

**HOUSE REPUBLICANS LACK EVIDENCE TO
SUBSTANTIATE LATEST CIA CONSPIRACY THEORY**

Democratic Staff Report
Committee on the Judiciary
and
House Permanent Select
Committee on Intelligence
U.S. House of Representatives

June 26, 2024

FORWARD BY THE RANKING MEMBERS

When it comes to congressional investigations, House Republicans are failures. Their effort to impeach President Biden failed to find evidence of wrongdoing by the President. Their work to undermine the criminal cases pending against Donald Trump failed to stop Trump's conviction on 34 counts of falsifying business records and election fraud. Just this week, the Supreme Court rejected the false conspiracy theory propagated by House Republicans that conservative speech had been unconstitutionally censored on social media platforms.

Against this backdrop of failure, Chairman Jordan and Chairman Turner have released a report alleging that the Intelligence Community worked with the Biden campaign to bury a story about Hunter Biden's laptop. They ask you to ignore that this supposed plot all took place during the Trump Administration, while Trump's allies were actively pushing Russian disinformation to the Department of Justice and in their public messaging.

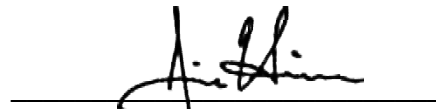
This staff report shows that this latest Republican effort is—like the failures before it—absolute nonsense. The evidence we have reviewed shows that virtually every allegation the Republicans have made is false or beside the point. What actually occurred is simple: a group of 51 former intelligence officials signed a letter expressing their genuine view as private citizens that the Hunter Biden laptop story bore all the hallmarks of a Russian disinformation campaign. And, as they were legally required to do, they provided a copy of the letter prior to publication to the Central Intelligence Agency's Prepublication Classification Review Board; the PCRB found that the letter contained no classified information.

Perhaps the most shocking finding in the Republican report is the suggestion that then CIA Director Gina Haspel should have intervened to delay or prevent the publication of the letter, despite having no legal basis to do so. Ironically, the very act that Republicans call for would have been *both* election interference and a suppression of First Amendment speech. That Republicans would endorse a flagrant abuse of power such as that gives away the game: This effort is nothing more than a flimsy attempt to do Donald Trump's bidding, no matter the cost to the nation.

We commend to you this report, which will set the record straight even if it does not prevent House Republicans from plunging headfirst into their next investigative failure.



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House Committee on the Judiciary Select



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Introduction

On August 7, 2020, Bill Evanina, the Trump-appointed Director of the National Counterintelligence and Security Center (NCSC), released an election threat update warning that Russia was using “a range of measures . . . to undermine former Vice President Biden’s candidacy and the Democratic Party.”¹

Ahead of the 2020 U.S. elections, foreign states will continue to use covert and overt influence measures in their attempts to sway U.S. voters’ preferences and perspectives, shift U.S. policies, increase discord in the United States, and undermine the American people’s confidence in our democratic process ...

***RUSSIA** – We assess that Russia is using a range of measures to primarily denigrate former Vice President Biden and what it sees as an anti-Russia “establishment.” This is consistent with Moscow’s public criticism of him when he was Vice President for his role in the Obama Administration’s policies on Ukraine and its support for the anti-Putin opposition inside Russia. For example, pro-Russia Ukrainian parliamentarian Andrii Derkach is spreading claims about corruption – including through publicizing leaked phone calls – to undermine former Vice President Biden’s candidacy and the Democratic Party. Some Kremlin-linked actors are also seeking to boost President Trump’s candidacy on social media and Russian television.²*

This warning mirrored concerns the Intelligence Community expressed four years earlier, when Russian intelligence conducted cyber operations against targets associated with the 2016 election, including targets associated with both major U.S. political parties; gained access to the Democratic Congressional Campaign Committee (DCCC) and Democratic National Committee (DNC) computer networks; and publicly released DNC materials via WikiLeaks. As a January 2017 Intelligence Community assessment found with high confidence:

We assess Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the US presidential election. Russia’s goals were to undermine public faith in the US democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency. We further assess Putin and the Russian Government developed a clear preference for President-elect Trump.³

¹ Press Release, National Counterintelligence and Security Center, *Statement by NCSC Director William Evanina: Election Threat Update for the American Public* (Aug. 7, 2020), <https://www.dni.gov/index.php/newsroom/press-releases/item/2139-statement-by-ncsc-director-william-ewanina-election-threat-update-for-the-american-public>

² *Id.*

³ *Background to “Assessing Russian Activities and Intentions in Recent U.S. Elections”*: *The Analytic Process and Cyber Incident Attribution*, Office of the Director of National Intelligence (Jan. 6, 2017), <https://s3.documentcloud.org/documents/3254237/Russia-Hack-Report.pdf>

On October 14, 2020, the *New York Post* published an article about a hard drive produced to it by Rudy Giuliani which had purportedly been owned by Hunter Biden.⁴

The following day, the *Washington Post* reported that United States intelligence agencies had warned the White House that Giuliani was the target of an influence operation by Russian intelligence and that President Trump's own national security advisor, Robert O'Brien, had warned Trump "that any information Giuliani brought back from Ukraine should be considered contaminated by Russia."⁵ According to the *Washington Post*, "Trump had 'shrugged his shoulders' at O'Brien's warning, the former official said, and dismissed concern about his lawyer's activities by saying, 'That's Rudy.'"⁶

On October 17, the *Daily Beast* reported on an hour-long interview with Giuliani in which Giuliani claimed that his "latest leak to the New York Post" was "an extension of his years-long efforts to work with Ukrainians to dig up dirt on the Bidens."⁷

Giuliani's assertion was a reference to his work with Russian agent Andrii Derkach, a member of the Ukrainian Parliament who had tried "for years to pass damaging – and largely false – information about the Ukraine government's supposed attempts to undermine Trump."⁸ The Treasury Department, under Secretary Steve Mnuchin, sanctioned Derkach in September 2020 for his efforts to influence the 2020 U.S. presidential election, noting that "Andrii Derkach and other Russian agents employ manipulation and deceit to attempt to influence elections in the United States and elsewhere around the world."⁹

⁴ Emma-Jo Morris & Gabrielle Fonrouge, *Smoking-gun email reveals how Hunter Biden introduced Ukrainian businessman to VP dad*, NEW YORK POST (Oct. 14, 2020).

⁵ Shane Harris, Ellen Nakashima, Greg Miller and Josh Dawsey, *White House was warned Giuliani was target of Russian intelligence operation to feed misinformation to Trump*, WASHINGTON POST (Oct. 15, 2020), https://www.washingtonpost.com/national-security/giuliani-biden-ukraine-russian-disinformation/2020/10/15/43158900-0ef5-11eb-b1e8-16b59b92b36d_story.html

⁶ *Id.*

⁷ Asawin Suebsaeng and Erin Banco, *Rudy: Only '50/50' Chance I Worked With A 'Russian Spy' to Dig Dirt on Bidens and Ukraine*, THE DAILY BEAST (Oct. 17, 2020), <https://www.thedailybeast.com/rudy-giuliani-says-theres-only-5050-chance-i-worked-with-a-russian-spy-to-dig-dirt-on-bidens>

⁸ *Id.*

⁹ Press Release, U.S. Department of the Treasury, Treasury Sanctions Russia-Linked Election Interference Actors (Sept. 10, 2020), <https://home.treasury.gov/news/press-releases/sm1118>.

Treasury designated **Andrii Derkach (Derkach)** pursuant to Executive Order (E.O.) 13848 for his efforts to influence the 2020 U.S. presidential election. Derkach, a Member of the Ukrainian Parliament, has been an active Russian agent for over a decade, maintaining close connections with the Russian Intelligence Services. Derkach has directly or indirectly engaged in, sponsored, concealed, or otherwise been complicit in foreign interference in an attempt to undermine the upcoming 2020 U.S. presidential election. Today's designation of Derkach is focused on exposing Russian malign influence campaigns and protecting our upcoming elections from foreign interference. This action is a clear signal to Moscow and its proxies that this activity will not be tolerated. The Administration is working across the U.S. Government, and with state, local, and private sector partners, to make the 2020 election secure.

"Andrii Derkach and other Russian agents employ manipulation and deceit to attempt to influence elections in the United States and elsewhere around the world," said Secretary Steven T. Mnuchin. "The United States will continue to use all the tools at its disposal to counter these Russian disinformation campaigns and uphold the integrity of our election system."

Giuliani met with Derkach in Ukraine in December 2019, in the midst the first impeachment investigation.¹⁰ Derkach posted a photo on Facebook on December 5, showing what appears to be an exchange of documents between the two. He subsequently said that he "handed Giuliani documents on allegations relating to inefficient expenditure of U.S. government money on projects in Ukraine and other matters."¹¹

¹⁰ David L. Stern and Robyn Dixon, *Ukraine lawmaker seeking Biden probe meets with Giuliani in Kiev*, WASHINGTON POST (Dec. 5, 2019), https://www.washingtonpost.com/world/europe/ukraine-lawmaker-seeking-biden-probe-meets-with-giuliani-in-kyiv/2019/12/05/ead06cae-175b-11ea-80d6-d0ca7007273f_story.html

¹¹ *Id.*



Ukrainian lawmaker Andriy Derkach and President Trump's personal lawyer Rudolph W. Giuliani show a document during a meeting in Kyiv, in an image posted by Derkach on Dec. 5, 2019. (Andriy Derkach/Reuters)

Giuliani was asked “whether he was concerned if the materials he obtained might in some way be linked to the hacking of [Ukrainian natural gas company] Burisma late last year—an act attributed to Russian intelligence” and responded: “Wouldn’t matter. What’s the difference?”¹² Likewise, asked about allegations that his associate Andrii Derkach was a Russian agent, Giuliani told the *Daily Beast* that he was “laughing [his] head off” about the whole affair.”¹³

Against this backdrop, on October 17, 2020, Michael Morell – a 33-year veteran of the Central Intelligence Agency (CIA) – received a phone call from his friend and former colleague Antony Blinken, then a private citizen, who asked Morell if he thought that Russia might be involved in the story in some way and forwarded the story to him.¹⁴ Contrary to Republican claims, Blinken did not ask Morell to make any public statement about Russian involvement. Instead:

Based on his more than three-decades of experience working in the Intelligence Community and his understanding of Russia’s massive interference in the 2016 presidential election, Mr. Morell’s initial reaction to the New York Post article was that the timing of the

¹² Asawin Suebsaeng and Erin Banco, *Rudy: Only ‘50/50’ Chance I Worked With A ‘Russian Spy’ to Dig Dirt on Bidens and Ukraine*, THE DAILY BEAST (Oct. 17, 2020), <https://www.thedailybeast.com/rudy-giuliani-says-theres-only-5050-chance-i-worked-with-a-russian-spy-to-dig-dirt-on-bidens>.

