

1 [REDACTED]: Uh-huh.

b6 -2  
b7C -2

2 Per OIG (b)(6), (b)(7)(C) -- we're going to share the  
3 details of an account of a conversation that Andy had with  
4 a senior DOJ official, is that something you think you  
5 would remember? Would you have questions about hey, wait  
6 a second, whoa, that's an internal conversation. What are  
7 we sharing and why?

8 [REDACTED]: I mean, that kind of thing would be  
9 discussed.

b6 -2  
b7C -2

10 Per OIG (b)(6), (b)(7)(C) Uh-huh.

11 [REDACTED]: So A, I don't particularly remember  
12 this, as I said. It's a hard question to answer because  
13 Kortan does so much work that I don't see and he did have  
14 lots of interactions with the press all the time to try to  
15 correct the record, to explain things, to put things in  
16 context, to help the press understand things. To tell  
17 them like whatever you're trying to publish has no  
18 resemblance whatsoever to reality --

b6 -2  
b7C -2

19 Per OIG (b)(6), (b)(7)(C) Sure.

20 [REDACTED]: -- so you should go back and check  
21 your facts and things like that.

b6 -2  
b7C -2

22 Per OIG (b)(6), (b)(7)(C) But here we're dealing with  
23 internal deliberations.

24 [REDACTED]: Right.

b6 -2  
b7C -2

25 Per OIG (b)(6), (b)(7)(C) Arguably, you know, could be

1 privilege. Could be deliberative process. Is that  
2 something he would flag for your review?

3 [REDACTED]: Not necessarily for my review. He  
4 would, no. Not necessarily. He would, he might bring it  
5 up in one of these afternoon sessions most likely. Not  
6 probably in the morning.

7 Per OIG (b)(6), (b)(7)(C) With the deputy or the director?  
8 Because I know they both held them.

9 [REDACTED]: It could be either.

10 Per OIG (b)(6), (b)(7)(C) Okay.

11 [REDACTED]: He might bring it up. But he might  
12 just go off and try to solve it on his own or he might  
13 have a sidebar conversation with the deputy director. He  
14 had those all the time under multiple deputies that I saw.  
15 So, that I would necessarily be party to. And he, this is  
16 not a thing that he would have to like clear with me.

17 Per OIG (b)(6), (b)(7)(C) I see.

18 [REDACTED]: But I, but at the same time, I  
19 suspect he would not do it on his own.

20 Per OIG (b)(6), (b)(7)(C) And would --

21 [REDACTED]: Because he wouldn't even have the  
22 substantive knowledge -- sorry. He wouldn't even have the  
23 substantive knowledge to say all this. He would have to  
24 have somebody else convey this to him.

25 Per OIG (b)(6), (b)(7)(C) If he had conferred with others

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 above him --

2 [REDACTED] Uh-huh.

b6 -2  
b7C -2

3 [REDACTED] Per OIG (b)(6), (b)(7)(C) -- to share this account with the  
4 Wall Street Journal, let's say that's McCabe or Comey, is  
5 it, would it be their practice to inform you just for  
6 situational awareness on --

7 [REDACTED]: Not --

b6 -2  
b7C -2

8 [REDACTED] Per OIG (b)(6), (b)(7)(C) -- something like this?

9 [REDACTED]: No, not necessarily. No.

b6 -2  
b7C -2

10 [REDACTED] Per OIG (b)(6), (b)(7)(C) When do you get informed on  
11 disclosures to the media?

12 [REDACTED] If, so this is a challenging  
13 question to answer I guess. So it depends what you mean  
14 by disclosures to the media. So, right, we're  
15 interacting, we, the FBI, interact with the media at  
16 different levels frequently. Right? So there's Kortan's  
17 office that interacts with people. Then there are  
18 reporters that they want to bring in to have a, you could  
19 have a press conference with the director. You could have  
20 off the record discussions with people. We bring people  
21 in to talk about various topics, inscription, for example,  
22 other topics. We grant interviews. We have background  
23 conversations, off the record conversations, not for  
24 attribution to explain all kinds of things. So, I don't  
25 know. There's so many different types of interactions

b6 -2  
b7C -2

1 with the press over the course of the time that I've been  
2 at the FBI, which is four years now. I don't know how to  
3 describe them in a concise way. They're multifaceted.  
4 They're --

5 [REDACTED] Right.

6 [REDACTED]: -- at different levels.

b6 -2  
b7C -2

7 [REDACTED] Well, I guess I was just wondering  
8 in your experience, you've been in the [REDACTED] now  
9 for four years --

b6 -2  
b7C -2

10 [REDACTED] Right.

b6 -2  
b7C -2

11 [REDACTED] -- approximately? . . .

12 [REDACTED]: Yeah.

b6 -2  
b7C -2

13 [REDACTED] If there, during your tenure as

14 [REDACTED] if there were particular issues or that  
15 your involvement or counsel or guidance was sought before  
16 disclosures were made of a --

b6 -2  
b7C -2

17 [REDACTED] Before disclosures were made. So, I  
18 don't know about that. Just I'm trying to think. Before  
19 disclosures were made? . . .

b6 -2  
b7C -2

20 [REDACTED] Right, to the media. Because I  
21 know --

22 [REDACTED] Yes. Yes.

b6 -2  
b7C -2

23 [REDACTED] And so if you can just give us  
24 some examples of what types of disclosures those are or  
25 were. . .

1 [REDACTED]: Okay. So --

b6 -2  
b7C -2

2 Per OIG (b)(6), (b)(7)(C) And it can be brief. I'm not  
3 looking for a --

4 [REDACTED]: Yeah.

b6 -2  
b7C -2

5 Per OIG (b)(6), (b)(7)(C) -- a longwinded, just to kind of  
6 get a sense so we can sort of see what you would have been  
7 notified of or not.

8 [REDACTED] Let me just phrase it as  
9 interactions with the press --

b6 -2  
b7C -2

10 Per OIG (b)(6), (b)(7)(C) Okay.

11 [REDACTED] -- as opposed to disclosures per se.

b6 -2  
b7C -2

12 Per OIG (b)(6), (b)(7)(C) Okay.

13 [REDACTED] I want to like think about that a

b6 -2  
b7C -2

14 bit more. But interactions with the press, sometimes I  
15 would be asked to have interactions with the press:  
16 Sometimes I would be asked, my, Kortan will just come down  
17 to my office and say, what do you think about this.  
18 Sometimes it will be in the context of one of these  
19 meetings with the director or deputy director that we just  
20 described. Sometimes it'll be one of these stay behind's  
21 with respect to, you know, after one of the briefings, one  
22 of the morning briefings with the director, for example.

23 Per OIG (b)(6), (b)(7)(C) Uh-huh.

24 [REDACTED]: People will stay behind and I can  
25 imagine people have been informed about those too. You've

b6 -2  
b7C -2

1 heard about that, right?

2 [REDACTED] Yes.

3 [REDACTED]: That sometimes people sitting on,  
4 right. So --

5 [REDACTED] Right, that's what I was alluding  
6 to with the skinny down's, the one after's --

7 [REDACTED]: Yeah, the skinny down's. Exactly,  
8 right. Yeah, so --

9 [REDACTED] I know they have all these  
10 different names for them.

11 [REDACTED]: Yeah, there's elements like that.  
12 So, at, in those sessions people talk about what the press  
13 is writing, what the press is doing, what they've asked us  
14 for, what we're going to give them, what we're not going  
15 to give them, how we're going to interact with them.  
16 Sometimes it involves disclosures that you were talking  
17 about I think. We're affirmatively telling them, this is  
18 what's happening inside the FBI and so on. But sometimes  
19 it's simply to, as I said earlier, wave them off a story,  
20 tell them that's not, we have no factual basis for that.  
21 It's so complicated that I'm not sure I can --

22 [REDACTED] Well, let me ask --

23 [REDACTED]: -- precisely answer it for you.

24 [REDACTED] Let me ask a more specific  
25 question. Here the nature of the conversation, as I read

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 it, effectively confirms an investigation based upon the  
2 nature of the account that's being disclosed.

3 [redacted]: Uh-huh.

b6 -2  
b7C -2

4 [redacted] Per OIG (b)(6), (b)(7)(C) And so as a matter of practice or  
5 policy would FBI personnel involve you in discussions on  
6 disclosing pending investigations to the media? And what  
7 the language should say and what type of vehicle it would  
8 be in?

