentleman and his country.”) The praise encouraged Russian officials to keep inviting Trump back for big potential deals. Each time he traveled to Moscow for a high profile visit, he attracted press attention and his stature increased. (After one trip, he bragged about a meeting where “almost all of the oligarchs were in the room.”) This elevated profile ultimately attracted investors. Russians helped finance his projects in Toronto and SoHo; they snapped up units in his buildings around the world—so much so that he came to target them, hosting cocktail parties in Moscow to recruit buyers. (His tenants included a Russian mobster, who ran an illegal poker ring in the Trump Tower and accompanied Trump to the staging of the Miss Universe contest in Moscow.) Even when he built a tower in Panama, he narrowcast his sales efforts to draw Russians, as the Washington Post has reported. “Russians make up a pretty disproportionate cross-section of a lot of our assets,” Trump's son, Donald Jr., bragged. “We see a lot of money pouring in from Russia.”

The nature of the Donald Trump campaign is its fundamental blurring of his political and business interests

—on display just recently in Scotland, when he praised the Brexit vote as a boon for his golf courses. As one campaign finance expert told the New York Times, “Historically, candidates would separate themselves from their business interests when running for office. Trump has done the opposite by promoting his businesses while running for office.” Such mercantilist motives likely undergird Trump's ornate praise of Putin, too. Having a friend in the Kremlin would help Trump fulfill his longtime dream of planting his name in the Moscow skyline—a dream that he pursued even as he organized his presidential campaign. “Russia is one of the hottest places in the world for investment,” he once said. “We will be in Moscow at some point.”

* * *

160701_POL_Putin-Trump_TX

Photo illustration by Lisa Larson-Walker. Photo by Ron Jenkins/Getty Images, Mikhail Svetlov/Getty Images.

One of the important facts about Trump is his lack of creditworthiness. After his 2004 bankruptcy and his long streak of lawsuits, the big banks decided he wasn't worth the effort. They'd rather not touch the self-proclaimed “king of debt.” This sent him chasing less conventional sources of cash. BuzzFeed has shown, for instance, his efforts to woo Muammar Qaddafi as an investor. Libyan money never did materialize. It was Russian capital that fueled many of his signature projects—that helped him preserve his image as a great builder as he recovered from bankruptcy.

The money didn't come directly. Hunting for partners with cash, he turned to a small upstart called the Bayrock Group, which would pull together massive real estate deals using the Trump name. Its chairman was a former Soviet official named Tevfik Arif, who made a small fortune running luxe hotels in Turkey. To run Bayrock's operation, Arif hired Felix Satter, a Soviet-born, Brighton Beach-bred college dropout. Satter changed his name to Sater, likely to distance himself from the criminal activity that a name-check would easily turn up. As a young man, Sater served time for slashing a man's face with a broken margarita glass in a barroom brawl. The Feds also busted him for a working in a stock brokerage tied to four different Mafia families, which made $40 million off fraudulent trades. One lawsuit would later describe “Satter's proven history of using mob-like tactics to achieve his goals.” Another would note that he threatened a Trump investor with the prospect of the electrocution of his testicles, the amputation of his leg, and his corpse residing in the trunk of Sater's car.

“Russia is one of the hottest places in the world for investment,” Trump said. “We will be in Moscow at some point.”

What was Trump thinking entering into business with partners like these? It's a question he has tried to banish by downplaying his ties to Bayrock and minimizing Sater's sins. (“He got into trouble because he got into a barroom fight which a lot of people do,” Trump once said in a deposition.) But he didn't just partner with Bayrock; the company embedded with him. Sater worked in Trump Tower; his business card described him as a “Senior Advisor to Donald Trump.” Bayrock put together deals for mammoth Trump-named, Trump-managed projects—two in Fort Lauderdale, Florida, a resort in Phoenix, the Trump SoHo in New York. Several of those projects broke ground, but they were a mere prelude. “Mr. Trump was particularly taken with Mr. Arif's overseas connections,” the Times reported (after buyers of units in the Trump SoHo sued him for fraud). “In a deposition, Mr. Trump said that the two had discussed ‘numerous deals all over the world' and that Mr. Arif had brought potential Russian investors to Mr. Trump's office to meet him.” Trump described the scope of their ambitions: “[T]his was going to be Trump International Hotel and Tower Moscow, Kiev, Istanbul, etc., Poland, Warsaw.”

Based on its cast of characters, Bayrock itself was an enterprise bound to end in a torrent of litigation. The company's finance chief Jody Kriss has sued it for fraud. In the course of the litigation, which is ongoing,

Kriss alleged a primary source of funding for Trump's big projects: “Month after month for two years, in fact whenever Bayrock ran out of cash, Bayrock Holdings would magically show up with a wire from ‘somewhere' just large enough to keep the company going.” According to Kriss, these large payments would come from sources in Russia and Kazakhstan that hoped to hide their cash. Another source of Bayrock funding was a now-defunct Icelandic investment fund called the FL Group, a magnet for Russian investors “in favor with” Putin, as a lawsuit puts it. (The Daily Telegraph has reported that Bayrock mislabeled FL's investment as a loan, in order to avoid at least $20 million in taxes.)

These projects are simply too ambitious, too central to his prospects, for Trump to have ignored the underlying source of financing. And it was at just the moment he came to depend heavily on shadowy investment from Russia that his praise for Putin kicked into high gear. In 2007, he told Larry King, “Look at Putin—what he's doing with Russia—I mean, you know, what's going on over there. I mean this guy has done—whether you like him or don't like him—he's doing a great job.”