¹³ *Id.*

¹⁴ Morell Interview at 18.

release and the information described in the story were consistent with the practice and pattern of a Russian information operation.¹⁵

Morell subsequently reviewed public sources of information about Russian efforts to interfere in the 2020 presidential election and contacted Marc Polymeropoulos, an expert in Russian information operations. Polymeropoulos agreed that the Russians may be involved, and the two subsequently worked together to draft the public statement. Forty-nine additional national security and intelligence experts agreed to join the statement, which plainly states:

We want to emphasize that we do not know if the emails, provided to the New York Post by President Trump’s personal attorney Rudy Giuliani, are genuine or not and that we do not have evidence of Russian involvement -- just that our experience makes us deeply suspicious that the Russian government played a significant role in this case. *If we are right, this is Russia trying to influence how Americans vote in this election, and we believe strongly that Americans need to be aware of this.*¹⁶

Now, relying on false narratives and as part of an apparent fishing expedition designed to chill these and other former intelligence officials from speaking out in the future, the Majority has launched an “investigation” into the statement and promised to bring every one of the 51 signatories before the Committee for a transcribed interview.

To date, the Committee has interviewed seven of the letter’s signatories. Each witness led an exemplary career serving as a career intelligence and national security official under multiple administrations, both Republican and Democratic. They include:

1. **Michael Morell**, a 33-year veteran of the Central Intelligence Agency, who served as the acting CIA director twice, served as the Deputy Director of the CIA and the CIA’s Deputy Director for Intelligence, was President George W. Bush’s daily intelligence briefer, and played a key role in the operation to take down Osama Bin Laden. Morell was awarded the Distinguished Career Intelligence Medal, the Distinguished Intelligence Medal, and least ten CIA Director’s Awards, including one from Mike Pompeo in recognition of Morell’s work providing advice to Pompeo when he was CIA Director.¹⁷
2. **General James Clapper**, who spent six and a half years as the Director of National Intelligence under President Obama and three years as Under Secretary of Defense for Intelligence under Presidents George W. Bush and Obama. Prior to that, General Clapper served for 32 years in key intelligence positions, including as the Director of the Defense Intelligence Agency under President George H. W. Bush and the Director

¹⁵ Statement on Behalf of Michael Morell at 1 (Mar. 28, 2023); *see* Morell Interview at 35-36.

¹⁶ *See* Public Statement on the Hunter Biden Emails (Oct. 19, 2020) (emphasis in original), <https://www.politico.com/f/?id=00000175-4393-d7aa-af77-579f9b330000>.

¹⁷ Interview with Michael Morell (Apr. 4, 2023) (transcript on file with the Committee) [Hereinafter Morell Interview].

of the National Geospatial-Intelligence Agency under President George W. Bush. Among other awards, General Clapper was awarded an Air Medal with Oak Leaf Cluster in recognition of his work as commander of a 100-man Signal Intelligence detachment during Vietnam, including personally flying 73 combat missions.¹⁸

3. **John Brennan**, who served as Director of the CIA and assistant to the president for homeland security and counterterrorism under President Obama. Prior to his appointment, he spent 25 years as a career CIA employee, including serving as President Clinton's daily intelligence briefer, as the CIA chief of station in Saudi Arabia, as chief of staff to CIA Director Tenet, and as CIA deputy executive director under President George W. Bush before spearheading the formation of the National Counterterrorism Center (NCTC).¹⁹
4. **Mark Polymeropolous**, who spent 26 years in CIA operational field and leadership assignments. He has served multiple tours in war zones and from 2017 to 2019, and was CIA's acting chief of operations in Europe and Eurasia, including Russia. He is one of the Intelligence Community's most highly decorated officers and was awarded the Distinguished Career Intelligence Medal, the Distinguished Intelligence Medal, the Intelligence Commendation Medal, and the Intelligence Medal of Merit, among other awards.²⁰
5. **Kristin Wood**, a 20-year veteran of the CIA. Among other assignments, Ms. Wood served as the daily intelligence briefer for Vice President Cheney, ran the counterterrorism team examining whether Saddam Hussein played any role in 9/11, served as the deputy director of the CIA's Middle East operations division, and served as CIA Director Brennan's analytic support chief.²¹
6. **Nicholas Rasmussen**, who served under President George W. Bush as the Director for Regional Counterterrorism with the National Security Council and as a senior policy advisor with the National Counterterrorism Center (NCTC), as the Senior Director for Counterterrorism for the National Security Council under both President Bush and President Obama, and as the NCTC Deputy Director and then Director under President Obama.²²
7. **Nicholas Shapiro**, who served as chief of staff and senior policy advisor to John Brennan on the National Security Council and then as Mr. Brennan's deputy chief of staff and senior policy advisor at the CIA.²³

¹⁸ Interview with James Clapper (May 17, 2023) (transcript on file with Committee) [Hereinafter Clapper Interview].

¹⁹ Interview with John Brennan (May 11, 2023) (transcript on file with Committee) [Hereinafter Brennan Interview].

²⁰ Interview with Mark Polymeropolous (Apr. 17, 2023) (transcript on file with Committee) [Hereinafter Polymeropolous Interview].

²¹ Interview with Kristin Wood (May 23, 2023) (transcript on file with Committee) [Hereinafter Wood Interview].

²² Interview with Nicholas Rasmussen (May 5, 2023) (transcript on file with Committee) [Hereinafter Rasmussen Interview].

²³ Interview with Nicholas Shapiro (Apr. 4, 2023) (transcript on file with Committee) [Hereinafter Shapiro Interview].

In addition, the Committee interviewed Andrew Makridis, CIA's former Chief Operating Officer. Mr. Makridis – the only witness who was actually a CIA employee when the letter was signed in October 2020 – did not sign the letter. He confirmed that the Agency's Prepublication Classification Review Board (PCRB) reviewed the letter for classified material as it would any document produced by a former Agency employee and determined that it contained no classified information.²⁴

I. Every letter signatory who appeared before the Committee said that they joined the letter because they wanted to make the American public aware of potential Russian interference in the 2020 election.

The Majority has repeatedly claimed that the statement was a political effort designed to hurt Donald Trump. Testimony from every witness has proven Republicans' claims false or misleading. In fact, the goal of the statement was to raise awareness about potential Russian interference. This is apparent on the face of the statement. It's second and third paragraphs read:

We are all also individuals who see Russia as one of our nation's primary adversaries. All of us have an understanding of the wide range of Russian overt and covert activities that undermine US national security, with some of us knowing Russian behavior intimately, as we worked to defend our nation against it for a career. A few of us worked against Russian information operations in the United States in the last several years. *Perhaps most important, each of us believes deeply that American citizens should determine the outcome of elections, not foreign governments. All of us agree with the founding fathers' concern about the damage that foreign interference in our politics can do to our democracy.*²⁵

In testimony before the Committee, each witness has described seeing clear signs of Russian covert action in disseminating the laptop story and has told the Committee that they felt a duty as former intelligence professionals to make that information known to the American public in order to counter Russian efforts to interfere.

- Mr. Morell said that he drafted the statement because he was concerned that the Russians were attempting to interfere in the 2020 election: “[W]e were making an argument about what we saw and what we believed and what I still believe may be true today, that the Russians played some role here.”²⁶
- General Clapper explained that he signed the statement in order “to sound a warning that the Russians could possibly be involved” in the laptop story.²⁷

²⁴ Interview with Andrew Makridis (Apr. 10, 2024) (transcript on file with the Committee) [Hereinafter Makridis Interview].

²⁵ Public Statement on Hunter Biden Emails (Oct. 19, 2020) (Emphasis in original).

²⁶ Morell Interview at 59.

²⁷ Clapper Interview at 10.

- Director Brennan said that the purpose of the statement was to “rais[e] public awareness about the potential for Russia to once again engage in information operations to influence a U.S. presidential election.”²⁸
- Mr. Polymeropoulos stated that his intent in joining the statement was “to provide some context [to the laptop story], based on my experience and experience of others, on essentially Russian information operations, information warfare, and the possibility that they had once again engaged in such.”²⁹
- Ms. Wood described the statement as “a warning that we were really concerned that the Russians, as we were seeing pervasively throughout the 2016 and then in the lead-up to the 2020 election, were also interfering in the process” and that we should “let the FBI do their work because we’re really concerned that one of our near-peer adversaries ... does have a role in this.”³⁰
- Mr. Rasmussen said that he joined the statement in order to “alert the public to the possibility, potentially even the likelihood, that the emergence of information tied to the Hunter Biden laptop was worthy of further scrutiny, that it might be – could well be an injection by an outside actor, specifically the Russian Government or Russian actors, into an act of election interference. And so I saw the letter as an opportunity to alert and to urge further scrutiny so that people take it – not take at face value that which they may read, but may lead them to look more deeply into it.”³¹
- Mr. Shapiro described the statement as “an opinion of 51 former intelligence officials who worked on – worked for both – worked for Republican administrations and Democratic administrations, that was informing the American people that it was our belief that the Russians were interfering in the 2020 election,” and that the intent of the statement was, “to let the American people know that we believe the Russians were, again, interfering with the election.”³²

The witnesses explained that they see Russia as a primary adversary of the United States with motivation to use information campaigns to harm our democratic processes. For example, Mr. Morell explained that Russia’s goal is to “weaken the United States of America.”

Q: And do you see Russia as a primary adversary of the United ...

Morell: Yes.

²⁸ Brennan Interview at 13-14.

²⁹ Polymeropoulos Interview at 10.

³⁰ Wood Interview at 10.

³¹ Rasmussen Interview at 11.

³² Shapiro Interview at 11.

Q: ... States today, then? Okay. And could you explain that?

A: One of Russia's primary objectives is to weaken the United States of America. One of their primary objectives is to weaken the international system that we built so that they can do things on their periphery without the world interfering with them, as we see today in Ukraine.³³

General Clapper likewise stated that Russia is “out to destroy the United States and our system.”

Q: And so, again, based on your long career in intelligence, can you explain why you believe Russia is a primary adversary of the United States?

Clapper: Well, Russia and, before it, the Soviet Union is bent on instruction by one form or another of the United States and everything for which it stands. And that was the nature of the Cold War, the ideological struggle that I lived through for about 30 years. And from an intelligence perspective, you know, learned a lot about the Russians. Dealt with Russians a good bit during the course of my career. And I'm extremely suspicious of anything the Russians do. They are out to get us. They're out to destroy the United States and our system.

Only one witness - Mr. Morell - stated that he was also motivated by a desire to help Biden win the election, and he said that that was because he felt Donald Trump presented a clear danger to the United States. As he explained:

Morell: But I have to tell you that, you know, spending 33 years at CIA and watching literally hundreds of world leaders during that time, President Trump's personality traits deeply concerned me, what I believed to be deep narcissism, what I believed to be deep paranoia, what I believe to be a type of sadism where you -- not sexually, of course, but a type of sadism where you, you know, are happy when your opponents have been injured in some way -- I'm talking politically -- that those were all traits that I saw in foreign leaders who did significant damage to their country and significant

³³ Morell Interview at 60.

damage to the democracies of their country. I'm thinking -- you know, I'm thinking of Mugabe in Zimbabwe. I'm thinking of Chavez in Venezuela. I'm thinking of Putin in Russia. So I was deeply concerned about the potential impact of President Trump on our democracy. And, you know, my fear, in my view, was borne out by his failure to act on January 6, 2021.³⁴

II. The witnesses told the Committee that the circumstances surrounding Giuliani's leak of the laptop information, combined with their understanding of Russia's use of covert action to interfere in the 2016 election, made them suspect that the laptop might be tied to Russia.