9 [redacted] I'm trying to recall a specific  
10 example where we did that to reveal a specific  
11 investigation.

b6 -2  
b7C -2

12 [redacted] Per OIG (b)(6), (b)(7)(C) What about Clinton email?

13 [redacted]: Well, that's the one that is the  
14 most, you know, well known, right? And so I assume at  
15 some point in time over the next several days I'll be  
16 talking about it, talking to you guys about that in  
17 particular, but --

b6 -2  
b7C -2

18 Referred to SCO for consult

19

b6 -2  
b7C -2

20

21

22 [redacted] Per OIG (b)(6), (b)(7)(C) I, off the top of  
23 my head I can't recall, other than those two, examples  
24 where we authorized a specific disclosure about a specific  
25 investigation, confirming that which had not otherwise

1 been in the press.

2 Referred to SCO for consult

3

4

5

6

7

Per OIG (b)(6), (b)(7)(C) Okay. Well, we'll pick up on some more of that later. I just was trying to get a sense as I go through some of these questions about what, as a matter of practice, FBI executives or personnel would notify you of interactions or disclosures to --

12

13

14

15

16

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21

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24

25

[redacted]: There's no, there, you know, there's no systematized formal reason to, or expectation that they must consult with [redacted] --

Per OIG (b)(6), (b)(7)(C) Okay.

[redacted]: -- to get approval.

Per OIG (b)(6), (b)(7)(C) Okay.

[redacted]: If they ask me it's because I happen to be in the room at the time or somebody says, we should run that by [redacted] Or I'd like to bounce it off [redacted] see what he thinks. In terms of just interactions with the media. It's, or we need [redacted] help getting on the phone and explaining X, Y, or Z to some reporter about, you know, how national security law works or something like that.

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2



1 [REDACTED] Okay.

2 [REDACTED] So --

3 [REDACTED] All right.

4 [REDACTED] -- it's very ad hoc I guess I would  
5 say. It's an ad hoc process.

6 [REDACTED] All right. Well, that'll be  
7 helpful. That I think will expedite some questions later  
8 on.

9 [REDACTED]: Okay.

10 [REDACTED] But going back now, again, I want  
11 to hit through a bunch of questions to exhaust what you  
12 may know or don't know before the article was published.

13 [REDACTED]: Okay.

14 [REDACTED] And then I'm going to hit some  
15 questions after the article was published. And so it  
16 sounds like before the article was published that you were  
17 not aware in any way from anyone or any document that the  
18 details of this August 12th call that McCabe had with the  
19 DOJ official would be included in this October 30th  
20 article?

21 [REDACTED]: I don't remember any conversations  
22 about this at the time.

23 [REDACTED] And the, that you had no knowledge  
24 prior to publication that it would be included?

25 [REDACTED]: Correct.

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 [REDACTED] Okay. In your tenure as FBI  
2 general counsel are you aware of, or maybe I should say  
3 does the FBI typically disclose internal conversations  
4 between the deputy director and senior DOJ officials to  
5 the press?

6 [REDACTED] No.

b6 -2  
b7C -2

7 [REDACTED] Would that be a concern from your  
8 view?

9 [REDACTED] Well, it depends what they're  
10 talking about, right? So --

b6 -2  
b7C -2

11 [REDACTED] Well, here specifically.

12 [REDACTED]: Well, I have to, to be honest with  
13 you, I'm not sure I really understand what is being said  
14 in this. I just, I don't --

b6 -2  
b7C -2

15 [REDACTED] Well maybe --

16 [REDACTED] -- recall having read this before.

b6 -2  
b7C -2

17 And reading it just now I'm not really sure what the heck  
18 is the, what it's about.

19 [REDACTED] I'm wondering --

20 [REDACTED] It's hard for me to figure it out.

b6 -2  
b7C -2

21 [REDACTED] Why don't I, I will stop the  
22 recorder for a moment and let you read the article --

23 [REDACTED] The whole thing?

b6 -2  
b7C -2

24 [REDACTED] Yeah, if you think that would  
25 help. I mean --

1 [REDACTED]: Well, let me, how about if I just  
2 reread these passages again. The highlighted excerpts.

b6 -2  
b7C -2

3 [REDACTED] Per OIG (b)(6), (b)(7)(C) Sure.

4 [REDACTED] So on August 12th of 2016 --

b6 -2  
b7C -2

5 [REDACTED] Per OIG (b)(6), (b)(7)(C) Yeah, I mean, I can --

6 [REDACTED]: -- supposedly a Department of  
7 Justice official calls McCabe to say that they're, I'm  
8 upset that they're, we are still pursuing the  
9 investigation. Okay.

b6 -2  
b7C -2

10 [REDACTED] Per OIG (b)(6), (b)(7)(C) Would it help to back up just a  
11 couple of paragraphs?

12 [REDACTED] Per OIG (b)(6), (b)(7)(C) Yeah.

13 [REDACTED] Per OIG (b)(6), (b)(7)(C) Because we don't --

14 [REDACTED] Per OIG (b)(6), (b)(7)(C) So, yeah, [REDACTED] Per OIG (b)(6), (b)(7)(C) makes a good  
15 point. And in fact, you had talked about this earlier. I  
16 didn't want to necessarily summarize everything for you.  
17 But there is discussion about the first session, your  
18 recollection of a meeting where there were four different  
19 aspects of the Clinton Foundation.

20 [REDACTED]: Yes.

b6 -2  
b7C -2

21 [REDACTED] Per OIG (b)(6), (b)(7)(C) And the article talks about how --

22 [REDACTED]: The article talks about that too?

b6 -2  
b7C -2

23 [REDACTED] Per OIG (b)(6), (b)(7)(C) Yeah, the --

24 [REDACTED] Okay.

b6 -2  
b7C -2

25 [REDACTED] Per OIG (b)(6), (b)(7)(C) -- article talks about how Mr.

1 McCabe sort of refocused the investigation. So this  
2 starts on, the first part's about the email. So, we can  
3 scratch that because that's not what we're focused on.

4 [REDACTED] Okay.

b6 -2  
b7C -2

5 Per OIG (b)(6), (b)(7)(C) And those highlighted parts don't  
6 bear upon that. It's the bottom, the last paragraph on  
7 page four where it says, new details show that, do you see  
8 where I am there?

9 [REDACTED]: Where are you?

b6 -2  
b7C -2

10 Per OIG (b)(6), (b)(7)(C) Bottom of page four.

11 [REDACTED] Oh, four. Oh, sorry.

b6 -2  
b7C -2

12 Per OIG (b)(6), (b)(7)(C) The last paragraph there?

13 [REDACTED] Okay.

b6 -2  
b7C -2

14 Per OIG (b)(6), (b)(7)(C) If you start there, go on to five  
15 and six and seven. That's going to give you --

16 [REDACTED] Okay.

b6 -2  
b7C -2

17 Per OIG (b)(6), (b)(7)(C) -- a good lead-in.

18 [REDACTED] Okay.

b6 -2  
b7C -2

19 Per OIG (b)(6), (b)(7)(C) And actually, it'd be probably  
20 best to finish that entire page --

21 [REDACTED] Okay.

b6 -2  
b7C -2

22 Per OIG (b)(6), (b)(7)(C) -- so you'll have the entire  
23 flavor.

24 [REDACTED] Okay, sounds good. Okay.

b6 -2  
b7C -2

25 Per OIG (b)(6), (b)(7)(C) Yeah. So, as I was trying to

1 summarize earlier, you can see the reporter is now taking  
2 this notion or the fact that Mr. McCabe's wife had  
3 received substantial donations from McAuliffe associated  
4 PAC's.. And whether or not now there's an appearance issue  
5 conflict of interest with respect to Clinton Foundation  
6 probe and there's a whole bunch of internal details  
7 regarding that investigation --

8 [REDACTED] Uh-huh.

9 [REDACTED] -- that are talked about here,  
10 including an allegation of a stand down order and then  
11 what that means. So, with that context I had asked you  
12 before we had you take a look to get a little more flavor  
13 of what was going on. Does the FBI typically disclose  
14 details of internal conversations between high ranking FBI  
15 and DOJ officials. And you were saying that you didn't  
16 necessarily see the point in isolation. I'm not sure if  
17 in reading the, some of the pages before and the rest of  
18 it, if that's still your answer. But I guess the  
19 question, I'll still ask in your time as [REDACTED]  
20 have you seen high level official internal conversations  
21 disclosed before in the paper like this?