* * *

While Putin hasn't dirtied his hands in American elections, the Russians have cultivated Washington—hiring fancy firms to craft strategy, donating money to think tanks, building a small coterie of wonks sympathetic to their leader's view of the world. The Trump campaign is the unlikely culmination of this effort. It has been a magnet for like-minded fans of Putin. Fans might not be quite the right term, since so many of these advisers have profited from proxies of the Russian state.

Let's begin at the top. Trump's campaign manager is a wizened operative named Paul Manafort. It's true that Manafort is a mercenary by trade. His old Washington consulting firm pioneered the practice of representing the dictators of the world, no matter their grim record. (I profiled his authoritarian ambit earlier this year.) Late in his career, however, Manafort dedicated himself to working on behalf of clients close to the Kremlin. His grand achievement was reviving the doomed career of the anti-charismatic politician Viktor Yanukovych. Manafort's image-crafting and shrewd strategy culminated in Yanukovych's election to Ukraine's presidency in 2010. Thanks to Manafort's handiwork, Ukraine pulled into Putin's sphere of influence. Unlike other American consultants who flitted in and out of Kiev, Manafort set up camp there. He became an essential adviser to the president—his tennis partner even.

“Russians make up a pretty disproportionate cross-section of a lot of our assets.” Donald Trump Jr.

If Manafort were the only Kremlin connection in the Trump campaign, his presence might signify nothing. But he's hardly isolated. Many pundits have scoffed at the idea that Trump has a circle of foreign policy advisers given that his initial list of gurus emerged abruptly in March and included names unknown to most experts. Yet the list suggests certain tendencies. One of the supposed Trump whisperers was an investment banker named Carter Page. During a stint in Moscow in the 2000s, he advised the state-controlled natural gas giant, Gazprom and helped it attract Western investors. (In March, Page told Bloomberg that he continues to own shares in the company.) Page has defended Russia with relish. He wrote a column explicitly comparing the Obama administration's Russia policy to chattel slavery in the American South. His reasoning: “Numerous quotes from the February 2015 National Security Strategy closely parallel an 1850 publication that offered guidance to slaveholders on how to produce the ‘ideal slave.' ”

Also on the list of advisers is Lt. Gen. Michael Flynn, the former head of the Defense Intelligence Agency. Eighteen months after he departed government, he journeyed to Moscow and sat two chairs away from Putin at the 10th anniversary gala celebrating Russia Today. In Politico, an anonymous Obama official harshly criticized Flynn: “It's not usually to America's benefit when our intelligence officers—current or former—seek refuge in Moscow.”

More recently, Richard Burt, a Reagan administration official, has begun advising Trump on foreign policy. His criticisms of NATO and pleas for greater cooperation with Putin grow from a deeply felt realism. Yet his ideological positions jibe with his financial interests. Burt is on the boards of Alfa-Bank, the largest commercial bank in Russia, and an investment fund with a large position in Gazprom.

Trump's advisers have stakes in businesses where the health of the Russian state is the health of the firm—where, in fact, the state and the firm are deeply entangled. The campaign isn't just one man with an aesthetic affinity for Putin and commercial interests in Russia; his sentiments are reinforced and amplified by an organization rife with financial ties to the Kremlin.

* * *

Is Putin already meddling in this campaign? In his chilly way, he has signaled his rooting interest. He praised Trump as “very talented.” His mouthpieces are more effusive. Vladimir Yakunin, the former chairman of Russian Railways, has said of Trump, “He is addressing some internal failings of the American people.” The Kremlin doesn't seem much bothered to disguise its help. Soon after the discovery of Russian intelligence hacking into Clinton servers, documents suddenly materialized on the web: a PDF of the DNC's opposition research file and a trove of spreadsheets, including a list of donors to the Clinton Foundation.

Foreign intelligence agencies often go fishing for information on American political campaigns. Chinese hackers tapped Mitt Romney's servers in search of useful nuggets. But the Russians have made an art of publicizing the material they have filched to injure their adversaries. The locus classicus of this method was a recording of a blunt call between State Department official Toria Nuland and the American ambassador to Kiev, Geoffrey Pyatt. The Russians allegedly planted the recording on YouTube and then tweeted a link to it—and from there it became international news. Though they never claimed credit for the leak, few doubted the White House's contention that Russia was the source.

We can only speculate about the documents the Russians have in their possession and how they might use them. The material they have released thus far is relatively innocuous, but it may just be a hint of leaks to come—as they experiment with unfurling their material and gauging the reactions to leaks. The Clinton Foundation is, after all, a pretty juicy target to have hit—a place with an ethically borderline approach to fundraising and already a primary object of Trump campaign fusillades. One of the sites that has posted purloined material is called Guccifer 2.0, which strenuously protests that it is the work of a lone hacker. The site features a warning that it has released only a small smattering of documents from the “many thousands I extracted.” He is not the only one sitting on a pile of damaging material. Julian Assange, who hosted a show on Russia Today, warned, “We have emails relating to Hillary Clinton which are pending publication.”

* * *

Donald Trump's ego compounds his naïveté. He's vulnerable to flattery; his confidence in himself exceeds his intellectual capacities. All of this makes him particularly susceptible to exploitation, an easy mark. For this reason, dubious figures have always gravitated to him. (Please read David Cay Johnston's persuasive account of Trump's long ties to organized crime.) It seems the Russian president has noticed this, too. To quote Trump on Putin, “A guy calls me a genius and they want me to renounce him? I'm not going to renounce him.”