The October 19 statement explains that the signatories suspected the laptop might be a Russian operation because of Giuliani's known ties to Russian intelligence agents, and because Russia had used similar methods to interfere in the 2016 election:

Such an operation would be consistent with some of the key methods Russia has used in its now multi-year operation to interfere in our democracy – the hacking (via cyber operations) and the dumping of accurate information or the distribution of inaccurate or misinformation. Russia did both of these during the 2016 presidential election – judgments shared by the US Intelligence Community, the investigation into Russian activities by Special Counsel Robert Mueller, and the entirety (all Republicans and Democrats) on the current Senate Intelligence Committee.³⁵

As the signatories explained, there is widespread agreement among intelligence and national security experts that Russia interfered in the 2016 election.

Notably, a January 2017 Intelligence Community assessment determined that, “Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the US presidential election. Russia's goals were to undermine public faith in the US democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency. We further assess Putin and the Russian Government developed a clear preference for President-elect Trump.”³⁶

³⁴ Morell Interview at 85-86.

³⁵ *Former IC Officers Public Statement on the Hunter Biden Emails* (Oct. 19, 2020), <https://www.politico.com/f/?id=00000175-4393-d7aa-af77-579f9b330000>

³⁶ Office of the Director of National Intelligence, *Assessing Russian Activities and Intentions in Recent US Elections: The Analytic Process and Cyber Incident Attribution* (Jan. 7, 2021) available at https://www.dni.gov/files/documents/ICA_2017_01.pdf

Key Judgments

Russian efforts to influence the 2016 US presidential election represent the most recent expression of Moscow’s longstanding desire to undermine the US-led liberal democratic order, but these activities demonstrated a significant escalation in directness, level of activity, and scope of effort compared to previous operations.

We assess Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the US presidential election. Russia’s goals were to undermine public faith in the US democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency. We further assess Putin and the Russian Government developed a clear preference for President-elect Trump. We have high confidence in these judgments.

- **We also assess Putin and the Russian Government aspired to help President-elect Trump’s election chances when possible by discrediting Secretary Clinton and publicly contrasting her unfavorably to him.** All three agencies agree with this judgment. CIA and FBI have high confidence in this judgment; NSA has moderate confidence.

The same assessment determined that Russia had used both covert and overt actions to interfere in 2016, and noted that “Russia, like its Soviet predecessor, has a history of conducting covert influence campaigns focused on US presidential elections that have used intelligence officers and agents **and press placements** to disparage candidates perceived as hostile to the Kremlin.”³⁷

The Mueller Special Counsel investigation confirmed that Russia’s main military intelligence service, the GRU, hacked entities affiliated with the Clinton campaign in 2016 and released documents stolen through those hacks to interfere with 2016 presidential election and to harm the Clinton campaign.³⁸

Finally, the Senate Intelligence Committee (SSCI) unanimously determined that Russia interfered in the 2016 election and engaged in “a wide range of . . . efforts to influence the Trump campaign.”³⁹ Mr. Morell described the SSCI report as the most persuasive and “exhaustive report” written on the 2016 election, “[b]ecause they did a thorough investigation of every aspect of what the Russians have done, and they did, in my view, a more thorough investigation than anybody else.”⁴⁰

³⁷ *Id.* (emphasis added).

³⁸ Mueller Report Vol. I, p. 36 (Apr. 2019).

³⁹ Report of the Select Committee on Intelligence, United States Senate, on Russian Active Measures Campaigns and Interference in the 2016 U.S. Election Volume 5: Counterintelligence Threats and Vulnerabilities at 2 (Aug. 18, 2020), https://www.intelligence.senate.gov/sites/default/files/documents/report_volume5.pdf

⁴⁰ Morell Interview at 65.

COMMITTEE SENSITIVE – RUSSIA INVESTIGATION ONLY

I. (U) FINDINGS

(U) The Committee found that the Russian government engaged in an aggressive, multi-faceted effort to influence, or attempt to influence, the outcome of the 2016 presidential election. Parts of this effort are outlined in the Committee's earlier volumes on election security, social media, the Obama Administration's response to the threat, and the January 2017 Intelligence Community Assessment (ICA).

(U) The fifth and final volume focuses on the counterintelligence threat, outlining a wide range of Russian efforts to influence the Trump Campaign and the 2016 election. In this volume the Committee lays out its findings in detail by looking at many aspects of the counterintelligence threat posed by the Russian influence operation. For example, the Committee examined Paul Manafort's connections to Russian influence actors and the FBI's treatment of reporting produced by Christopher Steele. While the Committee does not describe the final result as a complete picture, this volume provides the most comprehensive description to date of Russia's activities and the threat they posed. This volume presents this information in topical sections in order to address coherently and in detail the wide variety of Russian actions. The events explained in these sections in many cases overlap, and references in each section will direct the reader to those overlapping parts of the volume. Immediately below is a summary of key findings from several sections.

Mr. Morell explained that the widespread agreement that Russia had interfered in 2016 using both overt and covert methods was a significant reason that he believed that Russia was again interfering in 2020:

Q: Okay. And can you explain how this past interference, the knowledge of what happened in 2016, provided important context for you for what you perceived as possible Russian interference again in 2020?

Morell: You know, because I was so interested in what the Russians had done in 2016, you know, I read the three documents that we just talked about that we referenced in the report, right, the U.S. Intelligence Community review, Mueller's Volume I, and the Senate Intelligence Committee's Volume I, right, which is on what the Russians did. I read those, you know, as closely as I've ever read anything.

And, you know, part of my suspicion for their involvement in 2020 in the way that we describe in the letter was based absolutely on what they had done in 2016.

- Q:** Because what they had done in 2016 suggested future actions by them?
- A:** Absolutely.
- Q:** Okay. And is that true of how intelligence analysts work? They look at prior actions and use that ...to assess people?
- A:** Sure. It's part of what they do, right, part of what they look at.⁴¹

A. The witnesses made it clear that the Russians have incentive to spread authentic information as well as false or manipulated information.

During the interviews to date, the majority has focused on questions of whether the supposed emails were authentic. As a preliminary matter, serious questions remain regarding such authenticity. As Ms. Wood explained:

Bishop: Are you aware that multiple media outlets have now reported -- including New York Times, Washington Post, others -- that significant parts, at least, of the Hunter Biden laptop are authentic? Meaning they were --

Wood: So I read the Washington Post report that you have in the interim report, the source that's on the first page. And in reading the actual article, it says that the forensic experts they hired could confirm that less than 10 percent of the emails were verified and that they were not able to determine, because so many people had been in and out of the hard drives, the origination of most of them. And so that's why I really think there's -- the big story, the 90 percent, is what is that?

Interestingly, The New York Times also said that some of the contents, the big folders about the big guy or something else, had been added to the external hard drives that existed outside of FBI

⁴¹ Morell Interview at 118.

hands, and had been added after the FBI took it into custody.

So to me, there's something happening there where someone is creating a story, and it makes me all the more convinced that we need to see what the FBI's forensic work comes up with.⁴²

Regardless, as Mr. Morell and others explained, Russia uses both false or manipulated information and authentic information to interfere in democratic elections in the U.S. and other countries. Mr. Morell explained that information operations relying on authentic information are actually easier for Russia to effectuate than disinformation operations “because the information is usually already in the public domain and you're amplifying it, you're targeting it at specific groups or even specific individuals, as the Russians did in 2016.”

Q: [W]e've used a couple different terms here today. We've used "disinformation," "misinformation," and then "information" ... operations. Can you explain the difference between a disinformation operation and an information operation?

Morell: Disinformation is when an intelligence service uses false information, and information is when they use accurate information, is the way I think about it.

Q: And how do those play out in practice?

A: Well, if you're going to use disinformation, you have to come up, right, you have to create it, and then you have to get it into the public domain.

Information operations are actually easier, because the information is usually already in the public domain and you're amplifying it, you're targeting it at specific groups or even specific individuals, as the Russians did in 2016.

So that's how I think about it.

⁴² Wood Interview at 32-33; see Katie Benner, Kenneth P. Vogel and Michael S. Schmidt, *Hunter Biden Paid Tax Bill, but Broad Federal Investigation Continues*, N.Y. TIMES (Mar. 16, 2022), <https://www.nytimes.com/2022/03/16/us/politics/hunter-biden-tax-bill-investigation.html>; Craig Timberg, Matt Viser, and Tom Hamburger, *Here's how The Post analyzed Hunter Biden's laptop*, WASHINGTON POST (Mar. 30, 2022), <https://www.washingtonpost.com/technology/2022/03/30/hunter-biden-laptop-data-examined/>

- Q:** So information operations, in other words, could use true information or accurate information
- A:** It would. That's the definition.
- Q:** Okay. Do you believe that Russian information, as opposed to disinformation, operations pose a threat to American democracy?
- A:** Yes. Yes.
- Q:** And how is that?
- A:** Because it is a foreign country amplifying, targeting information with political intent, with the intent on influencing the election. And, therefore, you know, it creates a possibility that they could determine the outcome of an election, which is obviously something that nobody wants.
- Q:** So, in other words, the Russians ... could use an information operation in order to help elect a particular candidate?
- A:** Try to help elect, yes.
- Q:** ... And information operations involve a government hiding its hand or kind of hiding behind plausible deniability, correct?
- A:** So both of them do, right? Both information and disinformation operations, you would want to hide your hand, right? Because if your hand is seen, it's less effective.
- Q:** And how would you hide your hand?
- A:** You know, for example, in 2016 and again in 2020, the Russians used bots on social media to push out both any disinformation they were using and the information they were trying to highlight and target at specific individuals and groups.⁴³

⁴³ Morell Interview at 63-64.

Polymeropoulos likewise explained that the goal of the October 19 statement was to make Americans aware of a potential Russian operation that might be based on true information, noting, “[i]t's all part of the Russian playbook.”

Q: And did you believe that the American public had a reason -- had a need to know about that?

Polymeropoulos: Sure. Yes.

Q: And what was the value in informing the American public of that?

A: Well, again, it's the notion that -- two things.

One is that Rudy -- that the President's lawyer is willing to work with Russian intelligence. I think that's something that's pretty disturbing.

But, again, it's the notion of what information comes out of that is going to be suspect, whether it's, again -- and, again, it's part of the information warfare aspect. So it can be true information that's part of kind of this notion of compromising information, it can be information that has been true and then somewhat altered, and then total disinformation. It's all part of the Russian playbook.

Q: And so is it fair to say that by putting the October 19th letter together and pushing that out you were working to put information into the public sphere to counter those Russian --

A: That's right.

Q: -- what you understood to be a Russian operation?

A: Correct.

Q: Okay. There are some people who say that both disinformation and information operations are simply

foreign individuals exercising their free speech rights.
What do you think about that statement?

A: Foreign governments do not have First Amendment rights in the United States.⁴⁴

III. The Majority has misrepresented the evidence in this investigation.

A. There is no evidence that CIA's Prepublication Classification Review Board treated the letter any differently than any other manuscript.