22 [REDACTED] I can't recall, I don't recall any  
23 other ones, right. This strikes me as very detailed and  
24 specific. And I can't recall other instances like that  
25 but I, you know, I don't read literally everything that,

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 you know, all the articles that are out there about the  
2 FBI. But, so I don't recall other instances like this  
3 that come to mind in this context where we are disclosing  
4 internal, you know, conversations about what was happening  
5 with respect to a particular investigation.

6 [REDACTED] Per OIG (b)(6), (b)(7)(C) And here the nature of that  
7 conversation is a high profile investigation.

8 [REDACTED] Uh-huh.

9 [REDACTED] Per OIG (b)(6), (b)(7)(C) The Clinton Foundation right  
10 before the election.

11 [REDACTED] Right.

12 [REDACTED] Per OIG (b)(6), (b)(7)(C) So, would it be fair to say that  
13 that would be a significant issue to disclose to the  
14 national media?

15 [REDACTED] A, yeah. Yes, I would think so.

16 Yes, sure.

17 [REDACTED] Per OIG (b)(6), (b)(7)(C) And were you aware, did former  
18 Director Comey, as a matter of practice did he want to be  
19 involved in significant disclosures to the media before  
20 they occurred?

21 [REDACTED] I don't remember him saying like a  
22 policy or a preference or anything like that. Again, you  
23 know, court, the director had his wraps at the end of the  
24 day --

25 [REDACTED] Per OIG (b)(6), (b)(7)(C) Uh-huh.

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 [REDACTED] -- with, you know, the deputy  
2 director, the associate deputy director, me, his chief of  
3 staff, head of congressional affairs, and head of public  
4 affairs, Mike Kortan. At those sessions interactions with  
5 the press, how to handle the press, how to deal with them  
6 would come up. And if, so that would happen. And then  
7 the director knew that there were these other interactions  
8 that the deputy director had with Mike Kortan all the time  
9 and Mike Kortan reported to the deputy director. So I  
10 think Director Comey would know that press matters are  
11 being managed at a high level with Kortan being able to  
12 report directly to the deputy director.

13 [REDACTED] Per OIG (b)(6), (b)(7)(C) Uh-huh.

14 [REDACTED] : I don't remember him like saying  
15 things have to be handled a certain way or certain types  
16 of things have to be reported to me, that kind of thing.  
17 But interactions with the media were treated like an  
18 important thing.

19 [REDACTED] Per OIG (b)(6), (b)(7)(C) Uh-huh.

20 [REDACTED] And so, and important matters in  
21 terms of, Kortan would bring up important things that were  
22 being discussed with the media.

23 [REDACTED] Per OIG (b)(6), (b)(7)(C) Uh-huh.

24 [REDACTED] Or being in, you know, that were in  
25 the media or being discussed with the media or that the

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 media was asking about. So, that's the best way I can  
2 answer you. I don't remember like particular edicts about  
3 this is what should be brought to me, no, you can handle  
4 this on your own, that kind of thing. It was just not as  
5 precise as that because dealing with them, with them being  
6 the media, is just so challenging and it's nuanced.

7 **Per OIG (b)(6), (b)(7)(C)** Well, let's bring --

8  I don't know if that's helpful  
9 but --

b6 -2  
b7C -2

10 **Per OIG (b)(6), (b)(7)(C)** No, no. Well, let's put it, I  
11 understand what you're saying, that you didn't, you're not  
12 aware of any specific --

13  Uh-huh.

b6 -2  
b7C -2

14 **Per OIG (b)(6), (b)(7)(C)** -- practice that Comey had in  
15 place. But let's put it in context of what you were  
16 talking about in the first segment. This article is on  
17 October 30th.

18  Uh-huh.

b6 -2  
b7C -2

19 **Per OIG (b)(6), (b)(7)(C)** It's coming right on the heels of  
20 intense conversations that you're having with the deputy  
21 director --

22  Uh-huh.

b6 -2  
b7C -2

23 **Per OIG (b)(6), (b)(7)(C)** -- and the director about Mr.  
24 McCabe's potential appearance issues and that it doesn't  
25 look good.



1 [REDACTED] The recusal whole thing --

b6 -2  
b7C -2

2 Per OIG (b)(6), (b)(7)(C) The whole recusal thing, yes.

3 [REDACTED] Right.

b6 -2  
b7C -2

4 Per OIG (b)(6), (b)(7)(C) And what do you do and how do you  
5 go about it. And if the thought process was the Wall  
6 Street Journal is doing another article that's going to  
7 expand the appearance issue to Clinton Foundation and  
8 we're going to counter that narrative by showing we fought  
9 back, meaning the FBI fought back against DOJ, as  
10 referenced here. Isn't that something you think the  
11 director, and potentially you would want to know about as  
12 you're sort of grappling with some of these appearance  
13 issues on the first article?

14 [REDACTED] Well, I'm just pausing because it  
15 seems like it should have been coordinated with the  
16 director. Whether it had to be coordinated with me I  
17 don't know. Again, I just, they don't, it's not the, the  
18 leadership doesn't engage with me on every legal, every  
19 media matter. So I don't feel as though I participate in  
20 all these things, it's not a required thing.

b6 -2  
b7C -2

21 Per OIG (b)(6), (b)(7)(C) I see.

22 [REDACTED] And it's much more ad hoc in terms  
23 of when they have conversations with me. But, you know,  
24 interacting with the director is a regular thing that  
25 happens in terms of dealing with the media, used to happen

b6 -2  
b7C -2

1 in this timeframe. So, yeah. So important disclosures  
2 one would think would be brought up with the director.

3 [Redacted] Uh-huh. And from what you said  
4 earlier, McCabe, Mr. McCabe knew the director was  
5 reviewing this appearance issue from, I think it was,  
6 maybe you saw, I don't know if you showed him more of the  
7 text or if you just referenced it. That you spoke to Mr.  
8 McCabe after the October 27th call and I think he had  
9 indicated that the director spoke with him too. So he was  
10 at --

11 [Redacted] Yes. Okay.

b6 -2  
b7C -2

12 [Redacted] He was at least aware that you two  
13 were thinking about these issues, right? So, given what  
14 you know about what Mr. McCabe knew then he ought to have  
15 coordinated some of this with the director if --

16 [Redacted] It would be logical to me that he  
17 would have coordinated.

b6 -2  
b7C -2

18 [Redacted] Okay.

19 [Redacted]: I don't know how else to answer it.  
20 Yes, that would, yes.

b6 -2  
b7C -2

21 [Redacted] Because he doesn't report to you?

22 [Redacted] He doesn't report to me. And I  
23 report to --

b6 -2  
b7C -2

24 [Redacted] Okay.

25 [Redacted] -- to Andy. Right.

b6 -2  
b7C -2

1 [REDACTED] Yeah.

2 [REDACTED] Now Andy --

3 [REDACTED] Can I ask --

4 [REDACTED] You know, so, you know, Andy has  
5 said that in reference to this he did, when these prior  
6 conversations, now you just reminded me --

7 [REDACTED] Hold on, when you say this you're  
8 talking about the October 30th article?

9 [REDACTED] In respect to this October 30th  
10 article, right.

11 [REDACTED] Okay.

12 [REDACTED] Andy did mention to me that like,  
13 you know, hey, he has, as deputy director he is authorized  
14 to himself have interactions with the media and to have,  
15 and to authorize others to have interactions with the  
16 media.

17 [REDACTED] And part of what we're wondering  
18 about this time period in October is whether anyone  
19 mentioned in your presence, we have a plan to counter this  
20 narrative about Andy having conflict of interest.

21 [REDACTED] I don't specifically remember that,  
22 the media thing being brought up. This was, you know,  
23 the, as I said earlier, I think, the issue of his recusal  
24 and how he handled all this and should he have recused  
25 himself before and what does it mean for his status as the

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 deputy director and it'll be undercut and all this stuff.  
2 That is what like I was, recall being focused on. And in  
3 this time period, when was this again, October 30th?

4 [REDACTED] Per OIG (b)(6), (b)(7)(C) Right. So this is a week, again,  
5 a week after the earlier article, three days before the  
6 conversation on October 27th where you, in abundance of  
7 caution --

8 [REDACTED] Three days after?

b6 -2  
b7C -2

9 [REDACTED] Per OIG (b)(6), (b)(7)(C) Yeah. It's, so that is after the  
10 conference call where --

11 [REDACTED] Three days after, yeah.

b6 -2  
b7C -2

12 [REDACTED] Per OIG (b)(6), (b)(7)(C) -- you ask Mr. McCabe to basically  
13 hang up.

