STATEMENT OF

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CONCERNING
ELECTION INTERFERENCE: ENSURING LAW ENFORCEMENT IS EQUIPPED TO TARGET THOSE SEEKING TO DO HARM

BEFORE
THE COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

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Chairman Grassley, Ranking Member Feinstein, and distinguished members of the committee, thank you for holding this hearing on one of the most important issues of our time: foreign interference in the American democratic process and the law enforcement needs to confront that threat. Thank you also for inviting me. It is an honor to offer testimony before the Judiciary Committee.

The Russian organization that used social media tools to interfere in our most recent presidential election called its mission "information warfare against the United States of America." Like the terrorists on 9/11, our enemies used our systems against us. Al Qaeda used our commercial air transportation systems. The Kremlin used our social media and communications systems. Moscow hijacked platforms such as Facebook, Twitter, and Youtube in its attack on the United States.

The Russian operation to wreak havoc in the U.S. election began long before Donald Trump and Hillary Clinton announced their runs for the presidency. Codenamed, or referred to as, the "translator project," the specific Russian operation to influence the 2016 election began around May 2014. It was initiated with a stated goal: to "spread distrust towards the candidates and the political system in general."

By 2015, the Kremlin paired its social media influence operation with a cyber espionage operation. 2015 is an important date to remember. Although the hack of the Democratic National Committee's computer network and the dissemination of stolen emails to shape the outcome of the general election are highly salient, it is vital for the public to understand that the Kremlin began its espionage activities during the primaries, favoring some primary candidates for president and undermining others—in both major political parties.

As the January 2016 intelligence report stated, Russia's cyber espionage operations targeted not

just the Democratic Party's candidate for president. The report assessed that the Russians also "collected on some Republican-affiliated targets but did not conduct a comparable disclosure campaign," and "collected against the US primary campaigns, think tanks, and lobbying groups they viewed as likely to shape future US policies."

NBC reported that Moscow's efforts to steal emails and other data got underway in 2015 and included "top Republicans and staffers for Republican candidates for president."[1]

At a certain point, the Russian operation also included the objective of favoring the Trump campaign and undermining Clinton's candidacy. Those objectives also began before the general election, with an effort to undermine Trump's political rivals and bolster Clinton's main rival, Sen. Bernie Sanders, during the primaries.

Special Counsel Robert Mueller's criminal indictment of 3 Russian organizations and 13 Russians for campaign interference states: "They engaged in operations primarily intended to communicate derogatory information about Hillary Clinton, to denigrate other candidates such as Ted Cruz and Marco Rubio, and to support Bernie Sanders and then-candidate Donald Trump." In addition to Senators Cruz and Rubio, former FBI Special Agent Clint Watts, who has testified before the Senate Intelligence Committee, also identified Russian efforts to undermine the presidential campaigns of Senator Lindsey Graham and former Florida Governor Jeb Bush.[2]

In short, the Kremlin did not—and does not—simply hope to shape the outcome of a general election. The Kremlin also hopes to shape the outcomes of primaries thereby denying Americans their right to choose their own political leaders free of interference or coercion from foreign powers.

The Kremlin is interested not only in candidates who stand the best chance of winning. It would be valuable enough for them if they can influence how campaign issues are framed, what direction a party takes in formulating its platform, and undermining public trust in those who win the election.

The threat to future American elections is, of course, not limited to Russia, nor even to state actors. The foreign threat is broader, and the danger is even greater if Americans are willing to encourage, support, coordinate or conspire with these foreign agents. Being willing is not a crime in itself. But acting on that willingness could be.

Is that what some Americans did in 2016? Did any Americans, for example, intentionally coordinate or conspire with Russia's election interference scheme? What we might know and what we currently don't know about Russia's interference in the 2016 election can be placed on a spectrum—from no evidence, to weak and moderate evidence, to strong evidence, to proof. Based on the most reliable publicly available information to date, there is strong evidence of

[1] Josh Meyer, "Russia Hack of U.S. Politics Bigger Than Disclosed, Includes GOP," NBC, Oct. 8, 2016.
[2] Matthew Schofield, "Russians took Trump's side in GOP primary, too, expert tells Senate panel," McClatchy, March 30, 2017.

everything I have mentioned up to this point about Russia's actions. There is also strong evidence that

> 1. Russian agents made several overtures to the Trump campaign and informed individuals closely associated with the Trump campaign about the Russian government's actions and intentions in support of Trump, and
>
> 2. Individuals closely associated with the Trump campaign responded approvingly to Russian offers of support.

What is publicly known to have happened beyond that point is not as clear or certain. That said, there is a large body of publicly available information that does provide significant insight. That information includes hundreds of pages of documents in criminal proceedings, congressional testimony from several witnesses, and the media's disclosure of documents and written communications (emails and texts). In the Appendix to this statement, I provide a highly detailed account of the publicly available evidence to date. But for now, I want to focus on existing laws that apply to election interference, and to opportunities for legislative reform to help prevent foreign threats to our democracy in the future.

Part I
The Existing Legal System

What federal laws prohibit foreign interference in U.S. elections, and how do those laws apply to the events that may have occurred in the 2016 election? How can legislation improve law enforcement to prevent future threats to the American democratic process? I address the first question in this Part, and the second question in Part II.

Three parts of the federal criminal code most closely apply to foreign interference in U.S. elections and Americans' involvement in such actions: Conspiracy to Defraud the United States (18 U.S. Code §371), the Federal Election Campaign Act of 1971 (52 U.S. Code §30101), and the Foreign Agents Registration Act (22 U.S. Code §611).

Conspiracy to defraud the United States

The offence of a conspiracy to defraud the United States serves as the backbone of the Special Counsel's indictment of 13 Russian nationals and 3 Russian organizations.[3] According to the Supreme Court, this offence includes a conspiracy "to interfere with or obstruct one of [the federal government's] lawful governmental functions by deceit, craft, or trickery, or at least by means that are dishonest."[4] As the Justice Department's manual on Election Law Violations explains, conspiracy to defraud the United States, as it applies to elections, includes schemes to evade or obstruct the Federal Election Commission's administration of campaign financing prohibitions and

[3] Indictment, United States v. Internet Research Agency et. al, (No. 1:18-cr-00032-DLF) (D.D.C. Feb. 12, 2018).
[4] Hammerschmidt v. United States, 265 U.S. 182 (1924).

disclosure requirements. Conspiracy to defraud also includes interfering with or obstructing the Department of Justice's administration of the registration, reporting, and disclosure of foreign agents attempting to influence U.S. public opinion and policy.

Russians/Wikileaks' actions in the 2016 election appear to clearly involve such a scheme to defraud the United States, and Americans who intentionally supported the Russian/Wikileaks efforts could be liable for conspiracy under 18 U.S.C. §371. Examples of actions most relevant to the 2016 election include:

1. Coordination and other actions in support of foreign nationals' scheme to interfere with or obstruct the Federal Election Commission;
2. Coordination and other actions in support of unregistered foreign agents' working on behalf of a foreign principal to influence U.S. public opinion or policy;
3. Intentionally helping cover up ongoing or future foreign nationals' or unregistered foreign agents' illegal activities by making false statements to federal authorities about a campaign's contacts with foreign nationals and about foreign nationals' offers of support for a candidate.

What evidence is there that associates of the Trump campaign may have participated in any such conspiracy to defraud the United States? Based on the publicly available information (see Appendix) and depending on additional facts, the strongest indication of Trump campaign associates' involvement in such a conspiracy includes:

1. Reported U.S. intelligence agency intercepts that Paul Manafort may have encouraged help from the Russians and worked with Russian operatives to coordinate information that could damage Hillary Clinton's election prospects;
2. Donald Trump Jr.'s providing support and guidance to Russian agents on the optimal timing of the release of dirt on Hillary Clinton, and his guidance to the Russian lawyer on what information would not be helpful; and
3. Roger Stone and Donald Trump Jr.'s coordinating public messages with Wikileaks and encouraging or soliciting the release of stolen documents.

There are other gaps in the public record that could expose individuals associated with the Trump campaign to legal liability 18 U.S.C. §371 depending on whether there were: any actions taken in coordination or on behalf of unregistered foreign agents in shaping the Republican party platform; any actions taken in advising or in support of the previewed plan to disseminate stolen emails via George Papadopoulos; any coordination with Wikileaks on the release of John Podesta's stolen emails; any information sharing or coordination with the Russians' social media campaign.

Federal election law

The Federal Election Campaign Act (FECA), 52 U.S.C. § 30101, prohibits foreign nationals from directly or indirectly making a "contribution or donation of money or other thing of value" in connection with a U.S. election. Federal law defines "contribution" to include "any gift … of money or anything of value made by any person for the purpose of influencing any election for Federal office." The prohibition includes an "express or implied promise" to provide such campaign support. The law also prohibits coordination between a campaign and a foreign national. Such coordination, in essence, is considered an illegal contribution on the part of the foreign national.

Russians/Wikileaks' actions in the 2016 election appear to clearly violate these federal prohibitions. Those actions include social media activities referenced in the factual allegations in the Special Counsel's indictment of 13 Russian nationals and 3 Russian organizations. Illegal activities on the part of Russia also most likely includes the hacking of Republican and Democratic campaigns, and the distribution and promotion of hacked emails and other stolen documents in an effort to support the Trump campaign.

Americans who requested or supported Russia/Wikileaks' actions could be liable under FECA if those individuals took actions to "solicit, accept, or receive" a contribution or donation from a foreign national. Under federal regulations, adopted by the Federal Election Commission, "solicit" means "to ask, request, or recommend, explicitly or implicitly." Agents of a campaign can also be liable for coordinating expenditures with an outside group or individual, including foreign nationals; and such coordination includes acting in concert or communicating "assent" to spending on "public communications." Finally, U.S. citizens could be liable for aiding and abetting criminal violations of FECA by foreign nationals.

What evidence is there that associates of the Trump campaign may have participated in any such violations of FECA? Based on the publicly available information (see Appendix) and depending on additional facts, the strongest indication of Trump campaign associates' potential violation of campaign finance laws include:

1. Donald Trump Jr.'s approval in response to the offer of in-kind contribution of derogatory information from Russian nationals, providing guidance on optimal timing for acting on that information; arranging a meeting with top campaign officials to obtain the informational product, pressing the Russian lawyer for the product during the meeting, and advising the Russian delegation what information would be unhelpful;
2. Donald Trump's public call for the Russian government to hack and distribute Hillary Clinton's emails;

3. Roger Stone and Donald Trump Jr.'s coordinating public messages with Wikileaks and encouraging or soliciting the release of stolen documents; and
4. Reported U.S. intelligence agency intercepts that Paul Manafort may have encouraged help from the Russians and worked with Russian operatives to coordinate information that could damage Hillary Clinton's election prospects.

There are other gaps in the public record that could expose individuals associated with the Trump campaign to legal liability under 52 U.S.C. § 30101 depending on whether there were: any actions taken in advising or in support of the previewed plan to disseminate stolen emails via George Papadopoulos; any efforts to coordinate with Wikileaks on the release of John Podesta's stolen emails, any information sharing or coordination with the Russians' social media campaign; or actions taken by senior members of the campaign to approve the June 9 meeting with Russian nationals.

Foreign Agents

The Foreign Agents Registration Act, 22 U.S. Code §611, requires individuals to register with the Department of Justice if they act at "the order, request, or under the direction or control, of a foreign principal," which includes foreign governments and foreign organizations. The registration requirement applies to an individual who "engages within the United States in political activities for or in the interests of such foreign principal." Such political activity is broadly defined by the statute to include any activity intended "to, in any way influence any agency or official of the Government of the United States or any section of the public within the United States [1] with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or [2] with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party."

The 2016 election included actions on the part of a group of unregistered Russian agents allegedly working to undermine the Magnitsky Act, including in the effort to lobby the Trump campaign. Three senior Trump campaign officials failed to register during 2016 under FARA (Paul Manafort, Rick Gates and Michael Flynn). There is an open question and an absence of reliable evidence as to whether Manafort, Gates, or other Trump associates should have registered under FARA for activities that took place in 2016-17, for example, in the work on the Ukrainian backchannel plan or in influencing the Republican Party platform on Ukraine (see Appendix).

Part II
Recommendations for Legislative Reforms

New legislation can assist in protecting the electoral process from foreign interference by focusing on three main audiences. First, government agencies can benefit from greater authorities to enforce

the law and from more transparency on the part of political groups. Second, political groups and politically active individuals can benefit from clearer rules and greater commitments by public authorities to root out noncompliance with existing law. Third, the American public can benefit from enhanced protections to maintain and increase their trust in the democratic process.

1. Expand enforcement authority

Congress can improve election security by expanding the authority of federal departments and agencies to enforce existing law. Legislation may be most needed in areas where noncompliance rates are high. Current legislation proposed in the Senate and House to improve enforcement of the Foreign Agents Registration Act provide good examples of this type of legislative effort. The Disclosing Foreign Influence Act (S.2039) would give the Justice Department a greater set of tools by providing for the use of civil investigative demands to obtain information from suspected unregistered foreign agents. The legislation would create an obligation for individuals to provide documents, testimony, or written answers to questions under oath, and as a result significantly enhance the system of enforcement.