Contrary to Republican claims, there is no evidence that the CIA's Prepublication Classification Review Board (PCRB) rushed its review of the letter or treated the letter differently from any other document in any way.

As the PCRB's website explains:

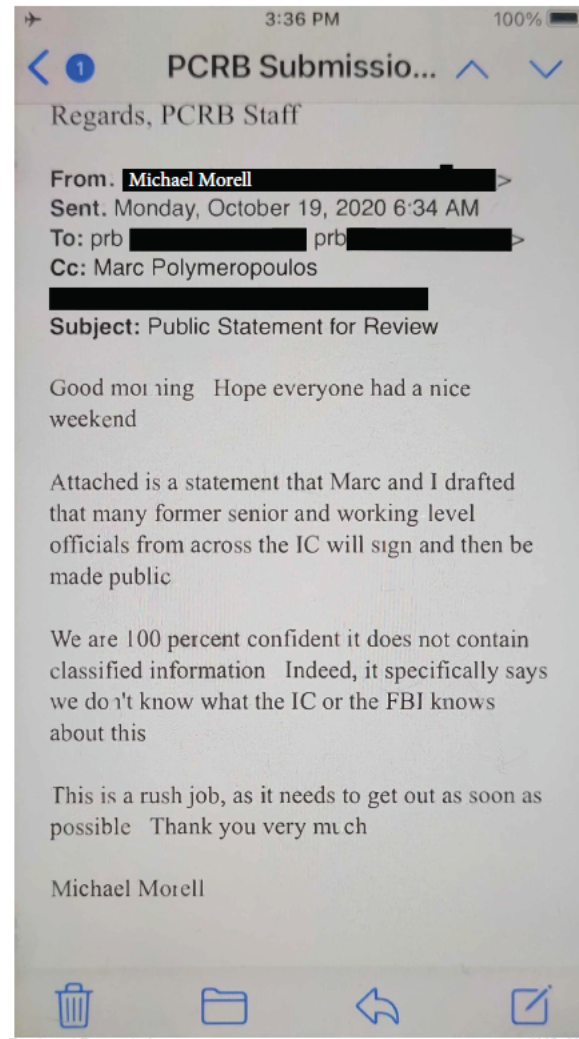
All CIA officers, as a condition of employment, sign the standard CIA secrecy agreement when entering on duty. ... A secrecy agreement does not oblige officers and contractors to absolute silence, but it does require them to keep national security secrets for as long as the US Government determines the information to be classified under Executive Order 13526. This is a lifelong obligation which exists to help avoid the damage to national security and to the Agency's mission that disclosing classified information would inflict. The CIA created the Prepublication Classification Review Board (PCRB) to review materials produced by CIA personnel – former and current (both employees and contractors) – to determine if they contain such classified information before they are shared with publishers, blog-subscribers, a TV audience, ghost-writers, co-authors, editors, family members, assistants, representatives, or anyone else not authorized to receive or review such classified information. ...

Current and former CIA officers and contractors who have signed the standard CIA secrecy agreement are required to submit to the PCRB any and all materials they intend to share with the public that are intelligence related, such as materials that mention the CIA or intelligence activities, or that concern topics on which they had access to classified information while employed at or performing contractual work for CIA. In other words, this submission

⁴⁴ Morell Interview at 64.

requirement extends beyond the limited topics they may have had immediate responsibility for on a day-to-day basis.⁴⁵

In accordance with this policy, on October 19, 2020 at 6:34 a.m., Michael Morell emailed the PCRB asking them to review the draft letter and noting that the project was a “rush job.”⁴⁶



The PCRB responded to Morell roughly six hours later. The response was short and to the point: “The Board determine that it [the letter] contains no classified information and can be published. **Agency approval for publication of this material does not represent Agency endorsement or verification of this work.**”⁴⁷

⁴⁵ *Protecting Secrets—and Each Other: The Prepublication Classification Review Board*, CENTRAL INTELLIGENCE AGENCY, <https://www.cia.gov/about/organization/prepublication-classification-review-board/> (accessed June 25, 2024).

⁴⁶ Email from Michael Morell to CIA PCRB (Oct. 19, 2020).

⁴⁷ Email from CIA PCRB to Michael Morell (Oct. 19, 2020) (emphasis added).

From: [JAMESAG2](#)
To: ["Michael M"](#)
Cc: [prb](#)
Subject: [AIN] PCRB Submission 999145/t21667 Determination - Approved
Date: Monday, October 19, 2020 12:44:00 PM

CLASSIFICATION: UNCLASSIFIED

AIN EMAIL

This email originated on the AIN (U) and has been forwarded to the **Agency Data Network (TS/SCI)**. *This is only a copy of the original message.* This email has been virus scanned, and the message body has been converted to text-only format. If the message is from someone unfamiliar to you (especially if it contains an attachment) do NOT open it; instead, contact your ISSM (<http://security.cia/infosec/programs/issm>). The original message in its original format can be viewed in your AIN email inbox. Questions can be emailed to [GLIDE_HELP](#).

[ANTE Up Info](#) [GLIDE File Security](#)

Message ID: 667403261/glide-ain-ecds-ap02-low-ain-adn-anteup

Dear Michael,

The Prepublication Classification Review Board completed its review of your article titled "Public Statement on the Hunter Biden Emails." The Board determined that it contains no classified information and can be published. Agency approval for publication of this material does not represent Agency endorsement or verification of this work.

If you add new material, please re-submit it before sharing, highlighting the new language to expedite our review. The PCRB appreciates your cooperation with prepublication review. You may reach out to us via PRB@ucia.gov with questions or concerns.

Kind regards,

PCRB Staff

During transcribed interviews before the Committee, witnesses repeatedly confirmed that there was nothing unusual about the PCRB reviewing a document like this so quickly. For example, Mr. Morell testified that in his previous experience, for short pieces like opinion editorials, the PCRB might send an approval "within hours."⁴⁸

Director Brennan agreed, testifying, "I've had reviews done within hours. A lot depends on the contents of it and if there's any reference to classified information in it. But I have submitted op eds in the morning and gotten it back by the end of the day."⁴⁹ He added when

⁴⁸ Morell Interview at 29.

⁴⁹ Brennan Interview at 85.

asked about this public statement being cleared within about six hours, “I know that [the PCRБ] can clear things within hours. I’ve had things cleared, in fact, even maybe faster than this.”⁵⁰

Ms. Wood testified to a similar experience with the PCRБ:

Q: Okay. And what is the turnaround usually if you have, say, an 800-word op-ed?

Wood: A day, 2 days. It depends on how busy they are and then if you give them a deadline. So if you say this is urgent for tomorrow, then it gets done pretty quickly. If you say, I’m fine, it’s going to be a couple -- I don’t need this for a couple weeks, they’ll take a little bit longer.⁵¹

Mr. Makridis agreed that review within one day for a short piece that did not contain classified information would be typical:

Q: Do you know how long it normally takes the PCRБ to review a statement submitted for -- that will ultimately be externally published?

Makridis: It depends on if they find things that they believe are classified, then there is an iterative process with the author. If they see nothing classified, it can be done relatively quickly.

Q: Do you think that it normally takes them about a day or a few days to get things done?

A: I would often see pieces the same day they were submitted if they didn’t touch on classified ...

Q: ... So the PCRБ was able to review and approve this statement to be published within one day. This is -- would you say that this is a fast review process or about right for something that does not have classified information?

A: It’s about right for a short piece that doesn’t have classified information in it.⁵²

⁵⁰ *Id.* at 130.

⁵¹ Wood Interview at 140-41.

⁵² Makridis Interview at 16-18.

In addition, the Majority has alleged that CIA's handling of the letter was unusual in some way because the PCRB made Mr. Makridis aware of it after it was cleared. During his interview, however, Mr. Makridis explained that his office played no role in approving or disapproving the letter, and that, in reality, it was only sent to him for "situational awareness," which was standard procedure for manuscripts written by "a former senior."⁵³

Q: Okay. And when, about, where you first made aware of the statement? You do you remember general dates?

Makridis: You know, I first saw it, you know, the 19th or 20th, whenever this sort of came up.

Q: Okay. And the PCRB sent this directly to your office?

A: Do you want me to go through the process here?

Q: That would be great, yeah.

A: So the process that the Agency operated under, the director of CIA at the time, Gina Haspel, was concerned sometimes that things would appear in the press that she was not aware of. And so she asked for articles that went through the Prepublication Classification Review Board. I realize that's a mouthful.

It would come up to my office, at least initially, for a heads up, a situational awareness kind of thing.

So once the Prepublication Classification Review Board went through the document, whatever it was, worked whatever clearance issues, if there were any, in the document, it would then surface to my office.

The general rule of thumb or the general procedure was anything written by a former senior, I would alert the director or the deputy director, depending on the day and who was available, and then the process would move forward.

Q: Is it a standard procedure under -- you know, in your 37 about years of working for the CIA for the COO's office to be involved in the ... approval process?

A: So we're not involved in the approval process at all. You know, when the documents would come up to my office, they were

⁵³ Makridis Interview at 13-14.

already done. The Prepublication Classification Review Board had already completed their work.

And so it was purely a this is going to appear, potentially, in the press, or whatever it is, and then I would notify the director or the deputy, and the process would be completed.

So there was no approval or disapproval.⁵⁴

In short, the evidence shows that the CIA handled its review of the October 19 letter exactly as it did similar manuscripts. There is no evidence to support the Majority's claims that the review was unusual or mishandled in any way.

B. The Majority has falsely claimed that Secretary Blinken “colluded” with the letter writers.

The Majority have relied on misleading transcribed interview excerpts to claim that Secretary Blinken – who was a private citizen in October 2020 – and other campaign officials somehow colluded with the letter writers. The full context of relevant testimony shows that this claim is plainly false.

In fact, at no point during his interview did Morell testify that Secretary Blinken directed or asked him to write any letters or public statements. Instead, Morell testified that Blinken sought his advice, as many others have – including Trump-appointed CIA Director Mike Pompeo. In fact, he specifically testified that Blinken did not “direct, suggest, or insinuate in any way” that he should write a letter about Hunter Biden’s laptop. Nor did Blinken—then a private citizen—try to get at the letter indirectly. Morell testified that Mr. Blinken did not hint that the Biden campaign ‘could use some help on this’ or suggest that Mr. Morell should ‘cook up something’ that the campaign should use.

In full, the relevant exchange reads:

- Q:** Thank you. And you said now Secretary Blinken was employed by the Biden campaign at the time he sent this email, correct?
- Morell:** It's my understanding is that he was employed.
- Q:** When he called you, did he direct, suggest, or insinuate in any way that you should write a letter or statement on this topic?
- A:** My memory is that he did not, right. My memory is that he asked me what I thought.

⁵⁴ Makridis Interview at 13-14.