In the end, we only have circumstantial evidence about the Russian efforts to shape this election—a series of disparate data points and a history of past interference in similar contests. But the pattern is troubling,

and so is the premise. If Putin wanted to concoct the ideal candidate to serve his purposes, his laboratory creation would look like Donald Trump. The Republican nominee wants to shatter our military alliances in Europe; he cheers the destruction of the European Union; he favors ratcheting down tensions with Russia over Ukraine and Syria, both as a matter of foreign policy and in service of his own pecuniary interests. A Trump presidency would weaken Putin's greatest geo-strategic competitor. By stoking racial hatred, Trump will shred the fabric of American society. He advertises his willingness to dismantle constitutional limits on executive power. In his desire to renegotiate debt payments, he would ruin the full faith and credit of the United States. One pro-Kremlin blogger summed up his government's interest in this election with clarifying bluntness: “Trump will smash America as we know it, we've got nothing to lose.” For more great stories like this one, subscribe to Slate's daily newsletter, the Angle.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
W
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b7E

From: Mccabe, Andrew G. (DO) (FBI)
Sent: Friday, September 23, 2016 5:45 PM
To: James B. Comey; Rybicki, James E. (DO) (FBI)
Subject: FW: U.S. intel officials probe ties between Trump adviser and Kremlin
Importance: High

FYI

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
W
M [redacted] b7E

https://www.yahoo.com/news/u-s-intel-officials-probe-ties-between-trump-adviser-and-kremlin-175046002.html?soc_src=social-sh&soc_trk=tw

U.S. intelligence officials are seeking to determine whether an American businessman identified by Donald Trump as one of his foreign policy advisers has opened up private communications with senior Russian officials — including talks about the possible lifting of economic sanctions if the Republican nominee becomes president, according to multiple sources who have been briefed on the issue.

The activities of Trump adviser Carter Page, who has extensive business interests in Russia, have been discussed with senior members of Congress during recent briefings about suspected efforts by Moscow to influence the presidential election, the sources said. After one of those briefings, Senate minority leader Harry Reid wrote FBI Director James Comey, citing reports of meetings between a Trump adviser (a reference to Page) and "high ranking sanctioned individuals" in Moscow over the summer as evidence of "significant and disturbing ties" between the Trump campaign and the Kremlin that needed to be investigated by the bureau.

Some of those briefed were "taken aback" when they learned about Page's contacts in Moscow, viewing them as a possible back channel to the Russians that could undercut U.S. foreign policy, said a congressional source familiar with the briefings but who asked for anonymity due to the sensitivity of the subject. The source added that U.S. officials in the briefings indicated that intelligence reports about the adviser's talks with senior Russian officials close to President Vladimir Putin were being "actively monitored and investigated."

A senior U.S. law enforcement official did not dispute that characterization when asked for comment by Yahoo News. "It's on our radar screen," said the official about Page's contacts with Russian officials. "It's being looked at."

Page is a former Merrill Lynch investment banker in Moscow who now runs a New York consulting firm, Global Energy Capital, located around the corner from Trump Tower, that specializes in oil and gas deals in Russia and other Central Asian countries. He declined repeated requests to comment for this story.

Trump first mentioned Page's name when asked to identify his "foreign policy team" during an interview with the Washington Post editorial team last March. Describing him then only as a "PhD," Trump named Page as among five advisers "that we are dealing with." But his precise role in the campaign remains unclear; Trump spokeswoman Hope Hicks last month called him an "informal foreign adviser" who "does not speak for Mr. Trump or the campaign." Asked this week by Yahoo News, Trump campaign spokesman Jason Miller said Page "has no role" and added: "We are not aware of any of his activities, past or present." Miller did not respond when asked why Trump had previously described Page as one of his advisers.

The questions about Page come amid mounting concerns within the U.S. intelligence community about Russian cyberattacks on the Democratic National Committee and state election databases in Arizona and Illinois. In a rare public talk this week, former undersecretary of defense for intelligence Mike Vickers said that the Russian cyberattacks constituted meddling in the U.S.

election and were "beyond the pale." Also, this week, two senior Democrats — Sen. Dianne Feinstein, ranking minority member on the Senate Intelligence Committee, and Rep. Adam Schiff, ranking minority member on the House Intelligence Committee — released a joint statement that went further then what U.S. officials had publicly said about the matter.

"Based on briefings we have received, we have concluded that the Russian intelligence agencies are making a serious and concerted effort to influence the U.S. election," they said. "At the least, this effort is intended to sow doubt about the security of our election and may well be intended to influence the outcomes of the election." They added that "orders for the Russian intelligence agencies to conduct such actions could come only from very senior levels of the Russian government."

Page came to the attention of officials at the U.S. Embassy in Moscow several years ago when he showed up in the Russian capital during several business trips and made provocative public comments critical of U.S. policy and sympathetic to Putin. "He was pretty much a brazen apologist for anything Moscow did," said one U.S. official who served in Russia at the time.

He hasn't been shy about expressing those views in the U.S. as well. Last March, shorty after he was named by Trump as one of his advisers, Page told Bloomberg News he had been an adviser to, and investor in, Gazprom, the Russian state-owned gas company. He then blamed Obama administration sanctions — imposed as a response to the Russian annexation of Crimea — for driving down the company's stock. "So many people who I know and have worked with have been so adversely affected by the sanctions policy," Page said in the interview. "There's a lot of excitement in terms of the possibilities for creating a better situation."

Page showed up again in Moscow in early July, just two weeks before the Republican National Convention formally nominated Trump for president, and once again criticized U.S. policy. Speaking at a commencement address for the New Economic School, an institution funded in part by major Russian oligarchs close to Putin, Page asserted that "Washington and other West capitals" had impeded progress in Russia "through their often hypocritical focus on ideas such as democratization, inequality, corruption and regime change."

At the time, Page declined to say whether he was meeting with Russian officials during his trip, according to a Reuters report.