14 [REDACTED] But a couple days before he actually  
15 recused himself.

b6 -2  
b7C -2

16 [REDACTED] Per OIG (b)(6), (b)(7)(C) Correct. Or maybe one day.

17 [REDACTED] Yeah.

b6 -2  
b7C -2

18 [REDACTED] Per OIG (b)(6), (b)(7)(C) Two days. Two days.

19 [REDACTED] My recollection was I was focused on  
20 the substance of is he going to recuse himself or not, not  
21 on like what the hell the media was saying.

b6 -2  
b7C -2

22 [REDACTED] Per OIG (b)(6), (b)(7)(C) Uh-huh.

23 [REDACTED] So, they were just, to me there was  
24 so many articles about so many different aspects of this  
25 thing at the time I couldn't possibly keep up with it.

b6 -2  
b7C -2

1 But I don't recall anything being brought to my attention  
2 about this at the time.

3 [REDACTED] Per OIG (b)(6), (b)(7)(C) In the meetings, the smaller  
4 meetings that would occur where Mike Kortan debriefed  
5 people about --

6 [REDACTED] Right.

b6 -2  
b7C -2

7 [REDACTED] Per OIG (b)(6), (b)(7)(C) -- important media events, is there  
8 a person in that room that takes notes of what gets said?

9 [REDACTED]: Well, people take notes but there's  
10 no note taker.

b6 -2  
b7C -2

11 [REDACTED] Per OIG (b)(6), (b)(7)(C) Okay.

12 [REDACTED] You know what I mean? There's like  
13 nobody assigned to take the notes.

b6 -2  
b7C -2

14 [REDACTED] Per OIG (b)(6), (b)(7)(C) All right.

15 [REDACTED]: So --

b6 -2  
b7C -2

16 [REDACTED] Per OIG (b)(6), (b)(7)(C) Is there anybody in that room that's  
17 known for taking particularly good notes, accurate, firm  
18 notes?

19 [REDACTED]: I mean, you know, Andy has, is  
20 probably the most prolific note taker in this timeframe.

b6 -2  
b7C -2

21 Andy would take the most notes. I mean, I'm like, you  
22 know, Steve Kelly (phonetic sp.) I think who was the  
23 assistant director for commercial affairs at the time.  
24 And I guess was Bowdich the ADD back then I guess? If  
25 anybody's going to take notes it would be Andy.

1 [REDACTED] Okay.

2 [REDACTED] I would guess of those, of that  
3 crowd he's probably the best note taker.

4 [REDACTED] So, but as you sit here today,  
5 correct me if I'm wrong, I think you mentioned this  
6 earlier, as you sit here today this article is the only  
7 instance that you're aware of where a private conversation  
8 between the, a deputy director of the FBI and a senior DOJ  
9 official on a sensitive investigation were disclosed to  
10 the press, was disclosed to the press?

11 [REDACTED] I mean, I can't think of another  
12 example. Yeah, sitting here right now I can't think of  
13 anything. As you pointed out, this, well, I can't even  
14 remember how the Clinton investigation itself was  
15 disclosed. But that had happened --

16 [REDACTED] Testimony to Congress.

17 [REDACTED] Was that how it was?

18 [REDACTED] Yeah.

19 [REDACTED] By whom?

20 [REDACTED] Mr. Comey.

21 [REDACTED] By Comey? Okay. And then the  
22 Russia one, which was also in congressional testimony. But  
23 those weren't, like he wasn't revealing discussions that  
24 had happened internally.

25 [REDACTED] Uh-huh. I mean, again, I don't

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 want to put words in your mouth but it seems like this  
2 would be something significant that you'd --

3 [REDACTED] I'm certainly --

4 [REDACTED] -- remember.

5 [REDACTED] Look, I'm certainly aware of other  
6 authorized disclosures to the press.

7 [REDACTED] Right.

8 [REDACTED]: But of specific conversations like  
9 this that had occurred, you know, internal conversations,  
10 I can't remember other ones off the top of my head. I  
11 just, nothing leaps out to me. I'm sure you could do a  
12 Google search and figure out if there had been such a  
13 thing. But I don't remember anything off the top of my  
14 head.

15 [REDACTED] The October, excuse me, the August  
16 12th conversation, had anyone ever recounted the details  
17 of that call to you that Mr. McCabe had with this DOJ  
18 official?

19 [REDACTED]: The DOJ official?

20 [REDACTED] Before it appeared in this  
21 article. Were you aware of that? Do you know what it was  
22 about?

23 [REDACTED]: Well, I can see what it was about,  
24 you know, just by reading the article. But I don't  
25 remember having heard of it before. You know, I told you

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 earlier that in my conversations with Andy about the  
2 recusal he had referenced the meeting that's discussed in  
3 the prior part of the article.

4 [REDACTED] Per OIG (b)(6), (b)(7)(C) Yes.

5 [REDACTED] : I think that's what --

b6 -2  
b7C -2

6 [REDACTED] Per OIG (b)(6), (b)(7)(C) Yes.

7 [REDACTED] -- this is was reference to, yeah.

b6 -2  
b7C -2

8 So --

9 [REDACTED] Per OIG (b)(6), (b)(7)(C) And I think that meeting occurred,  
10 just for reference for the record, well, there was one in  
11 February. I think there was another one in April.

12 [REDACTED] : Okay.

b6 -2  
b7C -2

13 [REDACTED] Per OIG (b)(6), (b)(7)(C) I can't, the article might  
14 identify it too.

15 [REDACTED] : So that's what I remember Andy  
16 telling me about. I don't remember --

b6 -2  
b7C -2

17 [REDACTED] Per OIG (b)(6), (b)(7)(C) Of 2016.

18 [REDACTED] : Yeah. I don't remember him telling  
19 me about this interaction with the DOJ official.

b6 -2  
b7C -2

20 [REDACTED] Per OIG (b)(6), (b)(7)(C) Do you know who that DOJ official  
21 is? Did anyone ever tell you before this interview today?

22 [REDACTED] No.

b6 -2  
b7C -2

23 [REDACTED] Per OIG (b)(6), (b)(7)(C) Do you know who it is sitting here  
24 today just by reading the article?

25 [REDACTED] : I don't know. I could guess it's

b6 -2  
b7C -2



1 one of two people, but.

2 [REDACTED] Per OIG (b)(6), (b)(7)(C) Who would your guess be? With the  
3 qualification that it is a guess.

4 [REDACTED] It's a guess. It's a total guess.

b6 -2  
b7C -2

5 My guess would be it's either George Toscas from the  
6 National Security Division or Matt Axelrod from the DAG's  
7 office.

8 [REDACTED] Per OIG (b)(6), (b)(7)(C) And again, with the caveat that  
9 you're making a guess, why do you guess those two people?

10 [REDACTED] Because of the, because they might  
11 have been involved in, because of their positions they  
12 might have been involved in knowing these facts or such a  
13 conversation, had it happened, I assume it did but,  
14 anyway. Such a conversation, had it happened, likely  
15 would have involved one of those two because of their  
16 position and then sort of the displeasure sort of, they  
17 don't hesitate to give, they didn't, well, George is still  
18 there. They didn't hesitate to express in strong terms  
19 their personal views, professional views --

b6 -2  
b7C -2

20 [REDACTED] Per OIG (b)(6), (b)(7)(C) Uh-huh.

21 [REDACTED] -- about what we were doing, course  
22 of action in a case, things like that. They're assertive  
23 people and don't hesitate to tell us what they think.

b6 -2  
b7C -2

24 [REDACTED] Per OIG (b)(6), (b)(7)(C) Before the article was published,  
25 so before October 30th, 2016, were you aware if anyone at

1 the FBI had been tasked to speak to the Wall Street  
2 Journal reporter for this story?

3 [redacted] : No. Well; say that again.

b6 -2  
b7C -2

4 Before --

5 [redacted] For --

6 [redacted] : Before when?

b6 -2  
b7C -2

7 [redacted] Before the article was published.

8 So before --

9 [redacted] No.

b6 -2  
b7C -2

10 [redacted] -- October 30th, 2016?