- Q:** Okay. It wasn't: The campaign could use some help on this; could you --
- A:** He did not say that.
- Q:** -- cook up something that we could use?
- A:** It's not my memory that he said that.
- Q:** Okay. Why do you believe he called you then and asked for your opinion on this?
- A:** You know, Tony and I were fairly close. I mean, I wouldn't say we were close friends, but Tony and I were fairly close. During our time in government when he was the Vice President's National Security Advisor and then when he was President Obama's Deputy National Security Advisor, I would be the person that he would reach out to with those kind of questions. When we saw each other post the Obama administration, we would have conversations about what was going on in the world; he would ask me questions. So it was in part natural, you know, for him to do that. But, you know, he asked me a specific question here. You know, he'll have to tell you what his intent was, right, in asking me. You know, my thinking was that, if I agreed, right, that the Russians were somehow involved, my guess was that he would want that out, but that is a guess, right. I do not know his intent.⁵⁵

C. The Majority have argued that the letter writers should have relied on John Ratcliffe's statements about the laptop – but each of the signatories explained that they found his statement unreliable.

On the morning of October 19, 2020, then-Director of National Intelligence John Ratcliffe appeared on Fox Business' *Mornings With Maria*, where he told host Maria Bartiromo that the laptop was "not part of some Russian disinformation campaign."⁵⁶ During the transcribed interviews conducted as part of the Majority's investigation, Chair Jordan, other Republican members, and Republican staff have asked each witness whether they considered

⁵⁵ Morell Interview at 21.

⁵⁶ Brooke Singman, *Ratcliffe says Hunter Biden laptop, emails "not part of some Russian disinformation campaign,"* FOX NEWS (Oct. 19, 2020), <https://www.foxnews.com/politics/ratcliffe-hunter-biden-laptop-emails-not-russian-disinformation-campaign>

Ratcliffe's comments before deciding to sign the public letter on the laptop, which was published later in the day on October 19.

The witnesses have explained that they found Ratcliffe's statement unreliable because it was not possible for the Intelligence Community to have determined in a matter of days whether or not the laptop was part of a Russian operation.

As Mr. Morell explained, "I don't know how he could have come to that conclusion":

Chair Jordan: So did the statement put out by the Director of National Intelligence that day or earlier that morning, did that have any influence on your decision with the letter, specifically, what Mr. Ratcliffe said?

Morell: No.

Q: Even though he said this was not -- the emails were not part of some Russian disinformation operation.

A: It did not because, as a former intelligence officer with much more experience than Mr. Ratcliffe, I don't know how he could have come to that conclusion. How could he know what -- how could he know it wasn't part of Russian disinformation?⁵⁷

General Clapper further explained that because the Office of the Director of National Intelligence "has no organic forensic analysis capability at all," it could not have reached the type of conclusions that Mr. Ratcliffe did within five days of the *New York Post* article's publication.

Q: The New York Post story in question was released on October 14th, correct?

Clapper: Yes.

Q: So that would have been 5 days before Ratcliffe made his remarks?

A: Right.

Q: And I think you said earlier he couldn't have even begun an investigation in that time period. Is that correct?

A: Correct.

Q: And can you explain what you mean by that?

⁵⁷ Morell Interview at 37.

A: Well, I don't know how -- what his basis for making that statement is when the laptop itself hasn't been investigated. The DNI, Office of the Director National Intelligence, has no organic forensic analysis capability at all. So they're dependent on other components of the Intelligence Community, in this case the FBI, to render such a judgment, which hadn't been rendered. So I don't know how he could make that statement.⁵⁸

Ms. Wood explained that she did not find Ratcliffe's statement credible because "there's just no way that's possible to have been done in the timeframe in which that statement was made."

Bishop: Ms. Wood, let me interject on that point. And you've testified a number of times the notion that you believe the public ought to defer to the FBI to determine what was true about this information concerning Hunter Biden. Why not also apply that to yourselves? Isn't it true that Director Ratcliffe, the Director of National Intelligence, said on the same day your letter came out, that there was no evidence of Russian involvement?

Wood: He did.

Q: So why not apply our own rule, and you all defer to the officials at the Intelligence Community?

A: So he said there's no evidence of it. They haven't found it. I did not find that credible.

Q: Well, so I hear you. And I think that's -- but what I'm asking about is, I'm trying to get at the appropriateness of your and your colleagues' involvement. You said that the American people should be content to await the FBI's official version, but you weren't prepared to accept the official version from the intelligence community. Isn't that correct?

A: So, I think what I would say in response to that is that the letter the purpose of the letter was to say, Let's not rush to judgment. Everyone, regardless of who they are as Americans, deserves due process. Let's let the FBI do their work. And when DNI Ratcliffe said that -- so as you have seen from all of these investigations, right, they take a very long time to do, to do the considered judgment of 17 or 18 intelligence agencies, and to come up with that to do the exhaustive search of asking new sources, of pulling in every bit of signals intelligence, there's just no way that's

⁵⁸ Clapper Interview at 81-82.

possible to have been done in the timeframe in which that statement was made.

So our whole point was to say, Be careful here. Let us we don't know if this is all real. We don't know if all the emails are real, and we don't know if this is tied to the Russians. Let's let the process work.⁵⁹

Majority staff later noted that none of the witnesses had found Mr. Ratcliffe's statement credible and asked Ms. Wood if she would have found it credible if it had come from General Clapper. She said that she would not find any such "simple blanket statement" reliable, even if it came from someone like General Clapper.

Q: Why did you find Director Ratcliffe's -- now that you're aware of his statement -- why was that not credible, because it's Director Ratcliffe?

Wood: No, I just explained to the chairman.

Q: Well, I say this because we are getting -- I'll represent to you that this has been a consistent theme, nobody found it credible. If it was Director Clapper who issued the same statement that the email laptops were not Russian disinformation, would you please find that credible?

A: So what I would have expected, what is normal course for any senior leader to talk about any topic is here is our judgment, and here is what it's based on. And there's oftentimes some pros and cons with higher or lower competence. But blanket statements, I don't recall ever seeing one that's a simple blanket statement like that.

Q: So if Director Clapper made the same statement, you would find it not credible?

A: If he made that statement, yes.⁶⁰

General Clapper noted that he had been Director of National Intelligence, so he knew firsthand that the Director likely would not have had access to the data necessary to make a determination about whether the laptop was Russian disinformation.

Q: In the Politico article, there's a paragraph on -- relating to Director Ratcliffe?

⁵⁹ Wood Interview at 83-84.

⁶⁰ Wood Interview at 104-105.

Counsel: Give me a second, and I'll get it for him.

Q: Of course. Of course.

A: Which paragraph?

Q: It's on the third page, and it's the penultimate paragraph. "Director of National Intelligence John Ratcliffe said on Monday that the information on Biden's laptop 'is not part of some Russian disinformation campaign.'"

Counsel: Could you read the rest of the sentence?

Q: "Though the FBI is reportedly conducting an ongoing investigation into whether Russia was involved."

You've cast some doubt today on the DNI's statement that it's not Russian disinformation. Is that true?

A: Yes.

Q: But we've since learned that, in fact, it wasn't Russian disinformation.

A: We didn't know it then. And he makes the statement when an investigation by the FBI is still ongoing.

Q: But you know better than any of us, when you're the Director of National Intelligence, you have at your fingertips a lot of resources to make determinations.

A: Well, there's a very fine line between the access that the Office of the Director of National Intelligence has to investigatory and prosecutorial matters by the FBI or DOJ. So he, from my own experience, may not have had, probably didn't have direct access to that kind of data.⁶¹

The witnesses also found Ratcliffe's statements unreliable because Ratcliffe was not seen as an "independent, objective leader of the Intelligence Community."⁶² The witnesses noted that on September 29, 2020, two weeks before the *New York Post* story and the day of the first presidential debate, Ratcliffe "released unverified information about the 2016 campaign that appeared to be a bid to help Mr. Trump politically and was said to be disclosed over the

⁶¹ Clapper Interview at 91.

⁶² Brennan Interview at 26.

objections of career intelligence officials who were concerned that the material could be Russian disinformation.”⁶³

Chair Jordan: Director, were you aware of what Director of National Intelligence John Ratcliffe said on the morning of October 19th regarding this Biden laptop story, where he said that it wasn't a Russian disinformation operation?

Brennan: I don't know if I was aware of it at the time, but I would have dismissed it anyway.

Q: Why would you have dismissed it?

A: Because I don't think John Ratcliffe was an independent, objective leader of the Intelligence Community at the time.

Q: So you would dismiss the statement from the Director of National Intelligence the Acting -- the Director of National Intelligence at the time, in the administration, getting intelligence in real time, you would just dismiss that out of hand?

A: Not out of hand, but I think it was -- a week or two prior to that, there was a selective release of information that included my briefing notes to President Obama in the White House Situation Room that was misrepresenting, in fact, the facts, where it was pushed out in redacted version. And I did think that was a very, very unfortunate, unprofessional, unethical engagement on the part of the Director of National Intelligence in a Presidential election.⁶⁴

General Clapper agreed that Ratcliffe's prior release of information to help the Trump campaign and damage the Biden campaign cast doubt on his ability to be a trustworthy source, and explained that it was "inappropriate" for the sitting Director of National Intelligence to participate in the political process in the way that Ratcliffe did.

Q: So Mr. Ratcliffe actually had released damaging information that could help Trump ...

Clapper: Yes.

Q: ... and presumably damage Vice President Biden just 35 days before the November 3rd election, correct?

⁶³ Julian E. Barnes, Adam Goldman and Nicholas Fandos, *Trump's top intelligence official releases unverified and previously rejected Russia information*, NEW YORK TIMES (Sept. 29, 2020), <https://www.nytimes.com/2020/09/29/us/trumps-top-intelligence-official-releases-unverified-and-previously-rejected-russia-information.html>

⁶⁴ Brennan Interview at 26.

- A:** Yes.
- Q:** And are you aware that September 29th, which is the day he released the information, was also the day of the first Presidential debate?
- A:** I don't recall the dates of the Presidential debates, no.
- Q:** And I'll represent to you that Mr. Ratcliffe actually released this information just a couple hours before that debate. To your knowledge, is this committee investigating ... Mr. Ratcliffe's decision to release that information in advance of the debate?
- A:** Not to my knowledge.
- Goldman:** If could just ask one question on that? Is there a difference if a sitting intelligence official is using his position of authority to influence a political election as opposed to former intelligence committee -- Intelligence Community officials who are exercising their First Amendment rights?
- A:** Well, sir, I think there's a big difference. When he's doing that as a sitting active official in performing the duties of that position as the Director of National Intelligence, I mean this has the -- can't prove it, I guess -- but certainly has the earmarks of engaging in the political process, which from my standpoint as the former incumbent is inappropriate.⁶⁵

Finally, the witnesses also noted the difference between a Russian information operation and a Russian disinformation operation, and said that even if Ratcliffe's statement were reliable, the statement was limited to a Russian "disinformation" campaign and did not rule out the possibility that the laptop operation was part of a Russian information or influence campaign.

D. The Majority claims that the letter caused social media companies to "suppress" the laptop story – but the timeline of social media companies' decisions show that this is false.

When the *New York Post* published its article on October 14, 2020, news outlets and social media companies treated the story with skepticism. The Majority claims that the October 19 statement contributed to the decision of social media companies to limit distribution of the story. The timeline of their decisions, however, makes this factually impossible.

⁶⁵ Clapper Interview at 83-84.