But U.S. officials have since received intelligence reports that during that same three-day trip, Page met with Igor Sechin, a longtime Putin associate and former Russian deputy prime minister who is now the executive chairman of Rosneft, Russian's leading oil company, a well-placed Western intelligence source tells Yahoo News. That meeting, if confirmed, is viewed as especially problematic by U.S. officials because the Treasury Department in August 2014 named Sechin to a list of Russian officials and businessmen sanctioned over Russia's "illegitimate and unlawful actions in the Ukraine." (The Treasury announcement described Sechin as "utterly loyal to Vladimir Putin — a key component to his current standing." At their alleged meeting, Sechin raised the issue of the lifting of sanctions with Page, the Western intelligence source said.

U.S. intelligence agencies have also received reports that Page met with another top Putin aide while in Moscow — Igor Diveykin. A former Russian security official, Diveykin now serves as deputy chief for internal policy and is believed by U.S. officials to have responsibility for intelligence collected by Russian agencies about the U.S. election, the Western intelligence source said

Mccabe, Andrew G.

From:	Mccabe, Andrew G.
Sent:	Monday, October 3, 2016 8:33 PM
To:	James B. Comey; Bowdich, David L. (DO) (FBI)
Cc:	Rybicki, James E. (DO) (FBI)
Subject:	RE: Daily Report

Copy that. We missed this one and will fix the process.

--

-------- Original message --------
From: "James B. Comey" [redacted] b7E
Date: 10/3/16 8:29 PM (GMT-05:00)
To: "Bowdich, David L. (DO) (FBI)" [redacted], "Mccabe, Andrew G." [redacted]
Cc: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: RE: Daily Report

Thanks. My MO is to be notified whenever HRT is deployed on an operation. Not a big deal but let's see what broke there. I caught it in weekend book but I need Andy (or whoever is covering DD) slot to tell me in advance you are aware of the deployment and think it makes sense.

--

-------- Original message --------
From: "Bowdich, David L. (DO) (FBI)" [redacted] b7E
Date: 10/3/16 7:42 PM (GMT-05:00)
To: "James B. Comey" [redacted], "Mccabe, Andrew G." [redacted]
Cc: "Rybicki, James E. (DO) (FBI)" [redacted]
Subject: Daily Report

Boss,

Not too many things to be briefed tonight other than below items:

1. Candidate Trump's team has requested a briefing on Cyber threats. We are awaiting further details/response from the DNI who actually controls the briefings. I will keep you updated as I know more.
2. Former Top Ten fugitive [redacted] will be extradited from Mexico City to Dallas on October 6th. [redacted] is the 19th FBI Top Tenner apprehended in Mexico. As you may recall, [redacted] is believed to be responsible for orchestrating a murder-for-hire plot of a prominent Dallas area dentist who was shot and killed next to her car in a basement parking garage. b6 b7C
3. The Baltimore takedown went well and you were correct, HRT did assist.....can't find "emogi" or you would get a smiley face. As of tonight, there were 46 subjects in custody. All total, the breakdown of individuals indicted were as follows: 18 correctional

officers, 34 inmates, and 28 outside facilitators.

I asked [redacted] to stay behind tomorrow to quickly brief you on the Weiner matter which is growing more complicated, but it can wait until then. b6 b7C

That's it for tonight.

Dave

McCabe, Andrew G. (DO) (FBI)

From:	McCabe, Andrew G. (DO) (FBI)
Sent:	Sunday, January 29, 2017 11:03 AM
To:	James B. Comey
Cc:	Rybicki, James E. (DO) (FBI); Bowdich, David L. (DO) (FBI)
Subject:	Fwd: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council

Boss

Below is the WH memo laying out the NSC, PC, et al. [redacted] shop will pull together a cheat sheet for us to compare to the old organization.

b6
b7C
b7E

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted]

-------- Original message --------
From: [redacted](DO) (FBI)" [redacted]
Date: 1/28/17 9:33 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted], [redacted](OGC) (FBI)" [redacted]
Subject: RE: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council

b6
b7C
b7E

FYI - On Monday, the ONP will draft a cheat sheet that compares PPD-1 to this doc.

...

-------- Original message --------
From: [redacted](DO) (FBI)" [redacted]
Date: 01/28/2017 6:32 PM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted], [redacted](OGC) (FBI)" [redacted]
Subject: Fwd: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council

b6
b7C

Please see below for National Security Presidential Memorandum 2 which lays out the framework for the NSC, HSC, PC, DC, and Policy Coordination Committees (PCC). We are not listed as a regular member of any committee, which is consistent with PPD-1 in 2009. Also, members of the NSC staff will chair the PCCs, but the DC may add co-chairs.

...

-------- Original message --------
From: [redacted] b6 b7C b7E
Date: 01/28/2017 6:02 PM (GMT-05:00)
To: [redacted](DO) (FBI)" [redacted]
Subject: Fwd: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council

Begin forwarded message:

From: White House Press Office <whitehouse-noreply@useopwh.service.govdelivery.com<mailto:whitehouse-noreply@useopwh.service.govdelivery.com>>
Date: January 28, 2017 at 5:37:15 PM EST
To: [redacted] b6 b7C
Subject: Presidential Memorandum on the Organization of the National Security Council and the Homeland Security Council
Reply-To: <whitehouse-noreply@useopwh.service.govdelivery.com<mailto:whitehouse-noreply@useopwh.service.govdelivery.com>>

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

January 28, 2017

NATIONAL SECURITY PRESIDENTIAL MEMORANDUM - 2

MEMORANDUM FOR THE VICE PRESIDENT
THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF AGRICULTURE
THE SECRETARY OF HEALTH AND HUMAN SERVICES
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF COMMERCE
THE SECRETARY OF ENERGY
THE SECRETARY OF HOMELAND SECURITY
THE ASSISTANT TO THE PRESIDENT AND CHIEF OF STAFF
THE ASSISTANT TO THE PRESIDENT AND CHIEF STRATEGIST
THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET
THE REPRESENTATIVE OF THE UNITED STATES TO THE UNITED NATIONS
THE UNITED STATES TRADE REPRESENTATIVE
THE CHAIR OF THE COUNCIL OF ECONOMIC ADVISERS
THE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM
THE DIRECTOR OF NATIONAL INTELLIGENCE
THE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY
THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF
THE ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS
THE ASSISTANT TO THE PRESIDENT FOR HOMELAND