2. Transparency

The use of transparency provides one of the most important mechanisms to address foreign interference in U.S. elections. Current legislation proposed in the Senate and the House (S.2039, S.2482, and H.R.4170) would close a significant loophole by reversing a decision Congress made in 1995 to remove private sector reporting from FARA and place it instead under the Lobbying Disclosure Act. Removal of that exemption can help simplify the law and make it less susceptible to manipulation. In addition to reform of FARA, other opportunities exist to help expose foreign influence in our political system. One step in that direction would be to require 501(c)(4) groups that accept foreign donations and engage in political spending to disclose their foreign donors.

One of the stark lessons we can draw from the 2016 election is the need for federal authorities to have greater awareness of foreign attempts to interfere in our elections by making direct approaches to a campaign organization. Federal law could require campaigns to report when they have been contacted by foreign government agents offering illicit support to favor one candidate or disfavor another. Legislation very recently introduced in the House would require such disclosures to be made to the FBI, would impose civil and criminal penalties for violations of the law, and would cover situations in which an individual "recklessly disregards the fact that the source is a foreign power or an agent of a foreign power."

3. Clarity and specification of criminal code

The current federal criminal code contains several provisions that help protect elections from foreign interference. Improvements can be made to ensure greater clarity in the law--to improve compliance by Americans and to assist federal prosecutors in deciding whether to bring charges. The conspiracy to defraud statute is broad, and although significant case law and Justice Department practice amply support its use for evasion and obstruction of the Federal Election Commission, it would be valuable to define acts that create liability for knowingly assisting a foreign power engaged in election interference. In some respects, what is required is an exercise in making clearer how the rules apply to modern technologies. The Special Counsel's indictment charging Russians involved in the social media influence campaign for a conspiracy to defraud the United States raises the question of how Americans could be liable for supporting such a scheme. The threat to future American elections is, of course, not limited to Russia, nor to state actors. Accordingly, this is a vital area in which Congress can help clarify the law to provide greater guidance to Americans involved in the political process and to law enforcement authorities deciding on when to bring charges.

4. Social media companies

The 2016 election demonstrates, once again, the power of social media platforms to influence political discourse in American life, and the significant failure of those companies to responsibly regulate themselves. We still do not know the scale of the problem, and there is no guarantee that even in the areas in which social media platforms have taken responsible action on their own that they will take positive actions again in the future.

Social media users have the "right to know" how they were exposed or individually interacted with Russian propaganda in the Kremlin's effort to alter their beliefs and motivate their actions. By way of analogy, consumers have a right to know when their car has a defective part, and the manufacturer is obliged to notify them directly and issue a recall. Federal law could provide a similar right to know by obligating social media platforms to directly notify individuals who have been exposed to disguised foreign government content. Such legislation could be modeled on consumer notification requirements in the event of a data security breach that compromises private information. Federal penalties could apply to violations of notification requirements.

Working with civil society and the culture of collaboration in the tech sector, government can help facilitate information sharing with social media platforms and outside academic researchers. Independent experts are well positioned to help identify the uses of social media platforms by hostile foreign powers to influence American political life. Providing independent academic experts with the data can help policymakers understand the scale of the problem and also build long-term public trust in social media platforms where it is deserved.

Appendix (or Part III)
The 2016 Election and Campaign Interference--The Public Record

There are a dizzying number of facts in the public record, and not all can be synthesized here. The following distills four main areas (each treated as a "thread"), which go to the heart of the question whether the Trump Campaign as an organization, or its members or close associates, in their interactions with Russian and other foreign agents (e.g., Wikileaks) engaged in a conspiracy to defraud the United States and other violations of federal law.

Thread 1. Trump World Tower Moscow
Thread 2. Manafort-Gates' links to Russia and pro-Russian Ukrainian groups
Thread 3. Russian agents' direct overtures and offers of assistance to campaign
Thread 4. Weaponization of hacked information: Knowledge and support for Wikileaks

Thread 1. Trump World Tower Moscow

Bottom line: Michael Cohen, on behalf of the Trump Organization, was brokering a deal for a Trump Tower Moscow project, potentially involving Vladimir Putin's inner circle, far into 2016

During the Republican primaries, Trump's personal lawyer and fixer Michael Cohen began secret negotiations for a long-sought after goal: building a Trump Tower in Moscow. The architectural drawings[5] placed the name "Trump" atop what would have become the tallest building on the continent. The secret deal was led by Cohen and Russian-born businessman Felix Sater, and reportedly also included a former Russian military intelligence officer, other foreign individuals who had knowledge of or participated in the 2016 election interference, and then-candidate Trump. Sater says he initiated discussions by setting up a meeting with Cohen in Sept. 2015 as a first step to get the Trump Organization to agree to the idea.

Sater directly linked the Moscow Trump Tower proposal to support for the Trump campaign. In an email dated Nov. 3, 2015,[6] Sater wrote, "I will get Putin on this program and we will get Donald elected. … I know how to play it and we will get this done. Buddy our boy can become President of the USA and we can engineer it. I will get all of Putins[sic] team to buy in on this."

In several other communications, Sater informed Cohen that he was working closely with Putin's inner circle in getting Putin to sign off on the deal. Sater emailed Cohen at least twice in October with updates, including an email informing Cohen that their surrogates in Moscow would be meeting two days later with Putin and a "top deputy." The following day, Sater sent Cohen a 17-

[5] Anthony Cormier & Jason Leopold, "The definitive story of how Trump's team worked the Trump Moscow deal during the campaign," BuzzFeed News, May 17, 2018.
[6] Matt Apuzzo & Maggie Haberman, "Trump associated boasted that Moscow business deal 'Will get Donald elected,'" The New York Times, August 28, 2017.

page Letter Of Intent,[7] signed by a Russian investor. The accompanying cover letter described Trump Moscow as a way to build relations between the two countries and "that should be Putins[sic] message as well, and we will help him agree on that message." On Nov. 3, Sater wrote to Cohen, "Everything will be negotiated and discussed not with flunkies but with people who will have dinner with Putin and discuss the issues and get a go-ahead." He added, "My next steps are very sensitive with Putin's very, very close people."

In the course of these activities, Cohen was in **frequent contact about Moscow Trump Tower with foreign individuals who had knowledge or played a role in the 2016 election interference**, according[8] to two FBI agents with detailed understanding of the investigation prior to Mueller's appointment.

Cohen and Sater took measures to keep the plans secret from public exposure, including use of a encrypted communications app called Dust, and as reflected in Sater's warning to Cohen, "gotta keep this quiet."

Trump signed the 17-page Letter of Intent on Oct. 28, 2015, the day of the third Republican presidential debate. He was over four months into his campaign at the time. Sater testified[9] that Trump regularly received "short updates about the process of the deal" from Cohen. However, Cohen says he only discussed the project with Trump three times. Cohen's communications with Sater also indicated Trump's level of concern about the project. When Sater's efforts appeared to slacken in late December 2015, Cohen sent Sater agitated text messages, "I will not let you f*** with my job and playing point person," and Cohen wrote, "Not you or anyone you know will embarrass me in front of Mr. T when he asks me what is happening." Cohen's statements suggest he thought Trump would affirmatively check on the status of the project, and that Cohen's job's performance depended on showing progress.

After Trump signed the Letter Of Intent, the plans continued to advance. The Trump Organization began[10] to solicit designs from architects and discuss financing for the project. Cohen told[11] the House Intelligence Committee that he received a proposal for construction of the building "in or around September 2015." Cohen also told the committee, "Sater suggested that I send an email to Mr. Dmitry Peskov, the press secretary for the president of Russia, since the proposal would require approvals within the Russian government that had not been issued." On Jan. 21, 2016, Cohen reached out directly to Putin's aide, using a generic email address for press inquiries. "As this project is too important, I am hereby requesting your assistance," Cohen wrote.

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[7] Natasha Bertrand, "'Help world peace and make a lot of money': Here's the letter of intent to build a Trump Tower Moscow," Business Insider, September 8, 2017.
[8] Anthony Cormier &Jason Leopold, "The definitive story of how Trump's team worked the Trump Moscow deal during the campaign," BuzzFeed News, May 17, 2018.
[9] Anthony Cormier & Jason Leopold, "The definitive story of how Trump's team worked the Trump Moscow deal during the campaign," BuzzFeed News, May 17, 2018.
[10] Rosalind S. Helderman, Carol D. Leonnig & Tom Hamburger, "Top Trump Organization executive asked Putin aide for help on business deal," The Washington Post, August 28, 2017.
[11] Kathryn Watson, "Trump Org lawyer provides details about Russia Trump Tower project," CBS News, August 29, 2017.

There is a significant discrepancy in the record as to what happened next. Cohen told[12] the House Intelligence Committee that he does not "recall any response to my email, nor any other contacts by me with Mr. Peskov or other Russian government officials about the proposal." Peskov told[13] reporters that he received the email message but did not respond or pass it to Putin, "Since, I repeat again, we do not react to such business topics -- this is not our work -- we left it unanswered." In written testimony, Cohen told Congress that the plan "terminated in January of 2016; which occurred before the Iowa caucus and months before the very first primary." Cohen presumably described the timing in relation to the early primaries, because a later date would raise serious concerns about potential conflicts of interest and the deal's connection to the race for president. There is more convincing evidence, however, that the plans for Trump Moscow continued past the first primaries and well into 2016, and that Petrov may have responded favorably by inviting Cohen to meet in Russia.

After sending his email to Peskov, Cohen and Sater started arranging a trip for Cohen to meet with high-level government officials and bankers in Russia about the Trump Tower project. Sater's longtime associate, a former member of the Russian military intelligence (the GRU), helped coordinate the trip in Russia and making arrangements for a visa. Cohen spoke with this man directly on at least one occasion in preparing for the trip. Was the man still connected to Russian military intelligence? Sater later testified to Congress, "No such thing as a former Russian spy." The plan for Cohen to go to Russia continued to develop. In May 2016, Sater told Cohen that Peskov "would like to invite you as his guest" to the St. Petersburg International Economic Forum and that Peskov "wants to meet there with you and possibly introduce you to either Putin or Medvedev." Sater wrote, "Please confirm that works for you." Cohen replied, "Works for me." On June 13, Sater forwarded Cohen a letter from the head of a Russian economic organization that hosts the St. Petersburg International Economic Forum, formally inviting him.

Cohen told[14] the House Intelligence Committee that the reasons both for pursuing the deal and for abandoning it were unrelated to the campaign and involved solely business determinations. Cohen wrote, "The decision to pursue the proposal initially, and later to abandon it, was unrelated to the Donald J. Trump for President campaign. Both I and the Trump Organization were evaluating this proposal and many others from solely a business standpoint, and rejected going forward on that basis."

Sater has a different account. According to the *New York Times*,[15] Sater "said he had been working on a plan for a Trump Tower in Moscow … one that he said had come to a halt because

[12] Kathryn Watson, "Trump Org lawyer provides details about Russia Trump Tower project," CBS News, August 29, 2017.
[13] Jill Dougherty, Antonia Mortensen & Laura Smith-Spark, "Peskov: Trump lawyer wrote to Kremlin, got no response," CNN, August 30, 2017.
[14] Kathryn Watson, "Trump Org lawyer provides details about Russia Trump Tower project," CBS News, August 29, 2017.
[15] Megan Twohey & Scott Shane, "A back-channel plan for Ukraine and Russia, courtesy of Trump associates," The New York Times, February 19, 2017.

of Trump's presidential campaign." Sater also told[16] another media outlet, "Once the campaign was really going-going, it was obvious there were going to be no deals internationally." Sater said, "It didn't go through because obviously he became President." These statements by Sater suggest the plan would have potentially proceeded if Trump had not been elected.

While running for president, Trump repeatedly denied having any business dealings in Russia. On July 26, 2016, he tweeted, "For the record, I have ZERO investments in Russia." The following day, he told *CBS News*: "I have nothing to do with Russia. I don't have any jobs in Russia. I'm all over the world but we're not involved in Russia."[17]

Sater told one news outlet that he kept working on the project through the GOP Convention until Trump's tweet on July 26, at which point he says he knew the deal was dead.[18] However, Sater told[19] another news outlet that he finally gave up on the project in December 2016 when President-Elect Trump announced[20] his real estate business would have "no new deals" while he was in office.

Trump continued to deny involvement in anything like the Moscow Tower deal after the election. Asked on Jan. 11, 2017, at his first press conference as president-elect, "Does Russia have any leverage over you, financial or otherwise?," Trump responded: "I have no deals that could happen in Russia, **because we've stayed away**. … So I have no deals, I have no loans and I have no dealings. We could make deals in Russia very easily if we wanted to, I just don't want to because I think **that would be a conflict**. So I have no loans, no dealings, and no current pending deals."[21]

It's important to note that Cohen and Sater also worked on a backchannel plan for Ukraine, which Cohen and Sater discussed with Ukrainian politician, Andrii Artemenko. The term "peace plan," used by some in the media, is a misnomer. The plan included undermining the current government in Ukraine (including the use of derogatory information about its president) and the lifting of U.S. sanctions on Russia. Artemenko told the *New York Times*[22] that he received encouragement for his plans from top aides to Putin. Discussing the content of the proposal, Ukraine's Ambassador to the United States Valeriy Chaly suggested the ideas it was pushing could only come from "those openly or covertly representing Russian interests." According to the Times, "Mr. Cohen told the Times in no uncertain terms that he delivered the Ukraine

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[16] Sam Thielman, "Stinger missiles and shady deals: Ex-biz partner to Trump has a tall tale to tell," Talking Points Memo, August 1, 2017.
[17] Jim DeFede, "CBS4 News Exclusive: Trump denies ties to Russia," CBS Miami, July 27, 2016.
[18] Anthony Cormier & Jason Leopold, "The definitive story of how Trump's team worked the Trump Moscow deal during the campaign," BuzzFeed News, May 17, 2018.
[19] Hunter Walker & Brett Arnold, "Michael Cohen's efforts to build a Trump Tower in Moscow went on longer than he has previously acknowledged," Yahoo News, May 16, 2018.
[20] Michael D. Shear & Eric Lipton, "Donald Trump says his company will do 'no new deals' during his term," The New York Times, December 12, 2016.
[21] "Full transcript of Trump press conference," BBC News, January 11, 2017.
[22] Megan Twohey & Scott Shane, "A back-channel plan for Ukraine and Russia, courtesy of Trump associates," The New York Times, February 19, 2017.

proposal to Michael Flynn's office at the White House. Mr. Sater told the Times that Mr. Cohen had told him the same thing."[23]

Did the discussions of the Ukraine plan overlap with the Trump Tower Moscow project? Artemenko said[24] he started discussions[25] with Cohen and Sater "at the time of the primaries, when no one believed that Trump would even be nominated." If the two timelines--the Moscow Tower and Ukraine backchannel plan--overlapped during the primaries, that would raise questions about a potential quid pro quo.