For example, Twitter began limiting the spread of the story on Wednesday, October 14, citing violations of its rules on doxing, because “the images contained in the articles include personal and private information — like email addresses and phone numbers — which violate [Twitter] rules” and hacked materials.⁶⁶ Twitter’s decision was sharply criticized by then-House Judiciary Committee Ranking Member Jordan⁶⁷ and by Senate Republicans, who threatened to subpoena Twitter CEO Jack Dorsey.⁶⁸ Within 24 hours, Twitter reversed its prior decision and allowed the story to be shared freely.⁶⁹ The October 19 letter at issue in this investigation was released five days after Twitter limited distribution of the story and three days after Twitter reversed itself. The October 19 statement therefore could not have contributed to either Twitter decision.

With respect to Facebook, Facebook management decided on October 14 to limit the spread of the article “as part of [Facebook’s] standard process to reduce the spread of misinformation. We temporarily reduce distribution pending fact-checker review.”⁷⁰ Notwithstanding the decision, users continued to share the article, and by the next day, the story had been shared 300,000 times and had generated “nearly 1.5 million interactions” on the platform.⁷¹ Regardless, a public statement published on October 19 could not have been the impetus for the Facebook decision made five days earlier.

The Majority also ignores other key facts. Notably, Rudy Giuliani approached Fox News with the laptop story prior to the *New York Post*. Fox News declined to report on the laptop because of “the lack of authentication of Hunter Biden’s alleged laptop, combined with established concerns about Giuliani as a reliable source and his desire for unvetted publication.”⁷² On October 15 - the day after the *New York Post* did publish the story - Fox News anchor Bret Baier said on the air: “Let’s say, not sugarcoat it. The whole thing is sketchy. ... You couldn’t write this script, 19 days from an election, but we are digging into where this computer is and the emails and the authenticity of it.”⁷³ The October 19 public letter could not have had any impact on Fox News’ decision not to report on the laptop, which presumably took place well

⁶⁶ Twitter Trust & Safety Team (@TwitterSafety), TWITTER (Oct. 14, 2020), <https://web.archive.org/web/20201017140609/https://twitter.com/TwitterSafety/status/1316525304756789251>

⁶⁷ See, e.g. House Judiciary GOP (@JudiciaryGOP), TWITTER (Oct. 15, 2020), <https://twitter.com/JudiciaryGOP/status/1316728942523547653>; House Judiciary GOP (@JudiciaryGOP), TWITTER (Oct. 15, 2020), <https://twitter.com/JudiciaryGOP/status/1316822912184315907>

⁶⁸ Kris Holt, *Senate Republicans want to subpoena Twitter CEO over blocked Biden story*, ENGADGET (Oct. 15, 2020), <https://www.engadget.com/twitter-jack-dorsey-joe-biden-ny-post-senate-judiciary-committee-172010554.html>

⁶⁹ Kate Conger and Mike Isaac, *In Reversal, Twitter Is No Longer Blocking New York Post Article*, NEW YORK TIMES (Oct. 16, 2020; Updated Apr. 17, 2021), <https://www.nytimes.com/2020/10/16/technology/twitter-new-york-post.html>

⁷⁰ Andy Stone (@andymstone), TWITTER (Oct. 14, 2020), <https://twitter.com/andymstone/status/1316423671314026496>

⁷¹ Paige Leskin, *The New York Post’s dubious Hunter Biden article was shared 300,000 times on Facebook even after the company said it limited its reach*, BUSINESS INSIDER (Oct. 15, 2020); <https://www.businessinsider.com/facebook-new-york-post-hunter-biden-shared-thousands-after-restrictions-2020-10>

⁷² Colby Hall, *Exclusive: Fox News Passed on Hunter Biden Laptop Story Over Credibility Concerns*, Mediate.com (Oct. 19, 2020), <https://www.mediaite.com/tv/exclusive-fox-news-passed-on-hunter-biden-laptop-story-over-credibility-concerns/>

⁷³ Mike Brest, *Bret Baier: Report on Hunter Biden emails is ‘sketchy’*, WASHINGTON EXAMINER (Oct. 15, 2020), <https://www.washingtonexaminer.com/news/bret-baier-report-on-hunter-biden-emails-is-sketchy>

before the *New York Post* published its story on October 14, nor could it have impacted Mr. Baier's comments.

Finally, as NBC News reported on October 30, 2020, most mainstream news organizations declined to report on the laptop in part because “the Wall Street Journal and Fox News — among the only news organizations that have been given access to key documents — found that the emails and other records don't make” the case that Trump claimed, and that, “leaving aside the many questions about their provenance, the materials offered no evidence that Joe Biden played any role in his son's dealings in China, let alone profited from them, both news organizations concluded.” In addition:

The lack of major new revelations is perhaps the biggest reason the story has not gotten traction, but not the only one. Among others: Most mainstream news organizations, including NBC News, have not been granted access to the documents. NBC News asked by email, text, phone call and certified mail, and was ultimately denied.⁷⁴

The October 19 statement almost certainly had no impact on Giuliani's decision to deny mainstream outlets access to the emails, and thus could not have been the basis for the outlets' editorial decision with respect to this factor.

E. The Majority continues to pursue misleading claims about David Cariens even in the face of contradictory evidence.

On May 16, 2023, House Judiciary Committee Chair Jordan and House Intelligence Committee Chair Turner sent a joint letter to the CIA alleging that, “the Committees have received evidence that the CIA, or at least an employee of the CIA, may have helped to solicit signatories for the statement about Hunter Biden. ... If accurate, this information raises fundamental concerns about the role of the CIA in helping to falsely discredit allegations about the Biden family in the weeks before the 2020 presidential election.”⁷⁵

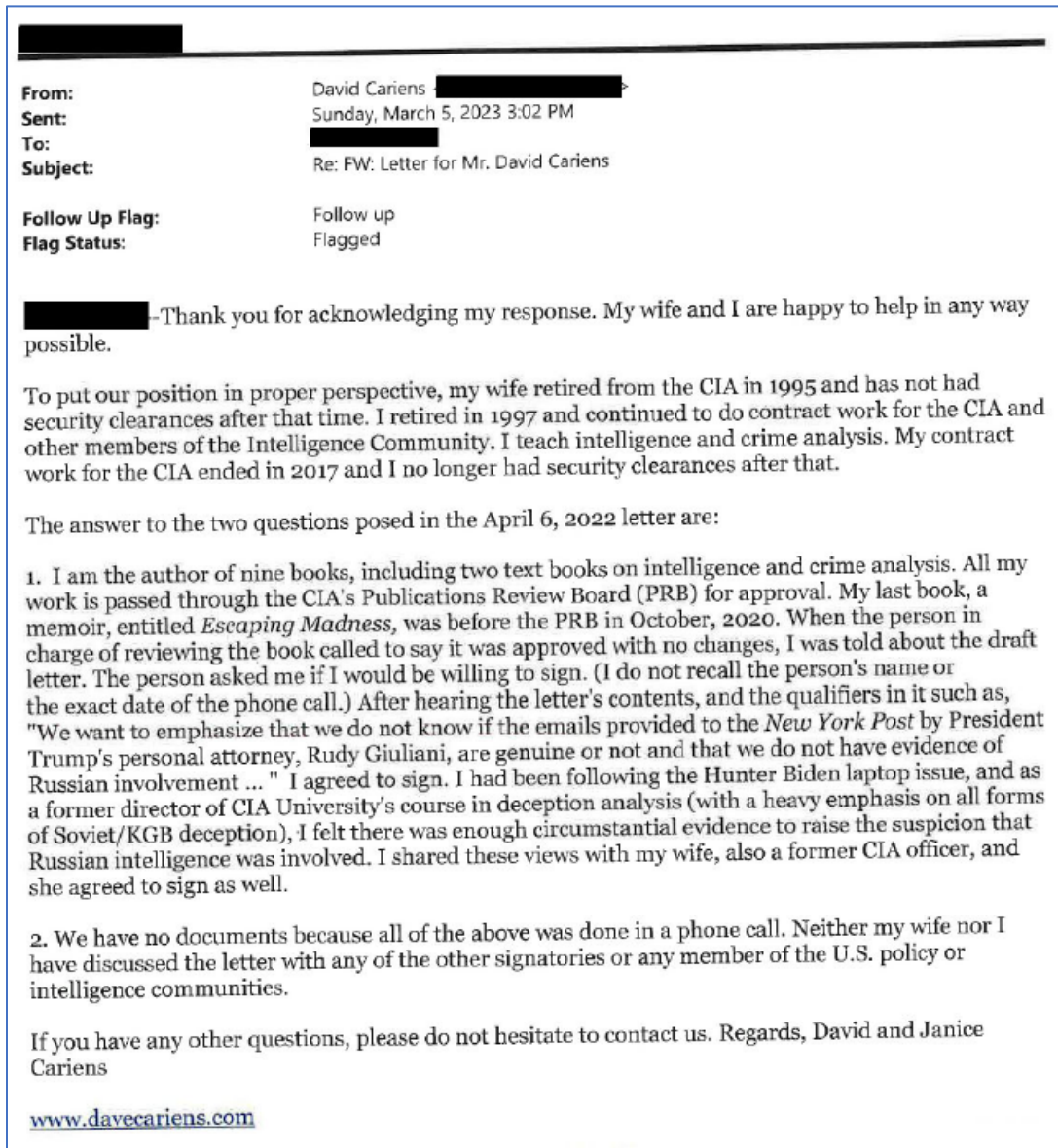
In fact, the information on which Chairman Jordan and Turner relied was *not* accurate. Unfortunately, the Chairs have declined to clarify the record even after being made aware of this fact.

The Chairs' claims relied entirely on a statement made in an email from David Cariens, a retired CIA officer. Cariens sent the following email to Republican Judiciary Committee staff that when someone from CIA's Prepublication Classification Review Board (PCRB) called him

⁷⁴ Ken Dilanian and Tom Winter, *Here's what happened when NBC News tried to report on the alleged Hunter Biden emails*, NBC News (Oct. 30, 2020), available at <https://www.nbcnews.com/politics/2020-election/here-s-what-happened-when-nbc-news-tried-report-alleged-n1245533>

⁷⁵ Letter from the Hon. Jim Jordan, Chairman, H. Comm. on the Judiciary, & the Hon. Mike Turner, Chairman, H. Permanent Select Committee on Intelligence, to the Hon. William J. Burns, Dir., Central Intelligence Agency, at 2 (May 16, 2023).

in October 2020 to tell him his memoir was approved, that individual also asked him if he was interested in signing the October 19 letter.⁷⁶



As a preliminary matter, the CIA has not produced any records to support Mr. Cariens' claim that he received a phone call of any kind from the PCRB regarding his memoir or the letter. As Mr. Polymeropoulos explained, any such phone call would be extraordinarily unusual, because "everything" the PCRB does "is done over email, including approval processes."

Q: And so this email was sent from Mr. Cariens to [the majority counsel]. Nothing in here has been subject to cross examination, right?

⁷⁶ Email from David Cariens to House Judiciary Committee Majority Staff (Mar. 5, 2023) (on file with the Committee).

Polymeropoulos: Uh huh.

Q: Okay. And you say you don't have any personal knowledge of the interaction between Mr. Cariens and the PRB. It actually says here that -- let's see, one, two, three, four -- fifth line down in parentheses, "I do not recall the person's name or the exact date of the phone call," right?