SECURITY AND COUNTERTERRORISM
THE ASSISTANT TO THE PRESIDENT FOR ECONOMIC POLICY
THE ASSISTANT TO THE PRESIDENT FOR TRADE AND MANUFACTURING POLICY
THE ASSISTANT TO THE PRESIDENT FOR INTRAGOVERNMENTAL AND TECHNOLOGY INITIATIVES
THE Deputy Assistant to the President and National Security Advisor to the Vice President
THE COUNSEL TO THE PRESIDENT
THE ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT
THE ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
THE CHAIRMAN OF THE NUCLEAR REGULATORY COMMISSION
THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION
THE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY
THE DIRECTOR OF NATIONAL DRUG CONTROL POLICY
THE CHAIRMAN OF THE PRESIDENT'S INTELLIGENCE ADVISORY BOARD
THE ADMINISTRATOR OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY
THE ARCHIVIST OF THE UNITED STATES

SUBJECT: Organization of the National Security Council and the Homeland Security Council

As President, my highest priority is to ensure the safety and security of the American people. In order to advise and assist me in executing this solemn responsibility, as well as to protect and advance the national interests of the United States at home and abroad, I hereby direct that my system for national security policy development and decision-making shall be organized as follows:

A. The National Security Council, the Homeland Security Council, and Supporting Staff

The National Security Act of 1947, as amended, established the National Security Council (NSC) to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security. There is also a Homeland Security Council (HSC) -- established through Executive Order 13228 of October 8, 2001, and subsequently codified in the Homeland Security Act of 2002 -- that has the purpose of advising the President on matters pertaining to homeland security. Each Council is also responsible for the effective coordination of the security-related activities and functions of the executive departments and agencies.

The security threats facing the United States in the 21st century transcend international boundaries. Accordingly, the United States Government's decision-making structures and processes to address these challenges must remain equally adaptive and transformative. Both Councils are statutory bodies that the President will continue to chair. Invitations to participate in specific Council meetings shall be extended to those heads of executive departments and agencies, and other senior officials, who are needed to address the issue or issues under consideration. When the President is absent from a meeting of either Council, the Vice President may preside at the President's direction.

The Assistant to the President for National Security Affairs (National Security Advisor) and the Assistant to the President for Homeland Security and Counterterrorism (Homeland Security Advisor) shall be responsible, as appropriate and at the President's direction, for determining the agenda for the NSC or HSC, respectively, ensuring that the necessary papers are prepared, and recording Council actions and Presidential decisions in a timely manner. When international economic issues are on the agenda of the NSC, the National Security Advisor and the Assistant to the President for Economic Policy shall perform these tasks in concert.

The NSC and HSC shall have as their regular attendees (both statutory and non-statutory) the President, the Vice President, the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Energy, the Secretary of Homeland Security, the National Security Advisor, the Homeland Security Advisor, and the Representative of the United States to the United Nations. When international economic issues are on the agenda of the NSC, the NSC's regular attendees will include the Secretary of Commerce, the United States Trade Representative, and the Assistant to the President for Economic Policy. The Director of National Intelligence and the Chairman of the Joint Chiefs of Staff, as statutory advisers to the NSC, shall also attend NSC meetings. The Assistant to the President and Chief of Staff, the Assistant to the President and Chief Strategist, the Counsel to the President, the

Deputy Counsel to the President for National Security Affairs, and the Director of the Office of Management and Budget are invited as attendees to any NSC meeting.

In addition to the NSC and HSC, there is also a single NSC staff within the Executive Office of the President that serves both the NSC and HSC. The staff is composed of regional, issue-focused, and functional directorates and headed by a single civilian Executive Secretary, pursuant to 50 U.S.C. 3021, who is also the Chief of Staff. All policy and staff activity decisions will be transmitted to the Executive Secretary for appropriate distribution and awareness. The purpose of the NSC staff is to advise me, the National Security Advisor, the Homeland Security Advisor, the NSC members, the HSC members, and others in the White House; to facilitate the implementation of Administration policy; and to help coordinate the national-security-related activities of the executive departments and agencies.

B. The Principals Committee

The Principals Committee (PC) shall continue to serve as the Cabinet-level senior interagency forum for considering policy issues that affect the national security interests of the United States. The PC shall be convened and chaired by the National Security Advisor or the Homeland Security Advisor, as appropriate, in consultation with the appropriate attendees of the PC. The Chair shall determine the agenda in consultation with the appropriate committee members, and the Executive Secretary shall ensure that necessary papers are prepared and that conclusions and decisions are communicated in a timely manner. Invitations to participate in or attend a specific PC shall be extended at the discretion of the National Security Advisor and the Homeland Security Advisor, and may include those Cabinet-level heads of executive departments and agencies, and other senior officials, who are needed to address the issue under consideration.

The PC shall have as its regular attendees the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, the Assistant to the President and Chief of Staff, the Assistant to the President and Chief Strategist, the National Security Advisor, and the Homeland Security Advisor. The Director of National Intelligence and the Chairman of the Joint Chiefs of Staff shall attend where issues pertaining to their responsibilities and expertise are to be discussed. The Counsel to the President, the Deputy Counsel to the President for National Security Affairs, and the Director of the Office of Management and Budget may attend all PC meetings.