Thread 2. Manafort-Gates links to Russia and pro-Russian Ukrainian groups

Bottom line: Paul Manafort and Rick Gates brought deep connections and financial ties to Kremlin-linked oligarchs and possible intelligence officers

Paul Manafort and Trump's relationship date back decades, and developed through their mutual connection to Roger Stone. Although different accounts exist, it has most widely been reported[26] that Manafort and Trump first met around 1980, introduced by Trump's lawyer at the time, Roy Cohn, around the same time that Cohn introduced Trump to Stone. In 1980, Manafort and Stone opened a lobbying firm in Washington, D.C., and their first client[27] was Trump, who employed the firm through the early 1990s. Stone testified[28] that Manafort was his "boyhood friend and colleague." Stone played a significant role in getting Manafort the job on the Trump campaign, according to three campaign officials.[29]

On March 28, 2016, Manafort joined[30] the Trump campaign. When Manafort was named campaign manager in June of that year, Rick Gates, Manafort's longtime associate, became the deputy campaign chairman.

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[23] Tom Hamburger & Rosalind S. Helderman, "Amid Russia scrutiny, Trump associates received informal Ukraine policy proposal," Washington Post, Feb. 19, 2017; *see also* Natasha Bertrand, "Lawmaker: 'I got confirmation' my Russia-Ukraine plan was delivered to White House, despite what Trump lawyer says," Business Insider, Feb. 26, 2017. There is some evidence that the effort may have received funding from Russian oligarch Viktor Vekselberg with whom Cohen also met in January 2016. *See* Natasha Bertrand, , "Senate Investigators May Have Found a Missing Piece in the Russia Probe," The Atlantic, June 7, 2018; William K. Rashbaum, Ben Protess & Mike McIntire, "At Trump Tower, Michael Cohen and Oligarch Discussed Russian Relations," New York Times, May 25, 2018. Vekselberg has been tied to a payment of $500,000 to Cohen. Rebecca Davis O'Brien, Drew FitzGerald, Michael Rothfeld & Rebecca Ballhaus, "Trump Lawyer Received $500,000 From Firm Linked to Russian Oligarch," Wall Street Journal, May 8, 2018.

[24] Ekaterina Sergatskova, "Who is the person that suggested to lease Crimea to Russia?," Hromadske International, February 21, 2017.

[25] Josh Marshall, "There's more to the Michael Cohen story," Talking Points Memo, February 24, 2017.

[26] Kate Brannen, "A Timeline of Paul Manafort's Relationship with the Trump World," Just Security, October 30, 2017.

[27] Marie Brenner, "How Donald Trump and Roy Cohen's ruthless symbiosis changed America," Vanity Fair, June 28, 2017.

[28] Callum Borchers, "Roger Stone's defiant congressional testimony on Trump and Russia, annotated," The Washington Post, September 26, 2017.

[29] Gideon Resnick, "Roger Stone convinced Trump to hire Paul Manafort, former officials say," The Daily Beast, April 21, 2017.

[30] Alexander Burns & Maggie Haberman, "Donald Trump hires Paul Manafort to lead delegate effort," First Draft, March 28, 2016.

Manafort and Gates' connections to Russia, including through Kremlin-linked political forces in Ukraine, run deep. In 2005, Manafort created a political consultancy firm Davis Manafort Partners, with staff in the United States, Ukraine, and Russia, according to the Special Counsel indictment. At this firm, Gates became Manafort's "right-hand man." Between the years 2006 and, at least, 2015, Manafort and Gates acted as unregistered agents of pro-Russia Ukrainian political forces. In the course of their work, they "directed a campaign to lobby United States officials" on behalf of these foreign principles. This period included some of the most intense recent events in Ukrainian history, including the political and military conflict involving Russia and its support for then-President Viktor Yanukovych and his pro-Russian party, including[31] after Yanukovych fled to Russia. Manafort and Gates generated tens of millions of dollars in income from their work on behalf of Yanukovych and his political party, and continued to launder funds received from these foreign principles during 2016, according to the indictment by the Special Counsel. Manafort's connections and work with two individuals--(1) Russian oligarch and close ally[32] of Putin, Oleg Deripaska[33] (as mentioned in a Special Counsel document) and (2) Konstantin Kilimnik, a Kiev-based operative with active ties to Russian military intelligence (as indicated in another Special Counsel document)--raise the greatest concerns.

In 2005, Manafort pitched a plan to Deripaska who eventually signed a multi-million dollar annual contract with Manafort beginning in 2006. In his 2005 memo[34] to Deripaska, Manafort wrote, "We are now of the belief that this model can **greatly benefit the Putin Government** if employed at the correct levels with the appropriate commitment to success."[35] The proposal was to help influence politics, business dealings and media coverage in the United States, Europe, and former Soviet-bloc countries. Deripaska once told the Financial Times,[36] "I don't separate myself from the state. I have no other interests."

Manafort hired Kilimnik in 2005.[37] Among other activities, Gates, Manafort and Kilimnik formed a private equity fund[38] in 2007, reportedly[39] with millions of dollars from Deripaska to purchase a Ukrainian cable and internet company and later engage in Ukrainian politics.

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[31] Brett Forrest, "Paul Manafort's overseas political work had a notable patron: A Russian oligarch," The Wall Street Journal, August 30, 2017.
[32] Tom Hamburger, Rosalind S. Helderman, Carl D. Leonnig & Adam Entous, "Manafort offered to give Russian billionaire 'private briefings' on 2016 campaign," The Washington Post, September 20, 2017.
[33] Andrew E. Kramer, Mike McIntire & Barry Meier, "Secret ledger in Ukraine lists cash for Donald Trump's campaign chief," The New York Times, August 14, 2016.
[34] Jeff Horwitz & Chad Day, "AP Exclusive: Before Trump job, Manafort worked to aid Putin," Associated Press, March 22, 2017.
[35] PBS NewsHour, "Old memos show former Trump aide Manafort offered to promote Russian interests, AP reports," PBS, March 22, 2017.
[36] Catherine Belton, "Close to the wind: Russia's oligarchs," Financial Times, October 24, 2008.
[37] Kenneth P. Vogel, "Manafort's man in Kiev," Politico, August 18, 2016.
[38] Kenneth P. Vogel, "Manafort's man in Kiev," Politico, August 18, 2016. Grand Court of the Cayman Islands - Petition - In the Matter of Section 36(3) of the Exempted Limited Partnership Law, 2014 and in the matter of Pericles emerging market partners, L.P. - Cause No. FSD 0131 of 2014.
[39] Kenneth P. Vogel & David Stern, "Authorities looked into Manafort protégé," Politico, March 8, 2017.

During the 2016 campaign, Manafort communicated frequently[40] with Kilimnik. The F.B.I. assesses "Person A had ties to a Russian intelligence service and **had such ties in 2016**," a Special Counsel court filing states--by all accounts a reference to Kilimnik.[41] (Another Special Counsel filing appears to refer to Kilimnik as "a long-time Russian colleague of Manafort's, who is currently based in Russia and assessed to have ties to a Russian intelligence service."). Following Manafort's formal departure from the campaign in August 2016, Gates directly communicated with Kilimnik during the final months of the campaign in ways "pertinent to the investigation," the Special Counsel also states.

What was the content of those communications? We don't have a full picture. In early July, Manafort emailed[42] Kilimnik offering "private briefings" to Deripaska on the state of the Trump campaign. The emails[43] suggest that Manafort may have been acting to repay debts he had with Deripaska. In late July, following the Republican National Convention, Kilimnik emailed Manafort to say that he had met with the person "who gave you the biggest black caviar jar several years ago"--apparently, though not certainly, a reference[44] to Deripaska. Kilimnik also wrote, "We spent about 5 hours talking about his story, and I have several important messages from him to you. He asked me to go and brief you on our conversation. I said I have to run it by you first, but in principle I am prepared to do it ... It has to do about the future of his country." Manafort and Kilimnik arranged to meet in New York in August. According to Politico, "Manafort said he and Kilimnik discussed an array of subjects related to the presidential campaign, including the hacking of the DNC's emails, though Manafort stressed that at the time of the conversations, neither he nor other Trump campaign officials knew that Russia was involved in the hacking."[45] What is now significant in light of that statement is that Manafort and other campaign officials were alerted to the Russian involvement before it was made public (and the first reports of the hacking, in June, attributed the operation to Russia).

U.S. intelligence agencies also intercepted communications among "suspected Russian operatives discussing their efforts to work with Manafort ... to coordinate information that could damage Hillary Clinton's election prospect … The suspected operatives relayed what they claimed were conversations with Manafort, encouraging help from the Russians," according to CNN.[46] It is an important qualification to keep in mind that those intercepts were among

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[40] Tom Hamburger, Rosalind S. Helderman, Carl D. Leonnig & Adam Entous, "Manafort offered to give Russian billionaire 'private briefings' on 2016 campaign," The Washington Post, September 20, 2017.
[41] Franklin Foer, "Konstantin Kilimnik: Manafort Aide Is Mueller's 'Person A,'" The Atlantic, June 6, 2018.
[42] Tom Hamburger, Rosalind S. Helderman, Carl D. Leonnig, & Adam Entous, "Manafort offered to give Russian billionaire 'private briefings' on 2016 campaign," The Washington Post, September 20, 2017.
[43] Julia Ioffe & Franklin Foer, "Did Manafort use Trump to curry favor with a Putin ally?," The Atlantic, October 2, 2017.
[44] Philip Bump, "Timeline: Paul Manafort's long history with oligarch Oleg Deripaska," The Washington Post, September 20, 2017.
[45] Kenneth P. Vogel & David Stern, "Authorities looked into Manafort protégé," Politico, March 8, 2017; *see also* Kilimnik told the Washington Post his meetings with Manafort were "private visits" in which they discussed "unpaid bills" and "current news" but "in no way related to politics or the presidential campaign in the U.S." Tom Hamburger, Rosalind S. Helderman, Carol D. Leonnig &Adam Entous, "Manafort offered to give Russian billionaire 'private briefings' on 2016 campaign," Washington Post, Sept. 20, 2017.
[46] Evan Perez, Pamela Brown & Shimon Prokupecz, "One year into the FBI's Russia investigation, Mueller is on the Trump money trail," CNN Politics, August 4, 2017.

suspected Russian operatives and do not apparently include Manafort. In contrast, phone records and calls intercepted by U.S. law enforcement and intelligence agencies show that members of the Trump campaign, specifically including Manafort, had repeated contacts with Russian intelligence officials before the election, according to the *New York Times* (which cited four anonymous current and former U.S. officials).[47] Former FBI Director James Comey and White House officials have disputed the accuracy of that Times report but not stated what was erroneous.[48] The Times did not provide information about the content of those calls, and Manafort's defense counsel argued that U.S. government sources were fabricating claims of intercepts of calls between Manafort and Russian officials.[49]

An important moment for shaping the Republican party's position on Russia came during the summer. At the Republican National Convention's meeting on the Republican Party platform, Trump campaign representatives intervened to remove a call for arming Ukraine to defend itself against Russian incursions, according to platform committee members and delegates (Rachel Hoff,[50] Diana Denman[51]) and a Trump campaign representative, J.D. Gordon.[52] As *Politico* reported,[53] "Many leading Republicans backed the idea, so the platform fight came as a surprise." Denman said that Gordon told her he had phoned "New York" about the Ukraine proposal and that he told her that he discussed the issue with Trump,[54] but Gordon "dispute[s] her recollection of events."[55] Gordon nonetheless told reporters that it was language that Trump wanted based on statements Trump made in a March meeting,[56] and he said[57] that the campaign's action on the party platform were due to Manafort and Trump's "overarching thought of better

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[47] Michael S. Schmidt, Mark Mazzetti & Matt Apuzzo, "Trump campaign aides had repeated contacts with Russian intelligence," The New York Times, February 14, 2017; *see also* Shane Harris, "Russian officials overheard discussing Trump associates before campaign began," The Wall Street Journal, July 12, 2017.