11 [redacted] No.

b6 -2  
b7C -2

12 [redacted] Now, you had mentioned earlier  
13 that recently you became aware --

14 [redacted] Yes.

b6 -2  
b7C -2

15 [redacted] And you were saying a moment ago  
16 that Mr. McCabe I think was talking to you about  
17 authorization and that he had, he has authority. Why was  
18 he emphasizing that point?

19 [redacted] We were just talking about it  
20 generally, about the matter that you guys were looking at.  
21 And he was saying at some, again, I can't remember,  
22 distinguish these conversations precisely. Some  
23 combination of him and/or Lisa saying that Lisa, that Andy  
24 had authorized Lisa to have this conversation.

b6 -2  
b7C -2

25 [redacted] Did he say exactly what, did he

1 say to you that, as you're sitting here now, that he, and  
2 you're seeing the highlighted portions here, that he  
3 authorized specifically the release of an account of a  
4 call that he had with DOJ?

5 [REDACTED] No, I don't remember him telling me  
6 that. It was some, there was some Devlin Barrett article  
7 that Andy had authorized Lisa to talk to him. And that  
8 he, as deputy director, had that authority anyway. He  
9 didn't specifically say anything about having, that,  
10 whether Comey had been aware of it or had blessed it or  
11 anything.

12 Per OIG (b)(6), (b)(7)(C) Did you see it as odd, why is he  
13 telling you this?

14 [REDACTED] He was just telling, he was telling  
15 me about what was going on and what was happening and it  
16 was in the context of a larger conversation. I'm trying  
17 to remember what it was about or how we got onto the  
18 topic.

19 Per OIG (b)(6), (b)(7)(C) Was it, did it come up at all in  
20 the connection with the OIG had shown Mr. McCabe  
21 information and it had, it then led to a discussion  
22 between you, Ms. Page, and Mr. McCabe about reassigning  
23 Ms. Page?

24 [REDACTED] I don't think so.

25 Per OIG (b)(6), (b)(7)(C) Okay. But that ultimately

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 happened, right?

2 [REDACTED] That is the, well, so one might say  
3 there's been two reassignments.

4 [REDACTED] Per OIG (b)(6), (b)(7)(C) Right, I'm focusing on the first  
5 one.

6 [REDACTED] On the first one?

7 [REDACTED] Per OIG (b)(6), (b)(7)(C) Right.

8 [REDACTED] Per OIG (b)(6), (b)(7)(C) When was that approximately, the  
9 first reassignment?

10 [REDACTED] It was whenever, so I can't remember  
11 when Lisa left the special counsel's office. I just have  
12 trouble remembering when that was. It's a bit of a blur  
13 to me. But she left and came back and there was a  
14 question of what to, it was like what to do, what she was  
15 going to do. She was tired. She had personal issues that  
16 she was dealing with with her family she explained to me  
17 at the time. And god, I'm trying to remember all these  
18 conversations. At that point in time somehow, I can't  
19 remember exactly, I'd have to think about it a bit, we  
20 decided that it didn't make sense for Lisa to continue to  
21 do that role for Andy. And then the whole business about  
22 the texts came up.

23 [REDACTED] Per OIG (b)(6), (b)(7)(C) Right.

24 [REDACTED] And, right, and I didn't know who it  
25 was but somebody from the IG's office informed Andy of the

b6 -2  
b7c -2

b6 -2  
b7c -2

b6 -2  
b7c -2

b6 -2  
b7c -2

1 texts.

2 [REDACTED] So --

3 [REDACTED]: And so then it was like Lisa can't  
4 do this work for me anymore. We need to figure something  
5 out here. [REDACTED] She's

b6 -2  
b7C -2

6 always been, you know, because she's always been --

7 [REDACTED] Uh-huh, on paper.

8 [REDACTED]: Yeah, on paper she's been on loan  
9 from --

b6 -2  
b7C -2

10 [REDACTED] Uh-huh.

11 [REDACTED]: -- OGC to Andy in her various roles  
12 that she's worked for him. And then, so she needs to go  
13 back to OGC and what are we going to do with her, and  
14 that's a whole long conversation. I don't know if --

b6 -2  
b7C -2

15 [REDACTED] Right.

16 [REDACTED]: -- you want to go into that now.

b6 -2  
b7C -2

17 But anyway --

18 [REDACTED] Well, in your mind is that the  
19 first reassignment where the issue of the --

20 [REDACTED] That's the first reassignment.

b6 -2  
b7C -2

21 [REDACTED] -- text comes up?

22 [REDACTED] Yes.

b6 -2  
b7C -2

23 [REDACTED] So, and I'm just trying to see if  
24 we can pin down when you remember this conversation with  
25 Andy and separately Lisa about October 30th --

1 [REDACTED] More recently than that.

b6 -2  
b7C -2

2 Per OIG (b)(6), (b)(7)(C) So it's more recently than the  
3 issue with the texts?

4 [REDACTED] Correct.

b6 -2  
b7C -2

5 Per OIG (b)(6), (b)(7)(C) Okay. I'm just trying to figure  
6 out what would prompt that and, if you know --

7 [REDACTED] You know, I mean, I, I'm trying to  
8 remember now. Because you know, I got involved in this  
9 notebook 35 thing not that long ago. Do you know about  
10 that?

b6 -2  
b7C -2

11 Per OIG (b)(6), (b)(7)(C) Uh-huh.

12 [REDACTED] And so, and we've been talking  
13 lately about now we have to produce all the documents that  
14 we produced to you guys to the Hill and so we're trying to  
15 figure out what to do about that. And so, it was in some  
16 part, and I've also had conversations, you know, honestly  
17 with folks. How are you doing? How's everything?

b6 -2  
b7C -2

18 Per OIG (b)(6), (b)(7)(C) Sure.

19 [REDACTED] What's happening, you know?

b6 -2  
b7C -2

20 Per OIG (b)(6), (b)(7)(C) I've got an OIG interview --

21 [REDACTED] I got an OIG interview and it's been  
22 X number of hours with those guys.

b6 -2  
b7C -2

23 Per OIG (b)(6), (b)(7)(C) Right.

24 [REDACTED] And so on and so forth. So it's in  
25 that context that it just, you know, kind of came up. And

b6 -2  
b7C -2

1 the gravamen of it is that there was this article in the  
2 Wall Street Journal that Andy had authorized [redacted] to talk  
3 to the press. I can't, some, there was some mention of  
4 Kortan but I don't remember exactly like if Kortan was  
5 present or not. I don't remember that exactly. And I  
6 think that's basically it.

b6 -1  
b7C -1

7 [redacted] Other than --  
8 [redacted] But I don't remember, like the  
9 specifics, I don't ever remember having read this article,  
10 frankly --

b6 -2  
b7C -2

11 [redacted] Okay.  
12 [redacted] -- until today. And when they've  
13 made these references I haven't really understood like the  
14 context. I don't really know what it, I didn't know until  
15 today what it was that --

b6 -2  
b7C -2

16 [redacted] So no information --

17 [redacted] -- she was --

b6 -2  
b7C -2

18 [redacted] -- that he was authorizing a --

19 [redacted] Particular disclosure or something  
20 like that.

b6 -2  
b7C -2

21 [redacted] Or what the purpose of it was.

22 Did you get into what the purpose of it --

23 [redacted] No.

b6 -2  
b7C -2

24 [redacted] Yes.

25 [redacted] I don't think he said anything about

b6 -2  
b7C -2

1 the purpose of it. No.

2 [REDACTED] Okay. Other than McCabe and Page  
3 did you have any other conversations with anyone at the  
4 FBI recently about --

5 [REDACTED] This?

6 [REDACTED] -- this authorization to the Wall  
7 Street Journal?

8 [REDACTED] I'm trying to remember if Kortan had  
9 said anything to me about it. He, because he seems like a  
10 logical person who would have said something to me about  
11 it. But I don't recall that.

12 [REDACTED] Can I ask --

13 [REDACTED] Bless you.

14 [REDACTED] Thank you.

15 [REDACTED] When Mr. McCabe was describing to  
16 you, this is an issue of a statement that I authorized --

17 [REDACTED] Uh-huh.

18 [REDACTED] -- was he certain that it was  
19 something he authorized or was he equivocal about that?  
20 Did he say, it was something I may have authorized, I may  
21 have done? Or did he say, this is something I did?

22 [REDACTED] Good question. I don't remember.

23 But he, but yeah, from the context it seemed as though he  
24 was saying well, I have the authority. I've always had  
25 the authority to, myself, speak to the press or to

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2



1 authorize others to speak to the press. Therefore, it  
2 sounded like there wasn't a question. It was just he had  
3 authorized it. That's how I would interpret. He didn't  
4 literally say that.