The Assistant to the President and Deputy National Security Advisor (Deputy National Security Advisor), the Deputy Assistant to the President and National Security Advisor to the Vice President, and the Executive Secretary (who shall serve as the Executive Secretary of the PC) shall attend all of the meetings of the PC, and the Representative of the United States to the United Nations and the Assistant to the President for Intragovernmental and Technology Initiatives may attend as appropriate.

When international economic issues are on the agenda of the PC, the Committee's regular attendees will include the Secretary of Commerce, the United States Trade Representative, and the Assistant to the President for Economic Policy (who shall serve as Chair for agenda items that principally pertain to international economics).

C. The Deputies Committee

The Deputies Committee (DC) shall continue to serve as the senior sub-Cabinet interagency forum for consideration of, and where appropriate, decision-making on, policy issues that affect the national security interests of the United States. The DC shall be convened and chaired by the Deputy National Security Advisor or the Deputy Assistant to the President and Deputy Homeland Security Advisor (Deputy Homeland Security Advisor), as appropriate. The Chair shall determine the agenda in consultation with the regular DC members, and the Executive Secretary shall ensure that necessary papers are prepared and that conclusions and decisions are communicated in a timely manner. Invitations to participate in or attend a specific DC meeting shall be extended by the Chair to those at the Deputy or Under Secretary level of executive departments and agencies, and to other senior officials, who are needed to address the issue under consideration.

The DC shall have as its regular members the Deputy Secretary of State, the Deputy Secretary of the Treasury, the Deputy Secretary of Defense, the Deputy Attorney General, the Deputy Secretary of Homeland Security, the Deputy Director of the Office of Management and Budget, the Deputy Director of National Intelligence, the Vice Chairman of the Joint Chiefs of Staff, the Deputy Assistant to the President and National Security Advisor to the Vice President, the Deputy National Security Advisor, the Deputy Homeland Security Advisor, and the Administrator of the United States Agency for International Development.

The Executive Secretary shall attend the DC meetings. The Deputy Counsel to the President for National Security Affairs may attend all DC meetings. The relevant Deputy Assistant to the President for the specific regional and functional issue under consideration shall also be invited to attend. Likewise, when and where appropriate, the Deputy Assistant to the President for Strategic Planning, the Deputy Assistant to the President for Strategic Communication, the Deputy Assistant to the President for International Economic Affairs, the Deputy Assistant to the President for Transnational Issues, and the Deputy Representative of the United States to the United Nations, shall also be invited to attend. Other senior officials shall be invited where appropriate.

The DC shall review and monitor the work of the interagency national security process, including the interagency groups established pursuant to section D below. The DC shall help to ensure that issues brought before the NSC, HSC, and PC have been properly analyzed and prepared for decision. The DC shall also focus significant attention on monitoring the implementation of policies and decisions and shall conduct periodic reviews of the Administration's major national security and foreign policy initiatives. The DC is responsible for establishing Policy Coordination Committees (PCCs) and for providing objectives and clear guidance.

D. Policy Coordination Committees

Management of the development and implementation of national security policies by multiple executive departments and agencies typically shall be accomplished by the PCCs, with participation primarily occurring at the Assistant Secretary level. As the main day-to-day fora for interagency coordination of national security policies, the PCCs shall provide policy analysis for consideration by the more senior committees of the national security system and ensure timely responses to the President's decisions.

Regional and issue-related PCCs shall be established at the direction of the DC. Members of the NSC staff (or National Economic Council staff, as appropriate) will chair the PCCs; the DC, at its discretion, may add co-chairs to any PCC. The PCCs shall review and coordinate the implementation of Presidential decisions in their respective policy areas. The Chair of each PCC, in consultation with the Executive Secretary, shall invite representatives of other executive departments and agencies to attend meetings of the PCC where appropriate. The Chair of each PCC, with the agreement of the Executive Secretary, may establish subordinate working groups to assist that PCC in the performance of its duties.

An early meeting of the DC will be devoted to establishing the PCCs, determining their memberships, and providing them with mandates and strict guidance. Until the DC has established otherwise, the existing system of Interagency Policy Committees shall continue.

E. General

The President and the Vice President may attend any and all meetings of any entity established by or under this memorandum.

This document is part of a series of National Security Presidential Memoranda that shall replace both Presidential Policy Directives and Presidential Study Directives as the instrument for communicating relevant Presidential decisions. This memorandum shall supersede all other existing Presidential guidance on the organization or support of the NSC and the HSC. With regard to its application to economic matters, this document shall be interpreted in concert with any Executive Order governing the National Economic Council and with Presidential Memoranda signed hereafter that implement either this memorandum or that Executive Order.

The Secretary of Defense is hereby authorized and directed to publish this memorandum in the Federal Register.

DONALD J. TRUMP

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The White House · 1600 Pennsylvania Avenue, NW · Washington DC 20500 · 202-456-1111

Burton, Dawn (DO) (FBI)

From: Burton, Dawn (DO) (FBI)
Sent: Tuesday, February 7, 2017 4:32 PM
To: James B. Comey
Cc: Rybicki, James E. (DO) (FBI); [redacted] (DO) (OGA) b6 b7C
Subject: Encryption and Law Enforcement Working Group hosted by the MCCA and MCSA

Boss - In anticipation of your remarks tomorrow at MCCA and MCSA, below are a few notes gathered from the meeting of the Encryption and Law Enforcement Working Group today. AD Sleeper and EAD Piehota participated in the morning session and STB staff remained through the day to capture the discussion. Please let us know if you would like additional information. Thanks, dawn.

- The Director of Government Affairs for MCSA suggested the organizations develop draft encryption legislation and asked if the FBI might be willing to provide legislative drafts to give them a starting point.