[48] Erik Wemple, "'In the main, it was not true:' Comey denounces New York Times story," The Washington Post, June 8, 2017. The New York Times reporters responded to Comey's statements, Michael S. Schmidt, Mark Mazzetti & Matt Apuzzo, Comey Disputes New York Times Article About Russia Investigation, *New York Times*, June 8, 2017 (discussing potential discrepancy in the use of the term "intelligence officer" across difference American agencies, especially when it comes to Russia). Other news outlets had independently corroborated the initial New York Times report. *See e.g.*, Joseph Menn, "U.S. inquiries into Russian election hacking include three FBI probes," Reuters, Feb. 18, 2017 ("The people who spoke to Reuters 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."); Pamela Brown, Jim Sciutto & Evan Perez, "Trump aides were in constant touch with senior Russian officials during campaign," CNN Feb. 15, 2017.

[49] Josh Gerstein, "Manafort seeks court hearing on leaks," Politico, April 30, 2018.

[50] Steven Mufson & Tom Hamburger, "Trump adviser's public comments, ties to Moscow stir unease in both parties," The Washington Post, August 5, 2016.

[51] Carrie Johnson, "2016 RNC Delegate: Trump directed change to party platform on Ukraine support," NPR, December 4, 2017.

[52] Natasha Bertrand, "It looks like another Trump adviser has significantly changed his story about the GOP's dramatic shift on Ukraine," Business Insider, March 3, 2017.

[53] Josh Meyer, "Russia investigators probe 2016 GOP platform fight," Politico, November 8, 2017.

[54] Carrie Johnson, "2016 RNC Delegate: Trump directed change to party platform on Ukraine support," NPR, December 4, 2017.

[55] Carrie Johnson, "2016 RNC Delegate: Trump directed change to party platform on Ukraine support," NPR, December 4, 2017.

[56] Jim Acosta, "Former Trump adviser met with Russian at RNC," CNN Politics, March 2, 2017.

[57] Natasha Bertrand, "It looks like another Trump adviser has significantly changed his story about the GOP's dramatic shift on Ukraine," Business Insider, March 3, 2017.

relations with Russia [which] was certainly their strategic position." On July 14, Carter Page, a foreign policy adviser on the campaign, emailed[58] several campaign staff including Gordon, congratulating them. "As for the Ukraine amendment, excellent work." Manafort categorically denied that he or the campaign played any role in in response to a series of pointed questions on *Meet the Press*.[59] That same day on *ABC News' This Week*,[60] Trump seemingly admitted that his campaign was involved in having "softened" the language but said he personally was not involved. (In another shift of Republican party policy, Trump also told *ABC News*[61] in the same interview that he was open to recognizing Russia's claim on Crimea.)

After a trip to the United States in the late summer, Kilimnik reportedly suggested to Kiev political operatives that he had played a role in the platform change,[62] but he has since told the press that he did not have anything to do with the platform.[63]

On Aug. 19, Manafort officially resigned from the Trump campaign, but several reports suggest that he continued to informally advise Trump during the final stretch of the campaign. "A figure from the past, Manafort, was back in the fold. The strategist was offering the GOP nominee pointers on how to handle the Clinton email news and urging him to make a play in Michigan," *Politico Magazine*[64] reported on Nov. 9, 2016. Manafort was also reportedly[65] involved in the the transition including using Gates as a channel.[66] Manafort reportedly continued to speak with Trump after he took office until lawyers for the president and Manafort insisted they stop.[67] After Manafort officially left the campaign, Gates remained through the inauguration, including serving as deputy chair of the inaugural committee.

Thread 3. Russian agents' direct overtures and offers of assistance to campaign

A. Russian agents and George Papadopoulos (April 2016)
B. Alexander Torshin via National Rifle Association and Donald Trump Jr. (May 2016)
C. Russian agents at Trump Tower meeting with top campaign officials (June 2016)
D. Carter Page and Moscow trip (July 2016)

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[58] Hearing before the Select Committee on Intelligence, House of Representatives, 115th Cong. 1 (2017) (Carter Page transcript).
[59] Chuck Todd, "Meet the press - July 31, 2016," NBC News, July 31, 2016.
[60] ABC News, "'This Week' Transcript: Donald Trump, Vice President Joe Biden, and Ret. Gen. John Allen," ABC News, July 31, 2016.
[61] Alexander Mallin, "Trump: Crimea's people prefer Russia, but if he's elected Putin is 'not going into Ukraine,'" ABC News, July 31, 2016.
[62] Kenneth P. Vogel & David Stern, "Authorities looked into Manafort protégé," Politico, March 8, 2017.
[63] Franklin Foer, "Konstantin Kilimnik: Manafort Aide Is Mueller's 'Person A,'" The Atlantic, June 6, 2018; Christopher Miller, "'Person A' In His Own Words: On The Record With Shadowy Operative In Russia Probe," Radio Free Europe/Radio Liberty, April 6, 2018.
[64] Alex Isenstadt, Eli Stokols, Shane Goldmacher, & Kenneth P. Vogel, "Inside Trump's Stunning Upset Victory: 'Jesus, can we come back from this?' the nominee asked as his numbers tanked. Because of Clinton, he did.," Politico Magazine, November 9, 2016.
[65] Robert Kolker, "Paul Manafort is back," Bloomberg, November 28, 2016.
[66] Gregory Krieg & Jamie Gangel, "Ousted campaign chief Paul Manafort seeks to shape Trump transition," CNN Politics, December 1, 2016.
[67] Evan Perez, Shimon Prokupecz & Pamela Brown, "Exclusive: US government wiretapped former Trump campaign chairman," CNN Politics, September 19, 2017.

A. Russian agents and George Papadopoulos (April 2016)

Bottom line: By April 2016, the Trump campaign knew, via a foreign policy adviser, that the Kremlin had derogatory emails involving Hillary Clinton and continued to pursue a line of communication through that adviser

George Papadopoulos was a 28-year-old consultant with relatively little experience when he joined the Trump campaign in March 2016 as a foreign policy adviser. Papadopoulos' plea agreement details the events that followed. A suspected Russian government agent, Joseph Mifsud, took "great interest" in Papadopoulos after learning of the American's position on the Trump campaign.

In mid-March, candidate Trump told the *Washington Post* that Papadopoulos was one of a small group of his foreign policy advisers, and a few days later Trump tweeted an image of a small group meeting with Papadopoulos prominently at the table with Trump and Jeff Sessions.

In April, Mifsud, a professor in London, introduced Papadopoulos to a "Russian Ministry of Foreign Affairs Connection," who in one email thanked Papadopoulos for "for an extensive talk."

On or about April 26th, at a breakfast in a London hotel, Mifsud told Papadopoulos that he had just returned from Moscow where he met with high-level Russian government officials. He informed Papadopoulos that the Russians have "dirt" on Clinton in the form of "thousands of emails." That revelation occurred after Russian military intelligence had, indeed, exfiltrated emails from the DNC computer network,[68] and nearly two months before the public had any knowledge of the DNC hack.

Did Mifsud convey just this information or offer more? In reference to a House Intelligence Committee minority memo, Rep. Adam Schiff (D-Calif.) highlighted a relevant detail, "our memo discloses for the first time that the Russians preview to Papadopoulos that they could help with disseminating these stolen emails."[69] Former FBI James Comey wrote in his book, "the FBI learned that…Papadopoulos had been discussing, months earlier, **obtaining** from the Russian government emails damaging to Hillary Clinton" (emphasis added).

Papadopoulos, according to his plea, continually kept "high level campaign officials" informed of his communications with the Russians, which raises the question whether Manafort and others knew about the stolen Clinton emails before the June 9 Trump Tower meeting. John Mashburn, the campaign's policy director, reportedly testified that he recalled that he and other campaign officials received an email from Papadopoulos in the first half of 2016 saying the Russians had derogatory information on Clinton.[70]

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[68] Office of the Director of National Intelligence, Background to "Assessing Russian Activities and Intentions in Recent US Elections": The Analytical Process and Cyber Incident Attribution (2017) ("Content that we assess was taken from e-mail accounts targeted by the GRU in March 2016 appeared on DCLeaks.com starting in June.").
[69] Chris Hayes, "All In with Chris Hayes-February 26, 2018," MSNBC, February 26, 2018.
[70] Nicholas Fandos & Michael S. Schmidt, "Tantalizing Testimony From a Top Trump Aide Sets Off a Search for Proof," New York Times, May 15, 2018.

After Papadopoulos was told that the Russians had the Clinton emails, the campaign continued to pursue a meeting with Russian officials through Papadopoulos. On one occasion Papadopoulos emailed a "high-ranking Campaign official" (later identified by the *Washington Post* and others as Manafort) with the subject line, "Request from Russia to meet Mr. Trump;" that high-ranking official then emailed another campaign official (later identified as Gates) to say, "We need someone to communicate that DT is not doing these trips. It should be someone low level in the campaign so as not to send any signal."

Papadopoulos then pursued an "off-the-record" meeting between Trump campaign representatives and senior Russian officials. A Campaign Supervisor told Papadopoulos in mid-August 2016: "I would encourage you" and another foreign policy advisor to the Campaign to "make the trip[], if it is feasible." That Campaign Supervisor was apparently Sam Clovis, who when told earlier about Papadopoulos' initial contacts with the Russians replied, "Great work." The trip proposed by Papadopoulos, however, did not take place. Three days after Papadopoulos' guilty plea was made public, Clovis withdrew from consideration for a Senate-confirmed position in the administration; his nomination hearing had been scheduled for the following week.

Papadopoulos was indicted and pleaded guilty to having lied to FBI investigators including having "omitted the entire course of conduct with the Professor and the Russian MFA Connection regarding his efforts to establish meetings between the Campaign and Russian government officials."

B. Alexander Torshin via National Rifle Association and Donald Trump Jr. (May 2016)

Bottom line: Donald Trump Jr. met with Alexander Torshin, deputy governor of the Russian Central Bank, at a private dinner on the sidelines of the NRA convention after Torshin asked to meet a high level campaign official saying he was carrying an invitation from Putin to meet Trump

In May 2016, the Trump campaign received communications about an effort by Alexander Torshin, a deputy governor of the Russian Central Bank and Putin ally,[71] asking to meet a high-level Trump campaign official during the National Rifle Association annual convention in Louisville, Kentucky.[72] His stated purpose was apparently to convey an invitation from Putin to meet with Trump at a later date.

In an email on May 10 with the title "Kremlin Connection," Rick Erickson, a conservative activist and someone with reportedly close ties Torshin, emailed Rick Dearborn, a senior campaign official. Erickson said that over a "couple of years" with the NRA he had been

[71] Tim Dickinson, "Inside the Decade-Long Russian Campaign to Infiltrate the NRA and Help Elect Trump," Rolling Stone, April 2, 2018 ("A member of Putin's right-wing United Russia party, he served in the Russian senate for more than a decade, forging close ties to Russia's internal security service, the FSB, which awarded him a medal in 2016.").

[72] Ken Dilanian & Carol E. Lee, "Kushner failed to disclose outreach from Putin ally to Trump campaign," NBC News, Nov.17, 2017; Rebecca Ballhaus, "Jared Kushner's Lawyer Pushes Back Against Senate Panel," Wall Street Journal, Nov. 17, 2017; Nicholas Fandos, "Operative Offered Trump Campaign 'Kremlin Connection' Using N.R.A. Ties," New York Times, Dec. 3, 2017.

"cultivating a back-channel to President Putin's Kremlin … And for reasons that we can discuss in person or on the phone, the Kremlin believes that the only possibility of a true re-set in this relationship would be with a new Republican White House." Erickson added that Putin "wants to extend an invitation for Mr. Trump to visit him in the Kremlin before the election." Dearborn communicated the request to Manafort, Gates, and Jared Kushner, explaining that the proposal was for Torshin "to discuss an offer he claims to be carrying from President Putin to meet with DJT" by speaking with a senior campaign official at the NRA convention.

Around the same time, Dearborn received a similar proposal from a West Virginian advocate, Rick Clay. The email had the subject line, "Russian backdoor overture and dinner invite," according to one person who has seen the message, reported the *New York Times*.[73] Clay's email sought Trump's attendance at a side-event dinner that Clay organized for wounded veterans during the NRA's annual convention. The email said the dinner would provide an opportunity for Trump to meet Torshin. Dearborn reportedly sent the message to Kushner.

Kushner appeared to waive off campaign aides and officials, saying "Pass on this" with an explanation, "Most likely these people then go back home and claim they have special access to gain importance for themselves."