5 [REDACTED] Uh-huh.

6 [REDACTED] But from the context it seemed to me  
7 like he was saying yeah, I authorized this. I have the  
8 authority to do this and I did it.

9 [REDACTED] Okay. And --

10 [REDACTED] That's, I mean, I'm putting, those  
11 are not literally the words he said but that's how I  
12 interpreted it.

13 [REDACTED] Sure. Was there anything about it,  
14 about your conversation with him that suggested he was  
15 assuming that he authorized it but couldn't be sure one  
16 way or the other?

17 [REDACTED] That he couldn't be sure one way or  
18 the other. It just wasn't that detailed.

19 [REDACTED] Okay. Is it fair to say it seemed  
20 more certain in his mind --

21 [REDACTED] It seemed --

22 [REDACTED] -- than what I'm suggesting?

23 [REDACTED] So, it's, I guess, again, these are  
24 not literally the words he said. But it's that you guys  
25 were looking at a Devlin Barrett article of some sort.

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 And the question was, there was a disclosure and was, and  
2 Lisa made the disclosure. Was she authorized to do it or  
3 not? Hey, I have the authority to authorize disclosures.  
4 I have the authority to speak to the press myself. So, it  
5 was an authorized disclosure. It was more like that. The  
6 nuances, I don't think there was much more than that,  
7 honestly.

8 [REDACTED] Okay. Was he seeking any kind of  
9 legal advice --

10 [REDACTED] No.

11 [REDACTED] -- from you?

12 [REDACTED] No.

13 [REDACTED] So, I'm going to switch now to  
14 issues that may have come up after the article came out.

15 [REDACTED] Okay.

16 [REDACTED] So it would include October 31 or  
17 October 30th after the article, 2016, came out to the  
18 present. So, it sounds like, I was going to ask you what  
19 your reaction was when you saw these details here in this  
20 article. But it sounds like you are, have no recollection  
21 of reading the highlighted portions prior to today? And  
22 I'll --

23 [REDACTED] I'm not saying it didn't happen.

24 [REDACTED] Yeah, yeah. I'm going to show  
25 you --

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 [REDACTED] I'm just saying I don't recall it.

b6 -2  
b7C -2

2 [REDACTED] Per OIG (b)(6), (b)(7)(C) Let me show you one document in  
3 case it prompts some memory. So what I'm showing you now,  
4 well, it's a four page document. And it is, it's about a  
5 half an hour after the article came out.

6 [REDACTED] Uh-huh.

b6 -2  
b7C -2

7 [REDACTED] Per OIG (b)(6), (b)(7)(C) You'd have to minus, well, it's a  
8 long --

9 [REDACTED] Yeah, whatever. Okay.

b6 -2  
b7C -2

10 [REDACTED] Per OIG (b)(6), (b)(7)(C) But it basically, Bill Priestap is  
11 sending that to you, the associate deputy director, and  
12 Mike Steinbach. And on page four the, on page four you'll  
13 see the fourth paragraph down has the highlighted portions  
14 that we're talking about. Now, they may have been sending  
15 it to you for an entirely different reason. I don't know.

16 [REDACTED] Did he say why or just, it's just

b6 -2  
b7C -2

17 a --

18 [REDACTED] Per OIG (b)(6), (b)(7)(C) It's, that's it. Anyways, I'm  
19 only putting this before you now to see if this prompts  
20 any, jogs any memory on your part about any discussions  
21 you had or thoughts you had or anything of that nature.

22 [REDACTED] No. Honestly, this is exactly the  
23 kind of thing I wouldn't read.

b6 -2  
b7C -2

24 [REDACTED] Per OIG (b)(6), (b)(7)(C) And why is that?

25 [REDACTED] It's just too long. I just have, I

b6 -2  
b7C -2

1 would see, I, most like I would see this and just like my  
2 brain would freeze.

3 [REDACTED] Okay.

4 [REDACTED] There was some, so I'm trying to  
5 remember now. There was some hard copy of an article that  
6 I got. I don't know if, was this on the front page?  
7 There's some article that I saw the hard copy of having to  
8 do with Andy and Clinton generally. And I sort of picture  
9 it like it was on the front page above the fold. Maybe it  
10 was this thing.

11 [REDACTED] I think it was the first one.

12 [REDACTED] Yeah, I think it was the first one  
13 too.

14 [REDACTED] The first one? Really? Okay.

15 [REDACTED] The October 23rd one.

16 [REDACTED] Okay.

17 [REDACTED] I think. That --

18 [REDACTED] Yeah, because there's a comment  
19 that's --

20 [REDACTED] Yes.

21 [REDACTED] -- above the fold.

22 [REDACTED] Yes, I think I've seen that too.

23 [REDACTED] Okay. So that one I, somebody gave  
24 me a copy of that and I either read it or tried to read it  
25 or read most of it or something. So maybe it's this other

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 one.

2 [REDACTED] Per OIG (b)(6), (b)(7)(C) So again, I'm going to tick  
3 through a bunch of questions for completeness after the  
4 article appeared just so I'm, it's on the record. So is  
5 it fair to say that after the article was published --

6 [REDACTED] Uh-huh.

7 [REDACTED] Per OIG (b)(6), (b)(7)(C) -- you do not recall anyone at FBI  
8 executive management meetings raising the fact that an  
9 account of McCabe's August 12th call with a DOJ official  
10 was published in the Wall Street Journal and it had been  
11 authorized? Do you recall that ever coming up at a  
12 meeting?

13 [REDACTED] I can't, I don't recall that. Up  
14 until these recent things we talked about a few minutes  
15 ago.

16 [REDACTED] Per OIG (b)(6), (b)(7)(C) Sure.

17 [REDACTED] Yeah, I'm just struggling. I was  
18 just trying to think of it. I can't think of anything.  
19 You know, articles and the press, there's just so, there  
20 are so many articles and people make reference to them in  
21 so many different ways. And Devlin Barrett's name has  
22 come up repeatedly over time but I don't remember, I can't  
23 recall further conversations about this in particular.

24 [REDACTED] Per OIG (b)(6), (b)(7)(C) And again, from my  
25 characterization being, I think you acknowledged earlier

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 that you do not recall, at least as, during your tenure as

2 [redacted] --

3 [redacted] : Uh-huh.

b6 -2  
b7C -2

4 [redacted] -- another instance of a one on  
5 one private conversation between the deputy director of  
6 the FBI and a senior DOJ official. The account being  
7 published in a paper regarding a sensitive high profile  
8 investigation right before the election. Putting those,  
9 the, my characterization out there to see if that jogs  
10 your memory at all about whether this came up or not at  
11 any FBI executive management meeting after the article was  
12 published.

13 [redacted] No, I don't remember this coming up.  
14 You know, there was one, just as you say that, so there  
15 was one other, there was a conversation that was had, for  
16 example, I don't remember when this was exactly. Earlier  
17 this year I think, with respect to the President's  
18 comments about him having been the subject of  
19 surveillance.

b6 -2  
b7C -2

20 [redacted] Yes.

21 [redacted] Do you remember all that?

b6 -2  
b7C -2

22 [redacted] Yes.

23 [redacted] : And so there was an incident where  
24 several of us, FBI and DOJ, were on the phone one evening,  
25 a conference call. And then an account of that appeared

b6 -2  
b7C -2

1 in the press like the next day.

2 [REDACTED] Uh-huh.

3 [REDACTED]: And DOJ was very upset about it and  
4 blamed it on the FBI. I don't know if anybody at the FBI  
5 disclosed that and so on but that was, thinking back on  
6 your various conversations here, I don't know that that  
7 was authorized, unauthorized. I don't know who made that,  
8 you know, disclosure. But it did seem pretty close to  
9 the, the article the next day, and I can't remember what  
10 publication it was in, maybe the New York Times or, well,  
11 probably New York Times or Washington Post. It was pretty  
12 close to the facts and so it was concerning for sure.

13 [REDACTED] Uh-huh.

14 [REDACTED]: Yeah.

15 [REDACTED] Well, let me tick through a bunch  
16 of people. Again, I recognize this may not have happened  
17 but I'm just going to go through it.

18 [REDACTED]: Sure.