A: Uh huh.

Q: And so he actually says he can't remember key details, correct?

A: Correct.

Q: Okay. And the email that's one giant paragraph there, it's not broken out, it's possible that he is misremembering or he wrote the email unclearly, correct?

A: Correct. And one other notion on this is, all of my -- in my two and a half -- in all my time since July 2019 when I retired and the numerous times I've engaged with the PRB, over 50 articles I've written for the Washington Examiner, multiple other articles for Just Security, for The Washington Post, others, I never had any contact over the phone. Everything with them is done over email, including approval processes.

You have to have that in writing when something is approved, or if something is denied with the changes you made.

But it's always -- I would never take any kind of approval over the phone. That would mean nothing to me. It would have to be an email for the record. So I just noticed here that he said it was based on a phone call. That doesn't seem plausible.

Q: I'm sorry, could you say that again?

A: That doesn't seem plausible.⁷⁷

Moreover, Mr. Cariens' claim that he has no documents regarding the October 19 letter is contradicted by an email chain between him and Kristen Wood. The chain shows that Wood

⁷⁷ Polymeropoulos Interview at 63-64.

wrote to Cariens at 10:27 a.m. on October 19, 2020, attached a copy of the letter, and said, “We would be honored if each of you would be willing to join us in signing the letter.”⁷⁸ Cariens responded via email less than ten minutes later, writing, “Yes, I want to sign” and providing his signature block.⁷⁹

⁷⁸ Email from Kristen Wood to David Cariens (Oct. 19, 2020) (on file with Committee).

⁷⁹ Email from David Cariens to Kristen Wood (Oct. 19, 2020) (on file with Committee).

[REDACTED]
1 message

Kristin W [REDACTED]
To: Michael Gmail New [REDACTED]

Mon, Oct 19, 2020 at 10:36 AM

Begin forwarded message:

From: David Cariens [REDACTED]
Date: October 19, 2020 at 10:35:50 AM EDT
To: Kristin W [REDACTED]
Subject: Re: Quick turnaround: Intelligence officers signing statement on Russian election interference

Yes, I want to sign. As for signing, just do: David Cariens, former CIA Intelligence Analyst
Over 50 years working in the U.S. Intelligence Community

On Mon, Oct 19, 2020 at 10:27 AM Kristin W [REDACTED] wrote:
To all (everyone bcc'ed to protect privacy),

>> Michael Morell and Marc Polymeropoulos drafted the attached because we believe the Russians were involved in some way in the Hunter Biden email issue and because we think Trump will attack Biden on the issue at this week's debate and we want to offer perspectives on this from Russia watchers and other seasoned experts. (Apologies if you've already received this...we are trying to cast a wide net).

>> We would be honored if each of you would be willing to join us in signing the letter.

>> If you do agree to sign, please let me and Michael know by 2pm ET today and include how you would like your affiliation to read. For CIA officers, we would like to find a way to highlight your Russia work, if appropriate. For example, Marc's citation will read:

>> Marc P...
>> Former Senior CIA Operations Officer
>> Former Acting Chief of Operations for Europe and Eurasia

There also is a new category -- the number of people who support the letter but cannot sign publicly.

>> The statement will be sent to the Publication Review Board at CIA later today.

Again, just let us know by 2pm today if you would like to be included.

Thanks!

Kristin

Dave Cariens www.aquestionofaccountability.com
www.aquestionofaccountability.blogspot.com

During her transcribed interview, Wood explained the circumstances that led her to reach out to Cariens and confirmed that no individual from the PCRB nor any other current CIA employee played any role in her outreach to him.

Q: Okay. I want to introduce another email exchange. I'm sorry, before I do that, are you familiar with a man named David Cariens?

Wood: Yes.

Q: How do you know Mr. Cariens?

A: He was in an analytic company that provided services to others that I -- we were both in the same company as 1099s, so not employees but people who came in and taught analytic classes.

Q: Okay.

A: And then he worked with, I think, several other folks I knew, so I knew his name.

Q: Okay. I want to introduce an email from Mr. Cariens to you. We'll introduce this as exhibit Number 8.

A: Great.

[Wood exhibit No. 8
Was marked for identification.]

Q: And I'll give you a minute to review it.

And, again, as with the other email, I think this was produced in a different format. It was on a couple different pages, and it was a little hard to track, so we put it into one. But we have the originals if you'd like to see them.

A: Okay.

Q: Okay. Do you recall this email exchange?

A: Yes.

Q: So in this email exchange it appears that the email was sent from you to Mr. Cariens who agreed to sign. Is that -- that's what this reflects?

A: Yes.

Q: Do you recall that exchange now that you've had a chance to review it?

A: Yes.

Q: Okay. So did you send Mr. Morell's -- the draft statement to Mr. Cariens?

A: I must have.

Q: Okay. And Mr. Cariens responded to you, yes, I want to sign. As for signing, just do David Cariens, former CIA intelligence analyst, over 50 years working in U.S. Intelligence Community, correct?

A: Correct.

Q: And then you added him to the list?

A: Correct.

Q: Do you recall where you would've gotten Mr. Cariens' name?

A: He -- again, we were both working for a company where you had just 1099s, right, so you keep your personal email addresses. And so when the company would send out email blasts they would send it to all of us. So when I was looking up folks on my email, David -- well, David Terry and David Cariens, and I think there might have been another David too.

Q: Okay. And I believe Mr. Cariens has a wife named Janice

A: She does -- he does.

Q: -- who signed as well?

Did you -- do you recall if you sent the same statement to Janice Cariens as well?

A: I do not believe I did.

Q: Okay. So it might have been that he shared it with her?

A: Yes.

Q: Okay. Did you -- and you said earlier that you had no contact with the CIA's prepublication classification review board?

A: Over this, correct.

- Q:** Okay. And you never received any emails from them?
- A:** No.
- Q:** They never sent you any lists of names of individuals who wanted to sign
- A:** No.
- Q:** -- on to the letter, correct?
- A:** Correct.⁸⁰

After this exchange with Ms. Wood, Minority staff noted the discrepancy between Cariens' email to the Majority and his email exchange with Ms. Wood and asked the Majority to call Cariens as a witness so that the Committee could clarify the situation. While Majority counsel promised to do so, to date – more than a year after Ms. Woods' May 23 transcribed interview – they have failed to do so.

Because of the Majority's reluctance to pursue the truth in this matter, Minority staff reached out to Mr. Cariens directly in July 2023. During that call, Cariens explained that he is a retired CIA officer who now teaches intelligence and analysis courses to law enforcement, Intelligence Community employees, and others, and said that he decided to join the letter because he agreed with its contents, because the letter made clear on its face that it was an opinion and not evidence, and because he understands how the Russians work and in particular "how proficient they are in getting 'agents of opportunity.'"⁸¹ He also confirmed that he did not have a security clearance or access to any non-public information about the laptop when he signed the letter.

With respect to the circumstances that led him to sign the letter, during the phone call, committee staff told Mr. Cariens that, "Kristin Wood said that she sent you an email asking you to sign the letter." Mr. Cariens said in response, "You know, it was two years ago. My memory might be faulty." He then searched his email for emails from Ms. Wood and produced the following email confirming not only that he agreed to sign the letter based on Ms. Woods' outreach, but that he also asked his wife, Janice Cariens, if she wanted to join the letter.⁸²

⁸⁰ Wood Interview at 54-56.

⁸¹ Phone Call Between Mr. David Cariens and Comm. Staff, H. Comm. on the Judiciary (July 7, 2023).

⁸² Email from Kristen Wood to David Cariens (Oct. 19, 2020) (on file with Committee); Email from David Cariens to Kristen Wood (Oct. 19, 2020) (on file with Committee); Email from David Cariens to Janice Cariens (Oct. 19, 2020) (on file with Committee).

From: [David Cariens](#)
To: [REDACTED]
Subject: Fwd: Quick turnaround: Intelligence officers signing statement on Russian election interference
Date: Friday, July 7, 2023 10:14:36 AM

----- Forwarded message -----

From: **David Cariens** <[REDACTED]>
Date: Mon, Oct 19, 2020 at 10:38 AM
Subject: Fwd: Quick turnaround: Intelligence officers signing statement on Russian election interference
To: Janice Cariens <[REDACTED]>

I signed the attached letter. Do you want to sign and send it in? It needs to be in by 2:00.

----- Forwarded message -----

From: **David Cariens** <[REDACTED]>
Date: Mon, Oct 19, 2020 at 10:35 AM
Subject: Re: Quick turnaround: Intelligence officers signing statement on Russian election interference
To: Kristin W <[REDACTED]>

Yes, I want to sign. As for signing, just do: David Cariens, former CIA Intelligence Analyst
Over 50 years working in the U.S. Intelligence Community

On Mon, Oct 19, 2020 at 10:27 AM Kristin W <[REDACTED]> wrote:

To all (everyone bcc'ed to protect privacy),

>> Michael Morell and Marc Polymeropoulos drafted the attached because we believe the Russians were involved in some way in the Hunter Biden email issue and because we think Trump will attack Biden on the issue at this week's debate and we want to offer perspectives on this from Russia watchers and other seasoned experts. (Apologies if you've already received this...we are trying to cast a wide net).

>> We would be honored if each of you would be willing to join us in signing the letter.

>> If you do agree to sign, please let me and Michael know by 2pm ET today and include how you would like your affiliation to read. For CIA officers, we would like to find a way to highlight your Russia work, if appropriate. For example, Marc's citation will read:

>> Marc P...

>> Former Senior CIA Operations Officer

>> Former Acting Chief of Operations for Europe and Eurasia

There also is a new category -- the number of people who support the letter but cannot sign publicly.

>> The statement will be sent to the Publication Review Board at CIA later today.

Again, just let us know by 2pm today if you would like to be included.

Thanks!

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Reviewing these emails refreshed Mr. Cariens' memory, and he agreed that Ms. Wood – and not a PCRB employee – asked him to sign the letter, saying on the call, “Feel free to say” that he was mistaken in his original email to Chairman Jordan’s staff.⁸³

In light of this evidence, it is irresponsible for Chairs Jordan and Turner to argue that the PCRB – or any other CIA employee – played any role in soliciting signatures for the letter. To the extent that they continue to rely on Mr. Cariens’ original (and now-disputed) claim, the Majority should call him as a witness to test that claim under oath, rather than advance an argument that is contradicted by the evidence.

IV. The Republican investigation has led to serious threats to the life and safety of the witnesses and their families.

In addition to disproving the Majority’s central claims about the motivation behind the letter, the witnesses have presented seriously concerning stories about threats to their and their families’ lives and safety because of this investigation.

Mr. Polymeropoulos said that he has had to involve his local police to protect him from death threats.

⁸³ Phone Call Between Mr. David Cariens and Comm. Staff, H. Comm. on the Judiciary (July 7, 2023).

Polymeropoulos: I've had numerous death threats. The [local] police are involved. I've sent them kind of the emails that I've received. Have consistent phone calls to my landline, consistent phone calls to my cell phone, people threatening me, threatening me and my family.⁸⁴

Ms. Wood said that she had received so many death threats she has considered getting a gun and a concealed carry permit and explained that stress from the investigation has sent her to the emergency room.

