

189. On June 15, 2017, Clinesmith sent an email to a CIA liaison inquiring whether Dr. Page was a CIA source in any capacity because the FBI would need to disclose that on the next FISA application.

190. The CIA liaison responded the same day and included a list of documents that the CIA had previously provided to members of the Crossfire Hurricane team that provided the answer, and also confirmed that Dr. Page “was or is” a source for the CIA. Clinesmith acknowledged the email, stated he was examining the documents, and thanked the CIA liaison for the information.

191. The FBI SSA who would be the affiant for the application for the Fourth FISA Warrant followed up with Clinesmith a few days later and asked whether Clinesmith had confirmed if Dr. Page was a CIA source. During a series of instant messages, Clinesmith reported that Dr. Page was a “sub-source” and “was never a source.” Clinesmith further stated that the CIA confirmed explicitly that Dr. Page was never a source. The SSA asked if they had that representation in writing and Clinesmith agreed to forward the email from the CIA liaison.

192. On June 19, 2017, after this instant message exchange, Clinesmith forwarded an altered version of the CIA liaison’s email to the SSA. Clinesmith altered the original text of the email to read that Dr. Page was “not a ‘source.’”

193. Clinesmith had expressed dismay at the prospect of having to write a “terrible footnote” apprising the FISC that such a salient fact – that Dr. Page had been a source for the CIA – was only at this late date being brought to the Court’s attention.

194. Consequently, information about Dr. Page’s history or status as a CIA operational contact was not included in the application for the Fourth FISA Warrant. Clinesmith was subsequently criminally charged on August 14, 2020, with one count of making false statements

in violation of 18 U.S.C. § 1001(a)(3) for his actions in misleading the SSA and altering the email regarding Dr. Page's status as an operational contact of the CIA.

F. Lisa Page

195. Lisa Page was an FBI attorney and was Special Counsel to Andrew McCabe. She was intent on stopping Donald Trump from being elected President. She facilitated obtaining the initial FISA warrant for Dr. Page in the face of doubts voiced by the DOJ and others.

196. She also facilitated the leaks of information about the FBI's FISA warrants regarding Dr. Page.

197. The text messages between Lisa Page and Strzok about Donald Trump during the Crossfire Hurricane investigation and preparation of the FISA warrants against Dr. Page "were so inappropriate and intertwined with their FBI work that they raised concerns about political bias influencing official duties," according to the Department of Justice.

G. Joe Pientka III

198. Joe Pientka served as an FBI supervisory special agent on Crossfire Hurricane. He signed an authorization to submit the application for the First FISA Warrant. Pientka was responsible for compliance with the Woods Procedures by confirming the completion of the Woods File for the warrant application, and for double checking the factual accuracy review to confirm that the file contained appropriate documentation for each of the factual assertions in the FISA application. Contrary to Pientka's representation, the Woods File was inaccurate, incomplete, or unsupported by appropriate documentation.

199. Among other things, Pientka failed to verify and correct the false statement in the application for the First FISA Warrant that Steele's reporting had been corroborated and used in criminal proceedings. Pientka also disregarded a requirement in the Woods Procedure to confirm

that Steele's Handling Agent, Michael Gaeta, had reviewed and approved the content in the application for the First FISA Warrant.

200. Pientka was aware of Dr. Page's prior support to the FBI in a 2016 federal case in New York involving the incarceration and later deportation of a Russian spy. That information about Dr. Page was not provided to the FISC in any of the FISA Warrant applications, however.

H. Stephen Somma

201. Stephen Somma was an FBI counterintelligence investigator in the New York Field Office and was referred to as "Case Agent 1" in the Horowitz Report. He was one of the original team members of Crossfire Hurricane who had primary responsibility over the investigation of Dr. Page.

202. He opened the case file on Page, and he first proposed surveillance on Page. In approximately August 2016, Somma contacted FBI's Office of the General Counsel (OGC) about the possibility of seeking FISA authority targeting Dr. Page to conduct electronic surveillance.

203. On August 15, 2016, the FBI's OGC told Somma that he needed more to establish probable cause for a FISA warrant targeting Dr. Page. Thereafter, Somma seized on the allegations about Dr. Page provided by CHS Steele as a basis to obtain a FISA Warrant. Somma was also the FBI handler for Stefan Halper, a longtime confidential human source who was tasked with meeting Page and other associates of the Trump campaign. He failed to disclose exculpatory statements that both Page and George Papadopoulos independently made on separate occasions to Halper during secretly recorded conversations before the 2016 election. In particular, Page told Halper that he had no communications with Paul Manafort and denied the alleged meetings with Sechin and Divyekin (the two sanctioned Russians with close ties to Russian President Vladimir Putin).

204. Somma also received information from the CIA in August 2016 that Page had a longstanding relationship with that agency. He did not fully and accurately divulge that information to others at the FBI.

205. When Somma was explicitly asked in late September 2016 by a DOJ attorney assisting on the FISA application about Page's prior relationship with the CIA, Somma did not accurately describe the nature and extent of the information the FBI received from the CIA. Somma advised the attorney that Dr. Page did meet with a U.S. government agency, but that the interactions took place while Dr. Page was in Moscow (which was between 2004 and 2007) and were "outside scope." Based upon this response, the attorney did not include information about Dr. Page's prior interactions with the CIA in the application for the First FISA Warrant.

206. In seeking the First FISA Warrant, Somma mischaracterized the extent to which the FBI had previously relied on CHS Steele's prior reporting. This resulted from his failure to seek review and approval from Steele's handling agent, as the Woods Procedures required.

207. Somma also sought to hide from DOJ attorneys the political bias that made Steele's reports about Dr. Page suspect. Stuart Evans asked whether Steele "is affiliated with either campaign and/or has contributed to either campaign." On October 7, 2016, the DOJ Unit Chief this question was emailed to the Crossfire Hurricane team. On October 10, 2016, Somma responded but addressed only the second part of the question, stating that Steele was most likely a foreign national and therefore unable to contribute to either campaign. Because he did not fully address the question, the Unit Chief asked him again, on October 11, 2016, whether Steele was affiliated with and/or had contributed to either presidential campaign. Again, Somma answered only the second part of the question, confirming that Steele had not contributed to any campaign and was not a U.S. person. Evans was frustrated and annoyed by this answer and asked the question

a third time. At that point, the FBI finally responded that they assumed Steele had been paid to develop political opposition research.

208. Somma's handwritten notes from a December 2016 team meeting reflect that the Crossfire Hurricane team was told that Steele "may have some judgment problems," but this information was never disclosed in subsequent applications to renew the FISA Warrant.

209. Somma participated in the FBI's January 2017 interview of Igor Danchenko, the Primary Sub-Source in the Steele reports for the allegations about Dr. Page. During this interview, Danchenko gave the FBI information that contradicted assertions made in the initial application for the FISA Warrant. But Somma withheld this development from the FISC in the applications for the Third and Fourth FISA Warrants.

210. In March 2017, Somma and another FBI agent conducted an "ambush interview" of Dr. Page. Dr. Page spoke freely to them, without the benefit of counsel. Somma and the second agent subsequently interviewed Dr. Page four additional times during March 2017. These interviews lasted a total of approximately ten hours. Dr. Page was completely honest with the agents, and his answers undermined any contention that he was acting as an agent of a foreign power.

VII. CONGRESSIONAL INVESTIGATIONS

211. After the FISA abuse targeting Dr. Page was exposed, there were various Congressional investigations. Defendants Comey, McCabe, and others were questioned under oath during those investigations and made significant admission that the FISA Warrant application process - which they conducted - was flawed, while nevertheless trying to avoid responsibility for it.