19 [REDACTED] Is it fair to say that your first  
20 conversation that you recall with Mr. McCabe about the  
21 Wall Street, this October 30th Wall Street Journal article  
22 was recently? Was there anything before that? And I'm,  
23 now I'm talking contemporaneously after the article came  
24 out October 30th --

25 [REDACTED]: No. No --

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 [REDACTED] -- 31st?

2 [REDACTED] -- nothing like that. No, not at  
3 that time. I just, I don't remember it being discussed at  
4 that time.

5 [REDACTED] And again, to kind of put it in  
6 context for what you were dealing with to see if it  
7 stimulates any other memory or not, at that time you're,  
8 this is October 30th.

9 [REDACTED] Uh-huh.

10 [REDACTED] The next day you're going to have,  
11 as you described earlier, one of the most challenging  
12 conversations you've had in your career --

13 [REDACTED] Right.

14 [REDACTED] -- with Mr. McCabe. And it's  
15 going to be about appearance issues stemming from this  
16 earlier article, October 23rd.

17 [REDACTED] Right.

18 [REDACTED] Would you have expected Mr. McCabe  
19 in the context of that conversation to have raised to you  
20 that he had authorized an account of a private  
21 conversation with him and a DOJ official so you could  
22 factor that into your assessment and discussions with him  
23 and the director?

24 [REDACTED] That's a good question. You know, I  
25 don't, it's a hard one for me to answer right now. I

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2



1 guess from his perspective I'm not sure that it would.  
2 really matter given the, given what I was thinking about  
3 and how my analysis was proceeding in conversation with  
4 Pat Kelley and so on. So, I don't --

5 **Per OIG (b)(6), (b)(7)(C)** Well let me ask you a different --  
6 well, go ahead. I'm sorry.

7  Sitting here today it like doesn't  
8 make me angry that he didn't tell me this I guess.

b6 -2  
b7C -2

9 **Per OIG (b)(6), (b)(7)(C)** Uh-huh.

10  And so I think my analysis and the  
11 way I was looking at this problem back in the day, I am  
12 not sure that this would have made a difference if I had  
13 known this fact.

b6 -2  
b7C -2

14 **Per OIG (b)(6), (b)(7)(C)** You had talked about in the first  
15 segment about how when the subject Clinton Foundation came  
16 up --

17 : Yes.

b6 -2  
b7C -2

18 **Per OIG (b)(6), (b)(7)(C)** -- that you were advising Andy,  
19 Mr. McCabe, to stay away from those conversations out of  
20 an abundance of caution because no decisions had been made  
21 at that time.

22  Right.

b6 -2  
b7C -2

23 **Per OIG (b)(6), (b)(7)(C)** So this is the October 27th  
24 conversation.

25  Right.

b6 -2  
b7C -2

1 [REDACTED] So, this article comes out on  
2 October 30th. If Mr. McCabe had authorized anyone to talk  
3 to the Wall Street Journal it would have been October  
4 27th, 28th, 29th. Would you have expected that he would  
5 have similarly, hearing what your concerns were and the  
6 director's, not taken an active role himself or his staff  
7 in anything related to Clinton Foundation?

8 [REDACTED] Well, he was on notice I guess that  
9 I had expressed concerns about it.

b6 -2  
b7C -2

10 [REDACTED] Uh-huh.

11 [REDACTED] At least. And so, I guess I would  
12 have counseled him to stay away from the whole topic  
13 during that time period until we sorted it out. That's  
14 kind of, you know, I, as I described earlier to you, he  
15 wasn't in, he wasn't out. But he wasn't completely in  
16 either and caution was advisable and so that's what I  
17 thought was the appropriate thing at the time. The  
18 caution was the, caution with dealing with Clinton  
19 Foundation related matters was appropriate in that  
20 timeframe.

b6 -2  
b7C -2

21 [REDACTED] And I may have missed this from  
22 the earlier segment so forgive me. Did he receive that  
23 similar message from the director when the director talked  
24 to him?

25 [REDACTED]: I don't know. I, that's a great

b6 -2  
b7C -2

1 question. I don't know.

2 [REDACTED] Per OIG (b)(6), (b)(7)(C) Does releasing this information  
3 about this high level discussion with the DOJ comport with  
4 your notion of what it would mean to be cautious around  
5 the issue with the Clinton Foundation?

6 [REDACTED] Okay. So, would it be, so let's,  
7 assuming he had authorized this --

8 [REDACTED] Per OIG (b)(6), (b)(7)(C) Uh-huh.

9 [REDACTED] Per OIG (b)(6), (b)(7)(C) Right.

10 [REDACTED] -- because we haven't actually, you  
11 haven't told me that. And so I don't know exactly what  
12 the facts are that you guys have uncovered. But anyway,  
13 so, but assuming he had authorized this, in this timeframe  
14 I guess I probably would have counseled against it.

15 [REDACTED] Per OIG (b)(6), (b)(7)(C) And it, is it fair to say, based  
16 upon what you know of the director's thinking then, that  
17 he would have counseled similarly because you had  
18 mentioned that, just on the basis of the October 30th,  
19 excuse me, 23rd article, as I understood you said the  
20 director's intuitive thought --

21 [REDACTED] Uh-huh.

22 [REDACTED] Per OIG (b)(6), (b)(7)(C) -- process was appearance-wise it  
23 looks bad. Stay away.

24 [REDACTED] Uh-huh.

25 [REDACTED] Per OIG (b)(6), (b)(7)(C) Here you have the same big blowup

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 discussion about the campaign contributions and now  
2 they're talking about Mr. McCabe's oversight of Clinton  
3 Foundation. So the question would be knowing what you  
4 know about the director's thinking is it your sense that  
5 he would have similarly given the same counsel?

6 [REDACTED]: Probably. In part, so, but with  
7 respect to both of us I guess in part because it's, of the  
8 caution thing that I talked about. Frankly, also I don't  
9 see how this benefits him all that much. I don't get,  
10 just sitting here today looking at it, and maybe I'm  
11 missing something. And you know, I quickly read the  
12 article but I don't get how this would be perceived to  
13 benefit Andy all that much honestly. Given the, given  
14 sort of the contours of the article I just don't see what  
15 this gets him all that much. Maybe I'm missing something.

16 **Per OIG (b)(6), (b)(7)(C)** Well, would you, what would you  
17 say to the argument of this was necessary to counter the  
18 narrative that is presented in the article that the FBI is  
19 politicized. It's sort of taking the October 23rd article  
20 and giving it a lot more texture --

21 [REDACTED] Uh-huh.

22 **Per OIG (b)(6), (b)(7)(C)** -- about why there's a potential  
23 of --

24 [REDACTED]: Politicization, yeah.

25 **Per OIG (b)(6), (b)(7)(C)** Yes, thank you. And here it's

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 showing the FBI basically countering --

2 [REDACTED] I see.

3 Per OIG (b)(6), (b)(7)(C) -- those attacks.

4 [REDACTED]: I see. I see. Is resisting,  
5 because we're resisting DOJ's efforts to try to shut it  
6 down.

7 Per OIG (b)(6), (b)(7)(C) Right, DOJ pressure or whether DOJ  
8 is itself politicized. What would you say if that were  
9 the purpose, if someone came to you --

10 [REDACTED] Well could you, my guess if you're  
11 inclined to do this, if you think therein has to be some  
12 type of disclosure to the press does it actually have to  
13 discuss that particular conversation? Couldn't there be  
14 something more generic that accomplishes the same goal I  
15 guess. If other people, and again, I'm assuming that this  
16 is, assuming that it makes sense to do this, and I'm not  
17 saying it does, but to counter the narrative in the way  
18 you just described.

19 Per OIG (b)(6), (b)(7)(C) I'm sorry, but isn't this very  
20 dramatic?

21 [REDACTED]: This is very specific and, yeah.

22 Per OIG (b)(6), (b)(7)(C) Because like, you know, he's being  
23 accused of tanking the Clinton Foundation by the FBI and  
24 his response is to leak something that says --

25 [REDACTED]: I push back on something, yeah.

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 [REDACTED] And it's not just I push back. Are  
2 you telling me --

3 [REDACTED]: Oh, yeah.

4 [REDACTED] -- I have to shut down a validly  
5 predicated investigation?

6 [REDACTED] Right.

7 [REDACTED] I get it now, yeah. No, I  
8 understand.

9 [REDACTED] It's been suggested to us that,  
10 given the timeframe and everything that was going on, that  
11 doing something like this was vitally necessary to protect  
12 the integrity of the FBI so that America and the voters  
13 could be reassured that the FBI was, you know, at its  
14 position doing its work. Do you agree with that?