Q: Has the aftermath of signing this letter, such as the fact that you're involved in this investigation, that your name has been in the New York Post -- has that negatively impacted you in any way?

Wood: Oh, yes. Absolutely.

Q: How so?

Wood: Several ways. First of all, I've received death threats. I've received vicious calls, texts, emails from all sorts of random people. Mike Flynn -- General Flynn posted on Telegram all of our names and said, you know, let them know how we feel. It unleashed this viciousness that had several other folks calling the police, calling the Threat Management Unit at CIA, to let them know what was happening.

And so for the first time ever, I looked at getting a gun and getting a concealed carry permit because it's not just that people have been mean or say horrific things, but we've seen them take action. And so that feeling of vulnerability for speaking, exercising a First Amendment right, and for saying what I thought was as obvious as there's air in -- there's air. Let's just let the FBI do their work.

It has a profound effect on health as well. I've been to the emergency room for stress because of all of this. And so when you ask would I do this again, I would insist on a little more precision of language. But it has the effect of censoring people who have

⁸⁴ Polymeropoulos Interview at 65.

more than a thousand years of experience in this topic. And I would think the focus would be on stopping Russia and not on what feels like persecution.

Ms. Wood's attorney stated that he represents another client involved in this investigation who has been forced to go "completely anonymous" because of the number of threats they have received.

Counsel: I want to add, one of our other clients has gone completely anonymous because of the amount of threats [they have] gotten. They've changed their email -- their snail mail address. You cannot mail them directly, you cannot find them, solely because of the threats resulting from being -- signing that letter and being named in this investigation. After General Flynn put out his missive, it jumped off the chart.

Wood: And then the New York Post "Spies who lie."

Counsel: Yeah.

Wood: And so we're, by nature, measured, careful, judicious, and we aren't prone to being in the public. Like -- so that this has happened has a profound effect on my life. So when you ask, would I do it again, the calculation isn't the politics. It's the personal safety.⁸⁵

Director Brennan likewise said that he had had to take additional steps to protect himself because of the investigation.

Brennan: And I don't like the fact that, again, this is being raised in a, I think, a partisan manner. And I think it's losing the focus of what Congress should be doing. And so I regret that this furor, this firestorm has been created. But, again, I think the firestorm, the furor has been created responding to the letter as opposed to the letter itself, as I responded to one of the Congressmen earlier. So it's unfortunate that this is taking up all your time, it's taking up my time, and it is, again, further dividing the country.

⁸⁵ Wood Interview at 136-38.

Clearly, my name is one that has been identified as being rather outspoken against Mr. Trump. It has led to a lot of very vile and hateful commentary, including death threats, just within the past 10 days that I've received from official quarters. And so my concern is that there is, I think, unintended consequences that really could contribute to very untoward and very potentially tragic consequences here, as people are being villainized for, again, exercising their freedom of speech.

Q: Do you fear for your safety?

A: I have concerns about it. I've had concerns about it for quite a while. And to the extent that it has this is all in closed doors here, but I know that things are pushed out during this inquiry. But I've had to take some extraordinary measures in the past several years because of the efforts by some to I don't mind being discredited or being criticized or condemned, but when it comes to the safety and security of family, that's something that I never thought that over 33 years of government service, working to try to protect the national security of this country, would result in this type of activity and actions that make me very concerned about what we might see in the future.

Q: And can you say anything further about your concerns about what we might see in the future, where might this lead?

A: Well, we already see that there is this very unfortunate polarization in our country where the fringes are trying to take matters into their own hands and how some elements resort to violence. And, again, I am aware of the very hateful vitriol and nasty commentary. It's not just directed against me. I get a fair amount of it. And it's not just in the social media realm too. Because for whatever reason, I have been portrayed as this individual who is undermining this country's security when, I thought, after 33 years of government service, I was trying to do the exact opposite. So it really is quite disheartening, dispiriting that, just like in previous congressional investigations I've been involved in,

including where I felt that the other side, the Democratic side of the aisle was not upholding what I thought were the necessary responsibilities. I really feel that this is an effort to get certain people and, again, losing sight of what we should be doing as a society, as a country, and as a government. It's very unfortunate.⁸⁶

A. Because of the Majority's intimidation tactics, the witnesses have said that they would be reluctant to warn about Russian actions in the future – and have expressed concern that other intelligence and national security experts might be similarly chilled.

Ms. Wood said with “100 percent” confidence that the Majority’s investigation would chill others from speaking out in the future.

Q: Do you think the fact that you and the others who have signed the letter are being so publicly investigated and have been the subject of the New York Post article and other -- Mr. Flynn's Telegram post, as you referenced -- do you think that could have a chilling effect on others -- perhaps in, for example, the 2024 Election -- others who may be considering making public statements about the election?

Wood: 100 percent.

Counsel: It takes away the voice of a lot of people who have experience and backgrounds that we need in service of the American Nation. And that's what is so repulsive. It chills them. And I think Ms. Wood has really said it quite well.

Wood: I just think we all took risks. When you're overseas, you're in a war zone, you're in harm's way. Some ops officers are doing the most amazing, brave things. And to come back to this country and have some of the greatest threats come to us from the fellow Americans and allegations that are pumped up by all of this is just really -- it's really disheartening.⁸⁷

⁸⁶ Brennan Interview at 136-38.

⁸⁷ Wood Interview at 136-38.

Mr. Polymeropoulos was asked if his experience in going through this investigation would chill his willingness to express himself in the future. He responded:

Polymeropoulos: I think that -- I think it would -- for myself, no, only because I served 26 years at the CIA. I did operational meetings in the back alleys of conflict zones. So I have a pretty high tolerance for fear. I do think, though, that for others, the idea that one would be subject to kind of such vitriol and threats would be -- would certainly be something that would question -- or would cause them questioning into speaking out. No doubt about that.⁸⁸

Mr. Morell said that the Majority's investigation would make him unlikely to participate in the political process again.

Q: To the extent there has been the suggestion made either today or in public reporting that you should not have sent that letter ... that you shouldn't have submitted the public letter, would you agree that that would have the effect of ... that it could have a chilling effect on others' willingness to participate in the political process in the future?

Morell: Yes.

Q: And would that be problematic?

A: Yes.

Q: Why?

A: Because you want as much involvement in the political process as possible by American citizens. And it's chilled me, to be honest with you.

Q: How so?

A: You know, I'm not likely to participate publicly in the political process again.⁸⁹

⁸⁸ Polymeropoulos Interview at 65-66.

⁸⁹ Morell Interview at 84.

General Clapper said that he had a “duty” to raise the concerns raised in the October 2020 letter. He expressed concern that the investigation could chill the willingness of others to raise concerns about foreign interference in the future.

Q: You were a private citizen when the letter was made public on October 19th, 2020, correct?

Clapper: Correct.

Q: ... Would you agree that as a private citizen, you have the right to engage in the political process?

A: I certainly do.

Q: And do you agree that the First Amendment protected back then and continues to protect your right to make statements?

A: It's supposed to, yes.

Q: And it also protects the right of every other signatory to make those statements.

A: Exactly.

Q: So I think the comment was made earlier that your decision to sign this letter was an act of election interference. Do you think that was a fair assessment of your actions?

A: No.

Q: Do you want to say anything further about that?

A: I think it's exactly as your question characterized it. It was an exercise of my First Amendment rights for me as a former, several times in the Intelligence Community, to wave a red flag here that the dark hand of the Russians could be involved in this. And I felt that was not only appropriate but it is my duty to do that.

Q: And when you say it was your duty, why do you say you feel it was your duty?

A: Well, I invested a lot of my life in the Intelligence Community, you know, defending this country. I served two combat tours in Southeast Asia for the same reason. And in accordance with that, I guess, almost instinct, I felt the need to join in a warning, particularly based on my experience in the 2016 election, when I was serving as the Director of National Intelligence ... and did have access to classified, a lot of classified information about it, which I did not have in this case. ...

Q: Do you think the fact that you're a subject of this public investigation could chill your willingness to sign a letter like this in the future?

A: Well, possibly, but I think it's more important for future formers. I think it -- this investigation has the potential to chill future formers from expressing concerns about adversaries of the United States.

Goldman: Could we let the record reflect he put air quotes around "investigation."

Clapper: This is an assault on my First Amendment rights. I'll be blunt. ...

Goldman: Using the authority of Congress to call you in for questioning about your First Amendment rights as a private citizen to express concerns related to your prior work and an election?

Clapper: Yeah, exactly. Particularly given my own personal experience. As I said, I saw a lot of bad stuff in 50 years in intelligence. But nothing had bothered me as much as what I understood fully what the Russians did in 2016 in that election.⁹⁰

Mr. Rasmussen said that the investigation would make him unlikely to engage in the political process in the future and could likewise chill the participation of others.

Q: Do you think the fact that you're being investigated for having participated in the political process as a private citizen could chill your willingness to sign a letter like this in the future?

⁹⁰ Clapper Interview at 74-76.

Rasmussen: Yes. It would certainly cause me to think carefully about how any expression of political view that I might choose to make would be seen by others or characterized by mischaracterized by others.

Q: And do you think it's fair to say that somebody watching this investigation from the outside might also think about this when deciding whether or not to sign a letter like this and it could chill their participation as well?

Q: I believe that, yes.⁹¹

Mr. Shapiro likewise said that the investigation would probably make him unwilling to engage in the political process in the future.

Q: Do you think that the fact that you are part of this investigation, that you've been named in the media, that your name is out there now, do you think that would chill your willingness to participate in the political process in the future?

A: I hate to say it, but probably. You know, I don't want to be someone who doesn't stand up for their values or morals, but I don't want to deal with this.⁹²

Director Brennan stated that he believes the Majority is engaged in a “clear effort to try to intimidate former professionals.”

Brennan: I just long believe that's one of the reasons why I served the government for nearly three and a half decades was to protect those freedoms and liberties of American citizens. And after my government tenure, I felt that as a private citizen, I had every right to express my views and to sign on to that letter.

Q: You also expressed concern about creating a precedent that he, meaning Mr. Jordan, and others could seek to leverage when making frivolous requests of other former intelligence officials in the future. Could you explain what you meant by that?

⁹¹ Rasmussen Interview at 69.

⁹² Shapiro Interview at 62.

A: I felt that this was a clear effort to try to intimidate former professionals, either from the Intelligence Community or law enforcement or somewhere else, from putting forth any type of public commentary or statements that were contrary to the political interest of those individuals who were organizing this inquiry.

Q: Do you think the fact that you're sitting here today, that you're being investigated for having participated in the political process by signing this letter as a private citizen could chill your willingness to sign similar letters in the future?

A: Yes. And I finished up this email to Mike Hayden by saying: This issue involves a very important principle that potentially affects all former intelligence officials, and, accordingly, I want to proceed thoughtfully. Because it's not just the former officials who signed this letter; it's all those other former officials, as well as future former officials, whether or not they're going to be intimidated by any efforts on the part of Members of Congress of any political background or stripe to try to get them to not express their personal views and their First Amendment rights.⁹³

⁹³ Brennan Interview at 55-56.