- Extensive discussion among participants about whether the political environment has changed given the new administration, particularly, the incoming AG.

- The Manhattan DA's office representatives indicated Cy Vance has spoken with President Trump and the President offered his support with regard to encryption matters (DA's office also provided WH a copy of their white paper at President's request)

Dawn M. Burton
Deputy Chief of Staff
Office of the Director
[redacted] b7E

McCabe, Andrew G. (DO) (FBI)

From:	McCabe, Andrew G. (DO) (FBI)
Sent:	Monday, February 20, 2017 10:05 AM
To:	James B. Comey; Rybicki, James E. (DO) (FBI); Kortan, Michael P. (DO) (FBI); Bowdich, David L. (DO) (FBI)
Subject:	Fwd: U.S. inquiries into Russian election hacking include three FBI probes | Reuters

FYI Reuters article identifies three offices allegedly working Russia hack issues. Seems to be relying on same spurious sources from NYC article last week.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From [redacted] b6 b7C b7E
Date: 2/20/17 10:02 AM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted]
Subject: U.S. inquiries into Russian election hacking include three FBI probes | Reuters

http://mobile.reuters.com/article/idUSKBN15X0QE

McCabe, Andrew G. (DO) (FBI)

From: McCabe, Andrew G. (DO) (FBI)
Sent: Saturday, March 4, 2017 9:13 AM
To: James B. Comey; Rybicki, James E. (DO) (FBI); Bowdich, David L. (DO) (FBI)
Subject: Fwd: Wiretap?

Heads up. Mike is getting a lot of calls about this.

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted] b7E

-------- Original message --------
From: "Kortan, Michael P. (DO) (FBI)" [redacted]
Date: 3/4/17 8:11 AM (GMT-05:00)
To: "McCabe, Andrew G. (DO) (FBI)" [redacted], "Ghattas, Carl (CTD) (FBI)" [redacted], "Priestap, E. W. (CD) (FBI)" [redacted]
Subject: Fwd: Wiretap?

Fyi

-------- Original message --------
From: '[redacted] b6 b7C b7E
Date: 03/04/2017 6:45 AM (GMT-05:00)
To: "Quinn, Richard P. (DO) (FBI)" [redacted]
Subject: Wiretap?

Good morning.

Reaching out to see if FBI has a reaction to the President's tweet on alleged wiretaps.

I will be on CBS This Morning in a few minutes, but will be available on my cell [redacted] if you have any guidance to provide.

Sent from my iPhone

b6
b7C

Begin forwarded message:

From: [redacted]
Date: March 4, 2017 at 6:37:08 AM EST
To: "@Wash Politics" <WashPolitics@cbs.com>
Subject: Trump Tweet on Obama wiretapping Trump Tower

Donald J. Trump (@realDonaldTrump)
3/4/17, 6:35 AM
Terrible! Just found out that Obama had my "wires tapped" in Trump Tower just before the victory. Nothing found. This is McCarthyism!

Download the Twitter app

Sent from my iPhone

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1374160-000

Total Deleted Page(s) = 45
Page 380 ~ Duplicate;
Page 381 ~ Duplicate;
Page 382 ~ Duplicate;
Page 383 ~ Duplicate;
Page 384 ~ Duplicate;
Page 385 ~ Duplicate;
Page 386 ~ Duplicate;
Page 387 ~ Duplicate;
Page 388 ~ Duplicate;
Page 389 ~ Duplicate;
Page 390 ~ Duplicate;
Page 394 ~ Duplicate;
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Page 396 ~ Duplicate;
Page 397 ~ Duplicate;
Page 398 ~ Duplicate;
Page 399 ~ Duplicate;
Page 402 ~ Referral/Consult;
Page 403 ~ Referral/Consult;
Page 404 ~ Referral/Consult;
Page 409 ~ b5; b7E;
Page 410 ~ b5; b7E;
Page 411 ~ b5; b7E;
Page 412 ~ b5; b7E;
Page 413 ~ b5; b7E;
Page 416 ~ b7E;
Page 417 ~ b7E;
Page 418 ~ b6; b7C; b7E;
Page 419 ~ b7E;
Page 420 ~ b7E;
Page 421 ~ b7E;
Page 422 ~ b7E;
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X For this Page X
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DECLASSIFIED BY: NSICG [redacted]
ON 10-03-2022

b6
b7C

MCCABE, ANDREW G. (DO) (FBI)

From: MCCABE, ANDREW G. (DO) (FBI)
Sent: Friday, December 30, 2016 2:39 PM
To: COMEY, JAMES B. (DO) (FBI)
Subject: FW: 10am sitrep --- ~~SECRET//NOFORN~~
Attachments: [redacted]

b7E

Classification: ~~SECRET//NOFORN~~

~~Classified By:~~ [redacted]
Derived From: ~~FBI NSIC~~ dated 20130301
~~Declassify On:~~ 20411231

b6
b7C

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TRANSITORY RECORD

First Russia sit rep

Andrew G. McCabe
Deputy Director
Federal Bureau of Investigation
[redacted]

b7E

From: PRIESTAP, E. W. (CD) (FBI)
Sent: Friday, December 30, 2016 1:07 PM
To: MCCABE, ANDREW G. (DO) (FBI) <[redacted]>
Cc [redacted] (DO) (FBI) <[redacted]>; [redacted] (OGC) (FBI) <[redacted]>
Subject: FW: 10am sitrep --- ~~SECRET//NOFORN~~

b6
b7C
b7E

Classification: ~~SECRET//NOFORN~~

~~Classified By:~~ [redacted]
Derived From: ~~FBI NSIC~~ dated 20130301
~~Declassify On:~~ 20411231

b6
b7C

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TRANSITORY RECORD

From: LAYCOCK, STEPHEN C. (CD) (FBI)
Sent: Friday, December 30, 2016 9:59 AM
To: PRIESTAP, E. W. (CD) (FBI)
Subject: 10am sitrep --- ~~SECRET//NOFORN~~