Clay told CNN that Dearborn did not act on the request and informed Clay that it was "inappropriate," saying that such matters had to go through the "proper channels" of the State Department.[74]

In the end, however, Torshin attended a private dinner on the sidelines of the NRA event where he met and spoke at least briefly with Trump Jr. According to *Bloomberg News*, "Torshin said in the interview he stayed clear of then-candidate Trump at last year's NRA event to avoid controversy, dining with Donald Trump Jr. instead."[75]

It is disputed whether Torshin and Trump Jr. sat at the same table. Before the issue of their meeting became a controversy, a *Daily Beast* profile of Sheriff David Clarke in Dec, 2017 reported, "At the most recent NRA Conference in Louisville, Kentucky, in May of this year, Sheriff Clarke tweeted a picture of himself with Donald Trump Jr., who was sitting at special guest Torshin's table."[76]

In May 2018, *Yahoo News* reported that Spanish prosecutor, Jose Grinda, in response to a request from the FBI, has turned over secret wiretaps collected by Spanish police of conversations between Torshin and Alexander Romanov, a convicted Russian money launderer. Grinda was speaking at an event at the Hudson Institute. "Asked if he was concerned about Torshin's

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[73] Matt Apuzzo, Matthew Rosenberg, and Adam Goldman, "Top Russian Official Tried to Broker 'Backdoor' Meeting Between Trump and Putin," New York Times, November 17, 2017.
[74] Manu Raju, "How a Request about Russians Made its Way from West Virginia to Trump's team," CNN, Aug. 28, 2017.
[75] Ilya Arkhipov and Evgenia Pismennaya, "Putin Loyalists Are Invading Washington," Bloomberg News, April 5, 2017.
[76] Cliff Schecter, "How David Clarke Bridges Donald Trump's Gun Nuts and Vladimir Putin's Kleptocrats," Daily Beast Dec. 5, 2016.

meetings with Donald Trump Jr. and other American political figures, Grinda replied: 'Mr. Trump's son should be concerned,'" reported *Yahoo News*' Michael Isikoff. [77]

C. Russian agents meeting with top campaign officials, Trump Tower (June 2016)

Bottom line: Three top campaign officials arranged to meet with likely Russian agents expecting to obtain damaging information on Hillary Clinton, and during the meeting Donald Trump Jr. pressed the Russians for the information

Russian billionaire Aras Agalarov was reportedly a driving force behind the June 9, 2016 Trump Tower meeting between three Russian nationals (and an interpreter) and at least three senior Trump campaign officials. Based solely on publicly available information, several former US intelligence officials assess the meeting was a Russian intelligence operation.[78] Aras, his son Emin, a Russian pop star and businessman, and their representative Rob Goldstone, were already well known to Trump, as were their connections to Putin. In 2013, Trump requested Goldstone to set up a meeting for him with Putin during the upcoming Miss Universe contest. The meeting was arranged by Aras but never happened due to a last-minute change in Putin's schedule (Irakly "Ike" Kaveladze[79] Rob Goldstone[80] testimony). Putin's spokesperson, Dmitry Peskov extended an offer for Trump to meet Putin instead at the Sochi Olympics.[81] When Trump announced his run for president in June 2015, Goldstone claimed to have already been informed of Trump's plans during a meeting Emin and he had at Trump Tower in New York the previous month, writing: "He talked about his planned run for President of the USA – which became official today!"[82] In a July 2015 email to Trump's personal secretary, Goldstone offered to set up a meeting with Trump and Putin in Russia. In an email on the night of Super Tuesday in February of 2016, Goldstone sent a congratulatory email on behalf of Aras "offering his [Aras Agalarov's] **support and that of many of his important Russian friends and colleagues**—especially with reference to U.S./Russian relations."

The initial emails from Goldstone to Trump Jr. before the Trump Tower meeting showed signs of a pre-existing understanding of Kremlin support for the Trump campaign.[83] Goldstone wrote that the provision of derogatory emails from the "Russian government attorney" was "obviously very high level and sensitive information but is part of Russia and its government's support for Mr. Trump - helped along by Aras and Emin." Goldstone also described the provenance of the dirt on Clinton saying, "The Crown prosecutor of Russia met with his father Aras this morning

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[77] Michael Isikoff, "'Trump's son should actually be concerned': FBI obtained wiretaps of Putin ally who met with Trump Jr.," Yahoo News, May 25, 2018.
[78] Rolf Mowatt-Larssen, "Trump Jr.'s Russia meeting sure sound like a Russian intelligence operation," Washington Post, July 14, 2017; *see also* John Sipher & Steve Hall, "Oh, wait. Maybe it was collusion.," New York Times, August 2, 2017.
[79] Transcript, Staff Interview of Ike Kaveladze, Senate Judiciary Committee (Nov. 3, 2017).
[80] Transcript, Staff Interview of Robert Goldstone, Senate Judiciary Committee (Dec. 15, 2017).
[81] Jon Swaine & David Smith, "Rob Goldstone: who is the man who set up Trump Jr's meeting with a Russian lawyer?," The Guardian, July 10, 2017.
[82] Jon Swaine & David Smith, "Rob Goldstone: who is the man who set up Trump Jr's meeting with a Russian lawyer?," The Guardian, July 10, 2017.
[83] Jan Diehm & Sean O'Key, "The email exchange Trump Jr. released, in chronological order," CNN Politics, July 2017.

and in their meeting offered to provide the Trump campaign with some official documents and information." Trump Jr. wrote back, "if it's what you say I love it especially later in the summer," and asked to do a call "first thing next week." Trump later emailed that Paul Manafort, whom he described as "campaign boss," and Kushner would likely attend the meeting. The entire email exchange had the subject line, "Russia - Clinton - private and confidential," which Trump Jr. forwarded to Manafort and Kushner. Manafort responded, "See you then."

In his testimony before the House Intelligence Committee, Donald Trump Jr. suggested he would not have taken the June 9, 2016, meeting were it not for the promise of derogatory information on Hillary Clinton. He testified[84] before the Senate Judiciary Committee that this was "an extraordinarily intense period of time" for the campaign, including their dealing with competitors' efforts to force a contested convention and their having to replace Corey Lewandowski as campaign manager. Despite the pressure on their schedules, the Trump campaign assembled three top officials to meet with the Russians. According to the House Intelligence Committee's Majority report, Trump Jr., Kushner, and Manafort attended the meeting "where they expected to receive…derogatory information on candidate Clinton from Russian sources."[85] Trump Jr. admits to "pressing"[86] the Russian attorney for the information he was told she would have, and informed her that the information she was providing was unhelpful. His admission is consistent with the testimony of other participants at the meeting. During the meeting, Manafort thought it was important enough to take notes.

Trump Jr. appears to have been aware that receiving information from the Russians could expose them to legal jeopardy. In his testimony, before the Senate Judiciary Committee, he stated, "Depending on what, if any, information they had, I could then consult with counsel to make an informed decision as to whether to give it further consideration."[87] Having previously worked on four major presidential campaigns, Manafort was presumably even more aware of concerns raised by a campaign receiving support from foreign nationals or agents of a foreign power.

The meeting participants included Trump Jr., Manafort, Jared Kushner, Rob Goldstone, Natalia Veselnitskaya, Irakly (Ike) Kaveladze, Rinat Akhmetshin, and Anatoli Samochornov. The Russian delegation notably[88] included some of the individuals who were central in the organization of Trump's Miss Universe event in Moscow, including Kaveladze and Goldstone representing the Agalarovs. Despite Goldstone's email to the Russian delegation ahead of the meeting, saying there is "very tight security now at Trump Tower" and to bring identification, he

[84] Transcript, Staff Interview with Donald Trump Jr., Senate Judiciary Committee (Sept. 7, 2017).
[85] U.S. House Permanent Select Committee on Intelligence, "Report on Russian Active Measures," March 22, 2018.
[86] Sean Hannity, "Donald Trump Jr. on 'Hannity': In retrospect, I would've done things differently," Fox News, July 11, 2017.
[87] Renato Mariotti, "Former Federal Prosecutor Dissects Donald Trump Jr.'s Statement to Congress," Just Security, Sept. 8, 2017 ("[T]his has the potential to be the most important admission by Trump Jr. You don't consult with counsel about casual meetings with entertainers about adoptions. The fact that he planned to consult with counsel regarding what the Russians told him indicates that he was aware that receiving information from the Russians could open him up to legal liability. That could be used by a prosecutor to help prove his state of mind.").
[88] Jeffrey Toobin, "Trump's Miss Universe gambit," The New Yorker, February 26, 2018.

testified that only he checked in with security and, according to Trump Jr.'s testimony, there are no attendance logs of their names.

Akhmetshin is reportedly a former Soviet intelligence officer who "apparently has ties to Russian intelligence," and "allegedly specializes in 'active measures campaigns'" such as subversive political operations involving disinformation and propaganda (Sen. Charles E. Grassley letter[89] to Sec. John Kelley, Apr. 4, 2017). He has "a history of working for close allies of President Vladimir V. Putin" and has worked more than once with Russian firms accused of hacking business and political opponents, according to the *New York Times*.[90] Trump Jr. testified that Akhmetshin is the one person he cannot recall attending the June 9 meeting, even though, according to another participant's testimony,[91] Akhmetshin was dressed almost entirely in pink--"pink jeans with like holes on the knees, and a pink T-shirt." And another participant at the meeting testified that Akhmetshin did most of the talking.

Several months after the Russian government lawyer submitted written responses to the Senate Judiciary Committee, she admitted[92] to NBC that she is a Russian government "informant" – and has worked closely with Russia's Prosecutor General Yuri Chaika, who Goldstone referred to as "the Crown prosecutor" in his initial email to Trump Jr. Her admission came in the course of being confronted by email correspondence leaked to *NBC*.[93]

The *New York Times*[94] revealed that the document that the Russian lawyer brought to the Trump Tower meeting matched a confidential memorandum circulated by Chaika's office. The document was, in large part, about U.S. sanctions on Russia. It outlined a set of allegations against individuals in an effort to undermine support for the Magnitsky Act. That legislation and the suspension of Russian adoptions--Putin's act of retaliation for the Magnitsy Act--were among the topics discussed at the meeting, by all accounts. Removal of the Magnitsky Act is an important goal for Putin.

In testimony before the House Intelligence Committee, Rep. Dana Rohrabacher "acknowledged that [Akhmetshin and Veselnitskaya] were probably spies," based on his own interactions with them.[95]

Why did the Russians not offer more? Former intelligence officials assess that the publicly reported facts are characteristic of Russian intelligence tradecraft, that the Russians would want

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[89] Senator Chuck Grassley, Chairman, Committee on the Judiciary, "Letter to John Kelly, Department of Homeland Security (April 4, 2017).
[90] Sharon LaFraniere, David D. Kirkpatrick & Kenneth P. Vogel, "Lobbyist at Trump campaign meeting has a web of Russian connections," The New York Times, August 21, 2017.
[91] Transcript, Staff Interview of Ike Kaveladze., Senate Judiciary Committee (Nov. 3, 2017).
[92] Jack Crowe, "Report: Lawyer at Trump Tower meeting was Russian informant," National Review, April 27, 2018.
[93] Rachel Maddow, "Russian lawyer had deep ties to Kremlin, emails show," MSNBC, April 27, 2018.
[94] Sharon LaFraniere & Andrew E. Kramer, "Talking points brought to Trump Tower meeting were shared with Kremlin," The New York Times, October 27, 2017.
[95] HPSCI Minority Views (citing HPSCI Executive Session Interview with Dana Rohrabacher, December 21, 2017, p.167.

to dangle the prospect of more valuable information, and would observe whether the campaign reported them to federal authorities or instead welcomed the offer and wanted more.[96]

Trump Jr. testified that he never told his father about the meeting. President Trump told reporters it "must have been a very unimportant meeting, because I never even heard about it."[97] Stephen Bannon, who served as chief executive of the Trump campaign, and Sam Nunberg, a Trump campaign associate, have each said they strongly believe that Trump Jr. would have told his father about the meeting. The timing of one of Trump Jr.'s calls with a blocked number, placed in between phone calls tied to setting up the meeting, has raised questions whether he informed his father.[98] When asked whether his father uses a blocked number, Trump Jr. responded, "I don't know," which is difficult to sustain since he presumably speaks enough with his father by phone to know. Trump's primary residence has a blocked line, Lewandowski testified. After Trump Jr. set up the meeting, candidate Trump announced that he would be giving a "major speech on probably Monday of next week" (four days after the June 9 meeting) where "we're going to be discussing all of the things that have taken place with the Clintons." The speech was later moved to June 22 due to the terrorist attack at the Pulse Nightclub in Orlando. At the June 22 speech Trump called on Clinton's deleted emails "to be found."[99]

D. Carter Page and Moscow trip

Bottom-line: Carter Page, previously a target of recruitment by Russian intelligence and self-described "informal advisor to the staff of the Kremlin," met with Russian officials in Moscow in July and December 2016 and then denied any such meetings to the media

Carter Page came to the attention of the FBI long before he joined the Trump campaign. In 2013, Russian spies tried to recruit Page as an intelligence source, and Page passed documents to an agent of Russia's Foreign Intelligence Service. As revealed by surveillance recording in the federal prosecution of the spy ring, one Russian agent described Page to his colleagues as easily manipulated, "it's obvious that he wants to earn lots of money…. For now his enthusiasm works for me."[100] In late 2013, Page wrote a letter to a publisher proclaiming, "Over the past half year, I have had the privilege to serve as an informal advisor to the staff of the Kremlin."[101] According to one news outlet, he was already subject to a FISA warrant in 2014.[102] The FBI interviewed

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[96] Rolf Mowatt-Larssen, "Trump Jr.'s Russia meeting sure sounds like a Russian intelligence operation," Washington Post, July 14, 2017; John Sipher, Steve Hall, "Oh, wait. Maybe it was collusion," New York Times, August 2, 2017; but compare Daniel Hoffman, "The Russians Were Involved. But It Wasn't About Collusion," New York Times, July 28, 2017.

[97] "Excerpts From The Times's Interview With Trump," New York Times, June 19, 2017.

[98] Two hours after the June 9 meeting ended, Trump Jr. also had a call with a blocked number. See Senate Judiciary Democratic Members, Preliminary Findings About Trump Campaign's Effort to Obtain Incriminating Information on Secretary Clinton from Russia at Trump Tower Meeting, May 16, 2018.

[99] Dan Merica, "Recreating June 9: A very consequential day in the 2016 campaign," CNN, July 22, 2017.

[100] Complaint, United States v. Evgeny Buryarov et. al, (No. 1:15-cr-00073-RMB) (S.D.N.Y Jan.1, 2015).

[101] Massimo Calabresi & Alana Abramson, "Carter Page Touted Kremlin Contacts in 2013 Letter," Time Magazine, Feb. 4, 2018.