15 [REDACTED] Well, again, I'm sort of like  
16 absorbing all this having not read this before that I can  
17 recall. Does it do that? I mean, I guess it does. I  
18 guess it does. If you read it just the way that [REDACTED]  
19 just said as well. If you read it in that context of us,  
20 you know, us being the FBI, saying this very dramatically  
21 to the, to DOJ. I guess it can be read to counter that  
22 narrative, yes.

23 [REDACTED] Do you remember discussions at the  
24 time of there being something vitally necessary to do in  
25 this way?

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 [REDACTED] Not that I can recall. My  
2 conversations were, at that time were focused mainly on  
3 talking to the director and the group when we met with the  
4 director, as I recall. And so --

5 [REDACTED] Per OIG (b)(6), (b)(7)(C) Which group?

6 [REDACTED] The --

7 [REDACTED] Per OIG (b)(6), (b)(7)(C) Midyear?

8 [REDACTED] The Midyear group --

9 [REDACTED] Per OIG (b)(6), (b)(7)(C) Uh-huh.

10 [REDACTED] -- and the director. And with sort  
11 of the rim but philosophical recognition that we, there  
12 were, we only had two doors in front of us. They both led  
13 to hell. And so we were going to hell anyway. So, there  
14 you go. Like there was no, there really kind of was no  
15 point in countering any narrative. We were just going to  
16 do what we thought was right given the box that we found  
17 ourselves in. I'm sure we'll get to this at some point in  
18 the next couple days. And that was sort of the focus that  
19 I had. I don't recall people talking to me or being  
20 involved in conversations about trying to change, you  
21 know, the narrative or trying to massage the narrative or  
22 anything like that. It was just like we're so screwed  
23 that it doesn't really matter. And so like we're just  
24 going to do our best. We're going to try to do a  
25 professional, independent, competent job, et cetera. And,

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 but like other times people have talked about trying to,  
2 you know, change the narrative or influence, you know, the  
3 press. Or they're going to go off of this article. It's  
4 all wrong. Somebody needs to talk to them. Should we  
5 talk to them? What are we going to say? Maybe we can't  
6 say anything. No, we can't say this. We can't say that.  
7 Those kind of conversations where it's much more kind of  
8 granular and focused on trying to shape the narrative and  
9 so on and so forth. This was like so many multitude of  
10 degrees beyond that kind of activity. This kind of  
11 strikes me as sort of a lower level effort to influence  
12 the narrative when the narrative is at a much higher level  
13 and going at a trajectory that it was not possible to  
14 change through something like this.

15 Per OIG (b)(6), (b)(7)(C) That one vignette is not going to  
16 change anybody's mind?

17  Not at that point in time I didn't,  
18 I wouldn't say.

19 Per OIG (b)(6), (b)(7)(C) Let me bring you back to the first  
20 segment. You had mentioned that one of the concerns  
21 expressed to you in some robust conversations that you had  
22 with Ms. Page or, and/or Mr. McCabe was that if Mr. McCabe  
23 has to recuse on Clinton email and/or Clinton Foundation  
24 that it would undercut his standing in the FBI --

25  Uh-huh.

b6 -2  
b7C -2

b6 -2  
b7C -2



1 [REDACTED] -- and, or his stature in the FBI.

2 [REDACTED] Uh-huh.

3 [REDACTED] Because he would be out of the  
4 most important case then pending. And it would be feeding  
5 the narrative of the October 23rd article that the FBI  
6 thinks something's wrong, that aura of something wrong and  
7 weaken his position inside and out of the FBI. Does  
8 putting, authorizing the account of the August 12th call  
9 where Mr. McCabe is fighting back. --

10 [REDACTED] Uh-huh.

11 [REDACTED] -- sort of a check against if he's  
12 ultimately recused because it's out there in the public  
13 that he fought back and was trying to fight back against  
14 DOJ for whatever reason, for --

15 [REDACTED] For allegations that he was in the  
16 tank for --

17 [REDACTED] Right.

18 [REDACTED] Yeah. Yeah, it's, it fights back  
19 against that I would think. Yeah.

20 [REDACTED] And so even if he ultimately has  
21 to recuse --

22 [REDACTED]: This is out there though.

23 [REDACTED] -- this is out there?

24 [REDACTED] Uh-huh. Uh-huh.

25 [REDACTED] Is that one way to look at it?

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 [REDACTED] That's one way to look at it I  
2 think, yeah.

b6 -2  
b7C -2

3 Per OIG (b)(6), (b)(7)(C) Did you want to ask anything about  
4 that? Okay.

5 [REDACTED] I mean, whether that's a sensible  
6 course of action or not is a separate question at this  
7 time. But that is --

b6 -2  
b7C -2

8 Per OIG (b)(6), (b)(7)(C) Well --

9 [REDACTED] -- one way to look at it, yeah.

b6 -2  
b7C -2

10 Per OIG (b)(6), (b)(7)(C) Well, and one thing I was wanting to  
11 ask you is if it accomplishes that it's doing something  
12 for Andy but not necessarily the FBI, right?

13 [REDACTED] Well, I mean, I guess. I don't  
14 know. I'm reflecting on that. Maybe, it's aggressively  
15 saying that we, you know, we had to push back on, you  
16 know, influence from DOJ to try to shut down, you know, a  
17 validly predicated investigation, right? So it shows,  
18 it's a counter narrative. I, yeah.

b6 -2  
b7C -2

19 Per OIG (b)(6), (b)(7)(C) And when you said it's a separate  
20 question of whether it's sensible or not I understand you  
21 to say that you wouldn't have advised this then in that  
22 moment that was happening?

23 [REDACTED] It's hard for me to say, right?  
24 Because I'm sitting here today and looking at it --

b6 -2  
b7C -2

25 Per OIG (b)(6), (b)(7)(C) Right.

1 [REDACTED]: -- in the, in, you know, the calm  
2 light of day, so to speak. But again, I just, the fire  
3 hose of the narrative that was going on, this seemed to me  
4 like, you know, blowing through a straw at it or something  
5 to fight back against it. It just was not going to change  
6 anything.

7 [REDACTED] Per OIG (b)(6), (b)(7)(C) Right. And I was more  
8 specifically focused on what you were, I understand there  
9 were, the larger Midyear reopening and everything that was  
10 happening with Congress and the public. I was focusing on  
11 the fact that you and then Director Comey were grappling  
12 with the appearance issues and how to, that it didn't look  
13 good. And so this seems like it's stepping into troubled  
14 waters more than one on two. Based upon what you were  
15 dealing with.

16 [REDACTED]: Uh-huh. Yes, probably. If I can  
17 just, just as it --

18 [REDACTED] Per OIG (b)(6), (b)(7)(C) Yes.

19 [REDACTED] Just if I can digress for one  
20 second.

21 [REDACTED] Per OIG (b)(6), (b)(7)(C) Sure.

22 [REDACTED] I mean, look, you guys are going to  
23 do your evaluation and try to figure out what this all  
24 means and assess what we all did and so on. It's very  
25 difficult for me to explain to you, you, it's probably

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

b6 -2  
b7C -2

1 self-evident to some degree. But the amount of stress  
2 that people were under at the time and trying to make  
3 difficult decisions, extremely difficult decisions,  
4 unparalleled in the nation's history, quite frankly. In a  
5 extremely compressed timeframe under intense scrutiny with  
6 all kinds of questions being asked about, or raised about  
7 people's ethics and their prior conduct and so on and so  
8 forth. And so, I guess my pitch is, you know, at least  
9 that should be factored into how people reacted, how  
10 people thought, whether they made sensible decisions under  
11 the circumstances. The time that you had to make a  
12 decision was so compressed and the information available  
13 and you're relying on your best judgment. There's almost  
14 no time to go out and do legal research. There was very  
15 limited time to consult with the kind of people you'd want  
16 to consult with and so on. It was a pretty grim time and  
17 so, anyway, I just, it occurs to me to say to you at some  
18 point so I've just said it. So --

19 Per OIG (b)(6), (b)(7)(C) No, no. I appreciate that because  
20 you, at the end we always want you to have an opportunity  
21 to add things if you haven't had an opportunity to do  
22 that. So you can do that now --

23  Okay.

24 Per OIG (b)(6), (b)(7)(C) -- here at any point.

25  Okay.

b6 -2  
b7C -2

b6 -2  
b7C -2