Classification: ~~SECRET//NOFORN~~

Classified By: [redacted] b6 b7C
Derived From: FBI NSIC dated 20130301
Declassify On: 20411231

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TRANSITORY RECORD

Boss
First blush of the sitrep. Still getting info in real time an will update accordingly

Thanks,
Steve

Stephen C. Laycock
Section Chief/Eurasia Section
Counterintelligence Division
Room 5173
(d) [redacted] b7E
(c)
(NSTS [redacted]

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Classification: SECRET//~~NOFORN~~

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Classification: SECRET//~~NOFORN~~

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Classification: SECRET//~~NOFORN~~

COMEY, JAMES B. (DO) (FBI)

From: COMEY, JAMES B. (DO) (FBI)
Sent: Monday, January 9, 2017 2:23 PM
To: BOWDICH, DAVID L. (DO) (FBI)
Subject: RE: Presidential Appointment with (Senate (PAS) Confirmation Background Investigation Reports 1/2/2017 --- UNCLASSIFIED//~~FOUO~~

Classification: UNCLASSIFIED//~~FOUO~~

Thanks.

From: BOWDICH, DAVID L. (DO) (FBI)
Sent: Saturday, January 07, 2017 5:01 PM
To: COMEY, JAMES B. (DO) (FBI) [redacted]; MCCABE, ANDREW G. (DO) (FBI) [redacted] b7E
Cc: RYBICKI, JAMES E. (DO) (FBI) [redacted]
Subject: FW: Presidential Appointment with (Senate (PAS) Confirmation Background Investigation Reports 1/2/2017 --- UNCLASSIFIED//~~FOUO~~

Classification: UNCLASSIFIED//~~FOUO~~

Boss,

See below. These are the most current lists we have of appointees/nominees.

Dave

The first report is for the current Presidential Administration.
<< File [redacted] >> b7E
The second report is for the Office of the President - Elect, which includes a details status list of the 22 high level White House Staff and Cabinet positions.
<< File [redacted] >>

Classification: UNCLASSIFIED//~~FOUO~~

Classification: UNCLASSIFIED//~~FOUO~~

BOWDICH, DAVID L (DO)(FBI)

From: BOWDICH, DAVID L (DO)(FBI)
Sent: Saturday, September 3, 2016 5:41 PM
To: COMEY, JAMES B. (DO) (FBI)
Subject: FW: Background Information for [redacted] --- UNCLASSIFIED//~~FOUO~~
Attachments: Examples for [redacted] b7E

Classification: UNCLASSIFIED//~~FOUO~~
==========

Boss,

See Bill's note below and the attached information about Russia [redacted] b5

[redacted]

Dave

From: PRIESTAP, E W. (CD) (FBI)
Sent: Saturday, September 03, 2016 3:08 PM
To: BOWDICH, DAVID L (DO)(FBI) <[redacted]>
Cc: STEINBACH, MICHAEL B. (DO) (FBI) <[redacted]>
Subject: FW: Background Information for [redacted] --- UNCLASSIFIED//~~FOUO~~ b7E

Classification: UNCLASSIFIED//~~FOUO~~
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Dave:

Attached is some background information [redacted] b5 b7E

[redacted]

[redacted]

Thank you,
Bill

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Classification: UNCLASSIFIED//~~FOUO~~

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Classification: UNCLASSIFIED//~~FOUO~~

BOWDICH, DAVID L. (DO) (FBI)

From: BOWDICH, DAVID L. (DO) (FBI)
Sent: Saturday, January 7, 2017 5:01 PM
To: COMEY, JAMES B. (DO) (FBI); MCCABE, ANDREW G. (DO) (FBI)
Cc: RYBICKI, JAMES E. (DO) (FBI)
Subject: FW: Presidential Appointment with (Senate (PAS) Confirmation Background Investigation Reports 1/2/2017 --- UNCLASSIFIED//~~FOUO~~
Attachments: [redacted] b7E

Classification: UNCLASSIFIED//~~FOUO~~
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Boss,

See below. These are the most current lists we have of appointees/nominees.

Dave

The first report is for the current Presidential Administration.

The second report is for the Office of the President - Elect, which includes a details status list of the 22 high level White House Staff and Cabinet positions.

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Classification: UNCLASSIFIED//~~FOUO~~

BOWDICH, DAVID L. (DO) (FBI)

From: BOWDICH, DAVID L. (DO) (FBI)
Sent: Thursday, January 19, 2017 9:35 AM
To: COMEY, JAMES B. (DO) (FBI); MCCABE, ANDREW G. (DO) (FBI)
Cc: RYBICKI, JAMES E. (DO) (FBI)
Subject: FW: Presidential Appointment with (Senate (PAS) Confirmation Background Investigation Reports 1/17/2017 --- UNCLASSIFIED//~~FOUO~~
Attachments: [redacted] b7E

Classification: UNCLASSIFIED//~~FOUO~~
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Please see attached weekly reports concerning Presidential Appointment with Senate (PAS) Confirmation Background Investigations (BIs).

The first report is for the current Presidential Administration.

Nothing to Report

The second report is for the Office of the President - Elect (OPE), which includes a details status list of the 22 high level White House Staff and Cabinet positions.

v/r,

DJ Miller
Acting DAD – Branch I
Security Division
[redacted] b6 b7C

For MSS matters please contact Acting SC [redacted] *at* [redacted] b7E

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Classification: UNCLASSIFIED//~~FOUO~~

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Classification: UNCLASSIFIED//~~FOUO~~