[102] Evan Perez, Pamela Brown, and Shimon Prokupecz, "One Year into the FBI's Russia Investigation, Mueller is on the Trump Money Tail," CNN Politics, Aug. 4, 2017.

Page multiple times, including in March 2016, about his contacts with Russian intelligence. Trump publicly named Page as part of his foreign policy team on March 21, 2016.

Page made a trip to Russia in July 2016, which followed the June 9 Trump Tower meeting, and after Manafort told Gates with respect to Papadopoulos' proposed meeting with Russians in Moscow, "We need someone to communicate that DT is not doing these trips. It should be someone low level in the campaign so as not to send any signal." For months the Trump campaign refused to acknowledge whether it had approved Page's trip until Politico broke the story that Lewandowski approved it.[103]

In Moscow, Page was invited to give a prestigious commencement address for the New Economic School in Moscow, a distinction previously held by President Barack Obama.[104] On July 8, Page emailed two members of the campaign, "I'll send you guys a readout soon regarding some incredible insights and outreach I received from a few Russian legislators and senior members of the Presidential administration here." In a follow-on email to the campaign, Page wrote that he had "a private conversation" with Deputy Prime Minister Arkady Dvorkovich and said that Dvorkovich "expressed strong support for Mr. Trump and a desire to work together toward devising better solutions in response to the vast range of current international problems." Page added, "Based on feedback from a diverse array of other sources close to the Russian Presidential Administration, it was readily apparent that this sentiment is widely held at all levels of the government."

Later in July, after he returned from his trip to Moscow, Page met with Russia's Ambassador Kislyak on the sidelines of the Republican National Convention.[105]

In late September, *Yahoo News* reported that U.S. intelligence agencies were investigating whether Page met with Russian officials during his trip to Moscow and discussed the possible lifting of sanctions if Trump became president. Two days later, Trump campaign manager Kellyanne Conway told *CNN*'s Jake Tapper that Page was "certainly not part of the campaign I'm running." She added, "I have not spoken with him at all, in fact, meaning he's not part of our national security or foreign policy briefings that we do now at all, certainly not since I have become campaign manager."[106] Page subsequently left the campaign.

Although its origins are steeped in controversy,[107] the Justice Department obtained a warrant to wiretap Page in October 2016 based on establishing probable cause that he was **knowingly** assisting clandestine Russian intelligence activities in the United States. That warrant was renewed three times over the next several months by three different judges; on each occasion

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[103] Josh Meyer & Kenneth Vogel, "Trump Campaign Approved Adviser's Trip to Moscow," Politico, Mar. 7, 2017.
[104] Luke Harding, Collusion: Secret Meetings, Dirty Money, and How Russia Helped Donald Trump Win (Vintage Press: 2017).
[105] Steve Reilly, "Two other Trump Advisers Also Spoke with Russian Envoy During GOP Convention," USA Today (March 2, 2017).
[106] David Cohen, "Conway Denies Trump Campaign Ties to Russia Figure," Politico, Sept. 25, 2016.
[107] Julian Sanchez, "The Grassley Letter Everyone is Ignoring is Way More Important than the Nunes Memo," Politico, Feb. 9, 2018.

satisfying a new probable cause finding, and presumably satisfying each judge that the ongoing surveillance was yielding productive information in order for it to be renewed.

Page told the House Intelligence Committee that on a December 2016 trip to Moscow he had a private meeting with Dvorkovich at that time.[108]

Despite these interactions with Russian officials, Page has, on occasion, denied to the press that he had any meetings with Russians during 2016.[109] Once, when admitting he spoke with Kislyak, Page said, "I had no substantive discussions with him," but cited "confidentiality rules" in refusing to say what they discussed.[110]

Thread 4. Weaponization of hacked information: Knowledge and support for Wikileaks

By mid-June 2016, it was publicly known that Russians had likely hacked the Democratic National Committee's computer network. Therefore anyone involved in the possession or distribution of the hacked materials, who had not known before about the link to Russia, was now essentially on notice.

On June 12, 2016, the British press reported[111] that Wikileaks founder Julian Assange said that WikiLeaks, a non-U.S. organization, had obtained and planned to publish a batch of emails "in relation to Hillary Clinton." On June 14, the Washington Post ran the headline,[112] "Russian government hackers penetrated DNC, stole opposition research on Trump."[113] The next few days included headlines such as "Russian hacking of DNC is confirmed."[114] On July 22, shortly before the Democratic National Convention began, WikiLeaks released[115] nearly 20,000 internal DNC emails. On July 26, President Obama told *NBC News*[116] that the FBI was still investigating the hack but "experts have attributed this to the Russians."

Roger Stone

Bottom line: Trump's close confidant Roger Stone appears to have obtained advance knowledge of Wikileaks' plans for distributing hacked emails, encouraged their publication, and requested the release of specific documents

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[108] Hearing Before the Select Committee on Intelligence, House of Representatives, 115th Cong. 1 (2017) (statement of Carter Page).
[109] Joshua Barajas, "In a reversal, former Trump campaign adviser Carter Page now says he did have contact with Russia," PBS News, Mar. 2, 2017.
[110] Steve Reilly, "Exclusive: Two other Trump advisers also spoke with Russian envoy during GOP convention," USA Today. March 2, 2017.
[111] Mark Tran, "WikiLeaks to publish more Hillary Clinton emails - Julian Assange," The Guardian, June 12, 2016.
[112] Ellen Nakashima, "Russian government hackers penetrated DNC, stole opposition research on Trump," The Washington Post, June 14, 2016.
[113] Ellen Nakashima, "Russian government hackers penetrated DNC, stole opposition research on Trump," The Washington Post, June 14, 2016.
[114] Ellen Nakashima, "Russian hacking of DNC is confirmed," Washington Post, June 21, 2016.
[115] Tom Hamburger & Karen Tumulty, "WikiLeaks releases thousands of documents about Clinton and internal deliberations," The Washington Post, July 22, 2016.
[116] Nick Gass, "Obama on DNC hack: 'Experts attribute this to the Russians,'" Politico, July 26, 2016.

Self-professed[117] "dirty trickster" for Richard Nixon, Roger Stone has had a friendship with Trump that goes back four decades, and together they have discussed[118] Trump's presidential ambitions for years. Stone officially consulted for the Trump campaign until August 2015, according to Stone's congressional testimony.[119] Stone said he departed from his official role with the campaign on "excellent terms,"[120] and stated in August 2016, "I have no formal nor informal role but I do have access to all the right people."[121] Stone testified that he continued to "work, write, and advocate on behalf of his candidacy,"[122] and, in Oct. 2016, he said that he wrote long memos to Trump once or twice a week.[123] Stone reportedly met with deputy campaign chairman Rick Gates during and after the campaign.[124]

In spring of 2016, Stone reportedly told a confidant that he had contact with Assange earlier that year.[125] Stone's confidant told the *Washington Post*[126] that Stone said he learned from Assange that Wikileaks had obtained emails that would torment senior Democrats such as John Podesta. This was long before the public knew that hackers had stolen emails from the DNC and Podesta, which Wikileaks began releasing in late July (DNC emails) and early October (Podesta emails). Another Stone associate, Sam Nunberg, told the *Washington Post* that Stone said he met with Assange in 2016.[127] Stone told the Post, "Sam can manically and persistently call you … It was a joke, a throwaway line to get him off the phone." In response to that statement, Nunberg said he did not consider the comment a joke at the time.

The *Wall Street Journal*[128] subsequently reported that Stone wrote an email to Nunberg on Aug. 4, 2016 saying, "I dined with my new pal Julian Assange last nite." Nunberg replied by email[129] within 3 minutes asking for Assange's email address. The following day Stone tweeted, "Hillary lies about Russian Involvement in DNC hack -Julian Assange is a hero." It is unclear whether

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[117] Jordan Riefe, "'Get me Roger Stone' Filmmakers compare the "Dirty Trickster" to Donald Trump," The Hollywood Reporter, November 230, 2017.
[118] Callum Borchers, "Roger Stone's defiant congressional testimony on Trump and Russia, annotated," The Washington Post, September 26, 2017.
[119] Callum Borchers, "Roger Stone's defiant congressional testimony on Trump and Russia, annotated," The Washington Post, September 26, 2017.
[120] Jonathan Chait, "Roger Stone knew in advance about the stolen emails. Did he tell Trump?," New York Daily Intelligencer, March 13, 2018.
[121] Greta Wodele Brawner, "Newsmakers with Roger Stone," C-SPAN, August 18, 2016.
[122] Callum Borchers, "Roger Stone's defiant congressional testimony on Trump and Russia, annotated," The Washington Post, September 26, 2017.
[123] Nina Burleigh, "A revealing lunch with Roger Stone," Newsweek, October 24, 2016.
[124] Brian Schwartz, "Special counsel Robert Mueller focusing sharply on links between Trump confidant Roger Stone and former campaign official Rick Gates, sources say," CNBC, May 3, 2018; see also Maggie Haberman, "Roger Stone says he had little contact with Manafort deputy," The New York Times, May 7, 2018.
[125] Philip Bump, "The confusing timeline on Roger Stone's communications with WikiLeaks," The Washington Post, March 13, 2018.
[126] Tom Hamburger, Josh Dawsey, Carol D. Leonnig & Shane Harris, "Roger Stone claimed contact with WikiLeaks founder Julian Assange in 2016, according to two associates," The Washington Post, March 13, 2018.
[127] Tom Hamburger, Josh Dawsey, Carol D. Leonnig & Shane Harris, "Roger Stone claimed contact with WikiLeaks founder Julian Assange in 2016, according to two associates," The Washington Post, March 13, 2018.
[128] Shelby Holliday & Rob Barry, "Roger Stone's claim of a 2016 Julian Assange meeting draws scrutiny," The Wall Street Journal, April 2, 2018.
[129] Philip Bump, "An alleged dinner with Assange is unlikely. The real Roger Stone questions are elsewhere.," The Washington Post, April 4, 2018.

Stone meant he had an online meeting with Assange, since it appears he did not leave the United States, and Assange remained in the Ecuadorian Embassy in London.

On Aug. 8, 2016, Stone said at a meeting of Republicans in Florida, "I actually have communicated with Assange. I believe the next tranche of his documents pertain to the Clinton Foundation but there's no telling what the October surprise may be."[130] Stone later claimed[131] in public and in testimony[132] that these communications were through an intermediary. In his written testimony, Stone suggested his communications with his intermediary occurred after June 11, 2016, and they were to "independently confirm" Assange's then-public statement that Wikileaks was in possession of "Clinton DNC emails." Wikileaks repeatedly denied any[133] communications or back channel with Stone.

From mid-August to early September, Stone had several private exchanges, via Twitter's direct messaging function, with Guccifer 2.0, a persona used by Russia's intelligence operation.[134] In a message dated Aug. 15, Guccifer 2.0 asked Stone, "do you find anything interesting in the docs i posted?" Guccifer 2.0 also sent Stone a link to Florida GOP operative Aaron Nevins' anonymous blog, which included voter statistics taken from the Democratic Congressional Campaign Committee. Guccifer 2.0 had supplied the statistics to Nevins. In a message dated Aug. 17, Guccifer said to Stone: "please tell me if i can help u anyhow. it would be a great pleasure to me." Stone says this is the entirety of his communication with Guccifer, but the exchange ends abruptly, and there is no further indication if the two continued through other Twitter accounts or other platforms.[135]

On Aug. 21, Stone's tweeted,[136] "Trust me, it will soon the Podesta's time in the barrel. [137] #CrookedHillary," prompting speculation that he had prior knowledge of Russia's hack of Podesta's emails. On repeated occasions, including in his written congressional testimony, Stone said he did not have advance knowledge of "the hacking of Clinton campaign chairman John Podesta's emails."[138] But the more important legal question is whether he had advance knowledge that Wikileaks possessed these documents and that they would be released. Stone has

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[130] Media Matters Staff, "Roger Stone confirms that he's in communication with Julian Assange," Media Matters, August 9, 2016.
[131] Edward-Isaac Dovere, "Roger Stone: 'They have no proof,'" Politico, March 27, 2017.
[132] Callum Borchers, "Roger Stone's defiant congressional testimony on Trump and Russia, annotated," The Washington Post, September 26, 2017.
[133] Andrew Kaczynski, "WikiLeaks denies Roger Stone's claim of backchannel to the group," CNN Politics, March 27, 2017.
[134] William Bastone, "Roger Stone's Russian Hacking 'Hero': Trump loyalist communicated with 'Guccifer 2.0,'" Smoking Gun March 8, 2017.
[135] Caroline O. (@RVAwonk), Twitter (Mar. 15, 2017, 2:23 PM),https://twitter.com/RVAwonk/status/842124207995658240.
[136] Andrew Kaczynski, Nathan McDermott & Chris Massie, "Trump adviser Roger Stone repeatedly claimed to know of forthcoming WikiLeaks dumps," CNN Politics, March 20, 2017.
[137] Brian Schwartz, "Special counsel Robert Mueller focusing sharply on links between Trump confidant Roger Stone and former campaign official Rick Gates, sources say," CNBC, May 3, 2018; see also Maggie Haberman, "Roger Stone says he had little contact with Manafort deputy," The New York Times, May 7, 2018.
[138] Callum Borchers, "Roger Stone's defiant congressional testimony on Trump and Russia, annotated," The Washington Post, September 26, 2017.

also said[139] that his tweet referred to both Podesta brothers and was about "the revelation in the April 2016 Panama Papers that exposed their shady business dealings in Russia. John and Tony--the Podestas." But it is unclear why Stone would decide to make that claim about the Podestas over four months after the Panama Papers had been released, and why an exposition of Tony Podesta would be related to the hashtag #CrookedHillary.

Email communications[140] between Stone and Randy Credico, a New York radio personality who had interviewed Assange, also suggest the workings of a back channel between Stone and Wikileaks. On Sept. 18, 2016, Stone emailed Credico with a specific document request, "Please ask Assange for any State or HRC e-mail from August 10 to August 30--particularly on August 20, 2011." Credico initially replied that the information would be on Wikileaks website if it existed. Stone responded, "Why do we assume WikiLeaks has released everything they have ???" Credico then asked for a "little bit of time," and wrote a few hours later, "That batch probably coming out in the next drop...I can't ask them favors every other day .I asked one of his lawyers." Credico was presumably referring to prior requests to Wikileaks. Credico would later tell the *Wall Street Journal* that he never passed on the request to Assange or his lawyers, but got weary of Stone "bothering" him.[141]

On Friday, Oct. 7, 2016, Wikileaks released Podesta's emails. Several of Stone's statements indicate he had advance knowledge. On the Sunday before, Stone had said on the InfoWars show:

> "An intermediary met with him [Assange] in London recently who is a friend of mine and a friend of his, a believer in freedom. **I am assured** that the mother lode is coming Wednesday. It wouldn't be an October surprise if I told you what it was but I have reason to believe that it is devastating because people with political judgment who are aware of the subject matter tell me this."[142]

That same Sunday, Stone tweeted: "Wednesday@HillaryClinton is done. #Wikileaks." On the Monday, he tweeted, "I have total confidence that @wikileaks and my hero Julian Assange will educate the American people soon. #LockHerUp." But Wikileaks did not release information that Wednesday. Later that day, Stone tweeted, "Libs thinking Assange will stand down are wishful thinking. Payload coming #Lockthemup." On the Thursday, Stone tweeted, "Julian Assange will deliver a devastating expose of Hillary at a time of his choosing. I stand by my prediction." On Friday, Oct. 7, Wikileaks began releasing Podesta's stolen emails.

Stone's remarks following the Wikileaks release are significant as well, and indicate that Stone's references the earlier week were to the release that occurred that Friday. On Oct. 12, The Daily Caller reported that "Stone told The DC that the release was actually delayed by Assange. 'I was

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[139] Chuck Todd, "Meet the Press -May 20, 2018," NBC News, May 20, 2018.
[140] Shelby Holliday & Rob Barry, "Roger Stone sought information on Clinton from Assange, emails show," The Wall Street Journal, May 24, 2018.
[141] Shelby Holliday & Rob Barry, "Roger Stone sought information on Clinton from Assange, emails show," The Wall Street Journal, May 24, 2018.
[142] Media Matters Staff, "Trump adviser Roger Stone says he's been 'assured' through an Assange intermediary that 'the mother lode is coming,'" Media Matters for America, October 3, 2016.

led to believe that there would be a major release on a previous Wednesday,' Stone said." Also on Oct. 12, Stone told a local CBS station, "I do have a back-channel communication with Assange, because we have a good mutual friend. That friend travels back and forth from the United States to London and we talk. I had dinner with him last Monday."[143]

The following day, Wikileaks issued a denial of Stone's statement. "WikiLeaks has never communicated with Roger Stone as we have previously, repeatedly stated," the group tweeted. Stone and Wikileaks then exchanged private messages via Twitter. Stone sent Wikileaks a private direct message over Twitter: "Since I was all over national TV, cable and print defending wikileaks and assange against the claim that you are Russian agents and debunking the false charges of sexual assault as trumped up bs you may want to rexamine[sic] the strategy of attacking me- cordially R." Wikileaks wrote back within the hour, "We appreciate that. However, the false claims of association are being used by the democrats to undermine the impact of our publications. Don't go there if you don't want us to correct you." Stone retorted, "Ha! The more you 'correct' me the more people think you're lying. Your operation leaks like a sieve. You need to figure out who your friends are." The morning after Trump won the election, WikiLeaks sent Stone another private message over Twitter. "Happy? We are now more free to communicate."

It is difficult to assess the meaning of these private exchanges over Twitter between Stone and Wikileaks. If Stone thought they were innocent or exonerating, he would have had reason to release them himself. To some they may indicate the absence of prior communications, but to others they may suggest coded language to keep such communications secret.

2. Donald Trump Jr. and Wikileaks

Bottom line: Donald Trump Jr. was in direct communication with Wikileaks apparently coordinating the promotion of some Wikileaks content

In his testimony before the Senate Judiciary Committee, Trump Jr. was asked if he was aware of any communications between anyone on the Trump campaign and Wikileaks. His immediate response admitted to a level of coordination with Wikileaks in their public communications. He said, "I think the only time I responded to them was, hey, **when I am I going to receive the next leak**? And they would reach out on a few occasions sort of passing along news, **hey, you may want to Tweet this**. This would be of interest probably with some sort of admin there." He later told the Committee, "they had contacted me asking if I pushed some stuff out."

On September 20, 2016, WikiLeaks sent a private direct message to Trump Jr. via Twitter, asking him to examine a third party's website, giving him a password to access the site, and inquiring if he knew who was behind the site. Trump Jr. apparently tried the password. The next day, he emailed several senior campaign officials (Kellyanne Conway, Steve Bannon, Jared Kushner, David Bossie, and Brad Parscale) alerting them to his direct communication with Wikileaks and steps he had taken.[144] His email message began, "Guys I got a weird Twitter DM

[143] Jim DeFede, "Trump ally Roger Stones admits 'back-channel' tie to WikiLeaks," CBS Miami, October 12, 2016.
[144] House Permanent Select Committee on Intelligence-Minority Views, March 26, 2018.

from [W]ikileaks. See below. I tried the password and it works … it seems like it's really wikileaks." Trump Jr. asked the group about the website and whether to look into it further. He told the House Intelligence Committee that he did not respond but that he "believe[d] Brad Parscale responded." Kushner reportedly forwarded Trump Jr.'s email to Hope Hicks.[145]

On October 3, 2016, WikiLeaks wrote Trump Jr. again asking him to promote a story featuring a quote from Clinton wanting to "just drone" WikiLeaks founder, Julian Assange. Wikileaks made a specific request, "Hiya, it'd be great if you guys could comment on/push this story." Trump Jr. responded an hour-and-a-half later, "Already did that earlier today. It's amazing what she can get away with."[146]

Two minutes later Trump Jr. inquired about the "Wednesday leak I keep reading about." There is no recorded response from WikiLeaks in the screenshots leaked to *The Atlantic*. On that Wednesday, Trump Jr. retweeted, "RT @wikileaks: NEW: Guccifer 2.0 archive of 860Mb of various "Clinton campaign" related documents. Use "7zip" to unpack."

That Friday Wikileaks began releasing Podesta's emails.

On Oct. 10, 2016, Trump, the presidential candidate, waved a printout from the podium and proclaimed, "This just came out. Wikileaks! I love Wikileaks!" On Oct. 12, Wikileaks wrote Trump Jr., "Hey Donald, great to see you and your dad talking about our publications."

WikiLeaks then referred Trump Jr. to a website link (wlsearch.tk), "Strongly suggest your dad tweets this link if he mentions us." Wikileaks added, "There's many great stories the press are missing" and highlighted its most recent tranche of Podesta emails. While Trump Jr. did not respond to WikiLeaks' message, 15 minutes later his father tweeted, "Very little pick-up by the dishonest media of incredible information provided by WikiLeaks. So dishonest! Rigged system!"[147] Two days later, Trump Jr. pushed the specific website link that WikiLeaks provided. He tweeted, "For those who have the time to read about all the corruption and hypocrisy all the @wikileaks emails are right here: http://wlsearch.tk/."

In the final month of the election, Trump mentioned Wikileaks by name 124 times on the campaign trail.[148]

Wikileaks sent some additional messages. On election day, WikiLeaks wrote advocating Trump refuse to concede should he lose the election, "[I]t is much more interesting if he DOES NOT conceed[sic] and spends time CHALLENGING the media and other types of rigging that occurred—as he has implied that he might do." Following, Trump's election, WikiLeaks wrote asking Trump to suggest to Australia to make Assange an ambassador to the United States,

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[145] Julia Ioffe, "The secret correspondence between Donald Trump Jr. and WikiLeaks," The Atlantic, November 13, 2017.
[146] Julia Ioffe, "The secret correspondence between Donald Trump Jr. and WikiLeaks," The Atlantic, November 13, 2017.
[147] Julia Ioffe, "The secret correspondence between Donald Trump Jr. and WikiLeaks," The Atlantic, November 13, 2017 (crediting the *Wall Street Journal*'s Byron Tau with this observation).
[148] Gabrielle Healy, "Did Trump really mention WikiLeaks over 160 times in the last month of the election cycle?," PolitiFact, April 21, 2017

saying, "They won't do it, but it will send the right signals…." and included a link to justice4assange.com.

Four Post-Election Threads

1. Follow up Trump Tower meeting

During the June 9, 2016, Trump Tower meeting, Trump Jr. told the Russian lawyer, "Come back see us again when we win," according to congressional testimony by one of the participants (in answer to the question, "Was there any discussion of helping at a later time?").[149] Following the presidential election, Kaveladze contacted Goldstone to tell him that Aras Agalarov and the Russian lawyer Veselnitskaya wanted to set up another meeting with the Trumps. Kaveladze emailed Goldstone a "synopsis of the topic Ms. Natalya wants to discuss with T people. She has arrived into NYC." The document attached to the email was about the Magnitsky Act, which both men agreed was essentially the same as what she presented at the June 9 meeting. Goldstone was hesitant about setting up the meeting thinking it would not be useful or well received, but Kaveladze appeared insistent and suggested this was important to Aras. "Any news regarding the meeting? Mr. A just called me re this," Kaveladze texted Goldstone, after having texted Goldstone the previous day: "This lawyer woman called again asking about the meeting with T people." Goldstone emailed Trump's personal secretary saying that Aras Agalarov had asked him to pass on the document, which was attached, and that the lawyer was currently in New York and "happy to meet with any member of his transition team." Notably, the Russian lawyer told Congress, "No" in response to the question: "Did you or any other meeting attendees request additional meetings or communications with Donald Trump, Jr., or any member of the Trump campaign, the Trump administration, or the Trump Organization?"

2. Election interference sanctions - phone calls with Russian Ambassador

In late December 2016, the Obama administration placed new sanctions on Russia in response to the Kremlin's interference in the 2016 presidential election.[150] Shortly after the White House notified Russia about the sanctions, Ambassador Sergey Kislyak contacted incoming National Security Advisor, Michael Flynn.[151] Flynn then consulted with a senior member of the presidential transition team, K.T. McFarland, who was with other senior ·members of the team at Mar-a-Lago, to discuss "what, if anything, to communicate to the Russian Ambassador about the U.S. Sanctions," according to Flynn's guilty plea.[152] Immediately following their discussion, Flynn called Kislyak and requested that Russia not escalate the situation and respond only in a reciprocal manner to the sanctions for election interference. Shortly after the call with the Russian ambassador, Flynn orally briefed McFarland "to report on the substance of his call with the Russian Ambassador, including their discussion of the U.S. Sanctions," Flynn admitted in federal court.

[149] Transcript, Staff Interview of Rinat Akhmetshin, Senate Judiciary Committee (Nov. 14, 2017).
[150] David E. Sanger, "Obama strikes back at Russia for election hacking," The New York Times, December 29, 2016.
[151] Statement of Offense, U.S. v. Michael T. Flynn, (No. 1:17-cr-00232) (D.D.C. Dec. 1, 2017).
[152] Plea Agreement, U.S. v. Michael T. Flynn, (No. 1:17-cr-00232) (D.D.C. Dec. 1, 2017).

On Dec. 30, in a surprise move, Putin released a statement suggesting that Russia would not be taking retaliatory measures in response to the sanctions. "The switch was remarkable, given that Russia's foreign minister, Sergey V. Lavrov, had just recommended the retaliation in remarks broadcast live[153] on national television," the *New York Times* reported[154] at the time. Trump followed quickly with a tweet, "Great move on delay (by V. Putin) - I always knew he was very smart!" On or about Dec. 31, Flynn spoke with Kislyak, who informed him that Russia would not retaliate in response to the sanctions. Flynn then spoke with senior members of the presidential transition team about his "conversations with the Russian Ambassador regarding the U.S. Sanctions and Russia's decision not to escalate the situation."

McFarland's email communications, which were sent to other transition team officials, and obtained by the *New York Times*, also corroborate the account in Flynn's statement to federal court. In her email Thomas Bossert, a transition official, she noted that Flynn would be speaking with the Russian ambassador and "key will be Russia's response over the next few days." Bossert forwarded McFarland's email exchange to six other senior transition officials including Reince Priebus, Bannon, Sean Spicer and Flynn.

McFarland also stated in an email, "If there is a tit-for-tat escalation Trump will have difficulty improving relations with Russia, which has just thrown U.S.A. election to him." The Times included a note about the context of that statement, "It is not clear whether Ms. McFarland was saying she believed that the election had in fact been thrown. A White House lawyer said on Friday that she meant only that the Democrats were portraying it that way."

Flynn's statements in court and McFarland's own emails contradict what she had told the Senate Foreign Affairs Committee, in writing, which was that she was not aware of Flynn's contacts with the Russian ambassador. After Flynn's guilty plea and the publication of the Times report the following day, McFarland withdrew her name from consideration for nomination for ambassador to Singapore; she'd already had a nomination hearing.

3. Backchannel to Russia

The Special Counsel reportedly has evidence of an effort to create a backchannel between the incoming Trump administration and Moscow.[155] According to several news reports,[156] the effort included a secret meeting in the Seychelles on Jan. 11, 2017, facilitated by George Nader, an adviser to Crown Prince Mohammed bin Zayed al-Nahyan of the UAE.[157] The meeting reportedly included Nader; Erik Prince, the founder of the private security firm Blackwater

[153] "Russia's Foreign Ministry hoped to expel U.S. diplomats," The New York Times, n.d. 2016.
[154] Neil MacFarquhar, "Vladimir Putin won't expel U.S. diplomats as Russian foreign minister urged," The New York Times, December 30, 2016.
[155] Sari Horwitz & Devlin Barrett, "Mueller gathers evidence that 2017 Seychelles meeting was effort to establish back channel to Kremlin," The Washington Post, March 7, 2018.
[156] Pierre Thomas & James Gordon Meek, "Mueller has evidence that Trump supporter's meeting with Putin ally may not have been a chance encounter: Sources," ABC News, April 6, 2018.
[157] Sari Horwitz & Devlin Barrett, "Mueller gathers evidence that 2017 Seychelles meeting was effort to establish back channel to Kremlin," The Washington Post, March 7, 2018.

acting as a surrogate for the Trump team; Kirill Dmitriev, who is a confidant[158] and close ally[159] of Putin and CEO of a Russian sovereign wealth fund; and the UAE Crown Prince. The UAE agreed to facilitate the meeting in part to explore whether Russia could be persuaded to curtail its relationship with Iran, according[160] to U.S., European and Arab officials. The UAE has co-invested[161] with Dmitriev's fund for infrastructure projects in Russia to build closer relations with Moscow, and Dmitriev frequently visits Abu Dhabi.

Prince admitted[162] to the House Intelligence Committee that he met Dmitriev in the Seychelles, but denied[163] it was pre-planned, describing the meeting instead as a chance encounter.[164] In his Nov. 30, 2017, testimony, Prince also denied he was acting as an official or unofficial emissary of the Trump transition team or representing Trump "in any way." What Prince probably could not have known at the time of his testimony is that a few weeks later, Nader would be stopped entering the U.S. at an international airport, served a subpoena and questioned by the FBI. Nader has reportedly[165] been given limited immunity by the Special Counsel and is cooperating; he has met with Special Counsel investigators seven times including three interviews with investigators and four appearances before a federal grand jury. He has reportedly[166] testified that the Seychelles meeting between Prince and Dmitriev was pre-planned and had the purpose of establishing a line of communication between the incoming Trump administration and the Russian government. Nader apparently has documents[167] to support his testimony. And, in answer to a reporter's question on video, Dmitriev refused to support Prince's account that the meeting was not pre-planned.[168]

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[158] Adam Entous, Greg Miller, Kevin Sieff & Karen DeYoung, "Backwater founder held secret Seychelles meeting to establish Trump-Putin back channel," The Washington Post, April 3, 2017.
[159] Max Seddon, "Trump adviser's Russian contact closely linked to Putin family," The Financial Times, April 1, 2018.
[160] Sari Horwitz & Devlin Barrett, "Mueller gathers evidence that 2017 Seychelles meeting was effort to establish back channel to Kremlin," The Washington Post, March 7, 2018.
[161] Mark Mazzetti, David D. Kirkpatrick & Adam Goldman, "Adviser to Emirates with ties to Trump aides is cooperating with Special Counsel," The New York Times, March 6, 2018.
[162] Karoun Demirjian, "Erik Prince tells House investigators he met with Kremlin-linked banker in Seychelles," The Washington Post, November 30, 2017.
[163] Hearing before the Senate Judiciary Committee, 115th Cong. 1 (2017) (statement of Erik Prince).
[164]Sari Horwitz & Devin Barrett,"Mueller gathers evidence that 2017 Seychelles meeting was effort to establish back channel to Kremlin," The Washington Post, March 7, 2018.] ("The admission to investigators that he met with Dmitriev is a turnaround for Prince, who initially refused through a spokesman to identify the Russian with whom he had met, and later said he couldn't remember his name.").
[165] Pierre Thomas & James Gordon Meek, "Mueller has evidence that Trump supporter's meeting with Putin ally may not have been a chance encounter: Sources," ABC News, April 6, 2018.
[166] Sari Horwitz & Devlin Barrett, "Mueller gathers evidence that 2017 Seychelles meeting was effort to establish back channel to Kremlin," The Washington Post, March 7, 2018.
[167] Pierre Thomas & James Gordon Meek, "Mueller has evidence that Trump supporter's meeting with Putin ally may not have been a chance encounter: Sources," ABC News, April 6, 2018.
[168] Pierre Thomas & James Gordon Meek, "Mueller has evidence that Trump supporter's meeting with Putin ally may not have been a chance encounter: Sources," ABC News, April 6, 2018.

According[169] to people familiar[170] with the Seychelles meeting, Prince presented himself as an unofficial envoy for Trump. Not only was that the impression made during the Seychelles meeting, but "for weeks afterward, the UAE believed that Prince had the blessing of the new administration to act as its unofficial representative," according to the *Washington Post*.[171] In addition, "current and former U.S. officials said that while Prince refrained from playing a direct role in the Trump transition, his name surfaced so frequently in internal discussions that he seemed to function as an outside adviser whose opinions were valued on a range of issues," according to the Post.

Putting it in context, the Seychelles event came after separate secret discussions involving high-ranking Trump associates meeting with Russian and Emirate agents.

During the campaign, Nader, acting as an emissary for the UAE, along with Prince secretly met with Trump Jr. and the head of an Israel-based intelligence firm in Trump Tower on Aug. 3, 2016, to offer support for the campaign.[172] "Two people familiar with the meetings said that Trump campaign officials did not appear bothered by the idea of cooperation with foreigners," according to the *New York Times*. After the Times reported the meeting, Trump Jr.'s lawyer confirmed it had taken place, but he said Trump Jr. rejected the proposal. According to the Times's sources, Trump Jr. "responded approvingly" and, following the Aug. 3 meeting, "Nader was quickly embraced as a close ally by Trump campaign advisers — meeting frequently with Jared Kushner, Trump's son-in-law, and Michael T. Flynn."

Kushner and Flynn (the two men identified by the Times as meeting frequently with Nader after Aug. 3) met with Kislyak, the Russian ambassador, in December 2016. At that meeting, Kushner reportedly[173] proposed to set up a secret communications channel between the transition team and Moscow using Russian diplomatic facilities that would bypass U.S. intelligence agencies.[174]

This may not have been the first time the three men communicated. Kushner reportedly[175] had at least two undisclosed phone calls with Kislyak between April 2016 and Election Day, though it is unknown whether Kushner was, according to these accounts, alone or with other Trump

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[169] Sari Horwitz & Devlin Barrett, "Mueller gathers evidence that 2017 Seychelles meeting was effort to establish back channel to Kremlin," The Washington Post, March 7, 2018.
[170] Mark Mazzetti, David D. Kirkpatrick & Adam Goldman, "Adviser to Emirates with ties to Trump aides is cooperating with Special Counsel," The New York Times, March 6, 2018.
[171] Adam Entous, Greg Miller, Kevin Sieff & Karen DeYoung, "Backwater founder held secret Seychelles meeting to establish Trump-Putin back channel," The Washington Post, April 3, 2017.
[172] Mark Mazzetti, Ronan Bergman, & David Kirkpatrick, "Trump Jr. and Other Aides Met with Gulf Emissary Offering Help to Win Election," The New York Times, May 19, 2018.
[173] Ellen Nakashima, Adam Entous & Greg Miller, "Russian ambassador told Moscow that Kushner wanted secret communications channel with Kremlin," The Washington Post, May 26, 2017.
[174] Maggie Haberman, Mark Mazzetti & Matt Apuzzo, "Kushner is said to have discussed a secret channel to talk to Russia," The New York Times, May 26, 2017; *see also* Ned Parker, Jonathan Landay, "Trump son-in-law had undisclosed contacts with Russian envoy - sources," Reuters, May 26, 2017] The New York Times relied on three sources with knowledge of the meeting. The NYT did not confirm whether Kushner was the one to propose the secret communications channel; the Washington Post, which broke the story, reported it was Kushner.
[175] Maggie Haberman, Mark Mazzetti & Matt Apuzzo, "Kushner is said to have discussed a secret channel to talk to Russia," The New York Times, May 26, 2017.

advisers on these calls.[176] In his testimony,[177] Kushner stated, "I am highly skeptical these calls took place." Reuters, which broke the story of the phone calls, cited seven anonymous current and former U.S. officials. Kushner acknowledges that he met Kislyak at Trump's foreign policy speech at the Mayflower Hotel in April 2016, but says it was a brief encounter and exchange of pleasantries.[178] Flynn also reportedly had multiple undisclosed contacts with Kislyak during the presidential race.[179]

After the December meeting with Kislyak, Kushner met with a Russian banker, Sergey Gorkov, whose bank is under U.S. sanctions and, according to experts,[180] practically functions as an agent of the Kremlin and has been embroiled[181] in a U.S. espionage case. Gorkov is a graduate of the academy of the Federal Security Service (FSB), the domestic intelligence arm of the former Soviet KGB.[182] Kushner testified[183] that Kislyak asked him to meet with Gorkov because the banker was "someone with a direct line to the Russian President who could give insight into how Putin was viewing the new administration and best ways to work together." Kushner omitted the meeting on his security clearance forms.[184] The purpose of the meeting is disputed.[185] The White House says the meeting was for diplomatic purposes in his capacity as a member of the transition team, while Gorkov's bank said it was for business interests with Kushner, and the Kremlin said the meeting was not connected to the Russian government.[186]

The Crown Prince of the UAE, who has visited Russia seven times in the past five years,[187] also held a secret meeting with senior Trump advisers, including Kushner and Flynn, in December 2016. That meeting reportedly[188] aroused the suspicions of U.S. national security officials in part because the Crown Prince breached standard protocol by failing to notify the administration of his visit to the United States. Nader was also present for that meeting. A close confidant of Kushner, Richard Gerson, has also reportedly come under scrutiny by the Special Counsel,

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[176] Ned Parker & Jonathan Landay, "Trump son-in-law had undisclosed contacts with Russian envoy - sources," Reuters, May 26, 2017 (citing seven current and former U.S. officials).
[177] Statement of Jared. C. Kushner to Congressional Committees, July 24, 2017.
[178] Statement of Jared. C. Kushner to Congressional Committees, July 24, 2017.
[179] Ned Parker, Jonathan Landay & Warren Strobel, "Exclusive: Trump campaign had at least 18 undisclosed contacts with Russians: sources," Reuters, May 18, 2017; see also Ryan Goodman, "The other bombshell in Flynn story: Contacts during the campaign and Russian hacking," Just Security, February 10, 2017.
[180] David Filipov, Amy Brittain, Rosalind S. Helderman & Tom Hamburger, "Explanations for Kushner's meeting with head of Kremlin-linked bank don't match up," The Washington Post, June 1, 2017.
[181] Bryon Tau, Carol E. Lee & Paul Sonne, "Trump son-in-law Jared Kushner met chief of sanctioned Russian bank," Wall Street Journal, March 27, 2017.
[182] David Filipov, Amy Brittain, Rosalind S. Helderman &Tom Hamburger, "Explanations for Kushner's meeting with head of Kremlin-linked bank don't match up," Washington Post, June 1, 2017.
[183] Statement of Jared. C. Kushner to Congressional Committees, July 24, 2017.
[184] Jo Becker & Matthew Rosenberg, "Kushner omitted meeting with Russians on security clearance forms," New York Times, April 6, 2017.
[185] David Filipov, Amy Brittain, Rosalind S. Helderman & Tom Hamburger, "Explanations for Kushner's meeting with head of Kremlin-linked bank don't match up," Washington Post, June 1, 2017.
[186] Nathan Hodge, "Russia says bank official's meeting with Kushner wasn't on Kremlin's behalf," Wall Street Journal, July 25, 2017.
[187] Kirill Semenov, "UAE, Russia leaders affirm common ground in Moscow meeting," Al-Monitor, June 4, 2018.
[188] Mark Mazzetti, David D. Kirkpatrick & Adam Goldman, "Adviser to Emirates with ties to Trump aides is cooperating with Special Counsel," New York Times, March 6, 2018.

because he was at the undisclosed meeting with the Crown Prince in December and was in the Seychelles around the time of the January meeting.[189]

If these public reports are correct, it raises a question that does not have a good explanation: Why would an incoming administration need a backchannel with Russia through methods that were outside the U.S. intelligence community?

4. Post Jan. 20: Michael Flynn-led sanctions relief efforts

In the very early weeks of the administration, top Trump administration officials, almost as soon as taking office, tasked State Department staffers with developing proposals for the lifting of economic sanctions on Russia. "There was serious consideration by the White House to unilaterally rescind the sanctions," said Dan Fried, a veteran State Department official who served as chief U.S. coordinator for sanctions policy until late February 2017.[190]

[189] Carol E. Lee & Julia Ainsley, "Jared Kushner close friend Rick Gerson now under scrutiny from Mueller," NBC News, June 1, 2018.
[190] Michael Isikoff, "How the Trump administration's secret efforts to ease Russia sanctions fell short," Yahoo News, June 1, 2017.