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## CHUCK GRASSLEY



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### Newly Declassified Appendix To Durham Report Sheds Additional Light On Clinton Campaign Plan To Falsely Tie Trump To Russia And FBI's Failure To Investigate

**WASHINGTON** – Senate Judiciary Committee Chairman Chuck Grassley (R-Iowa) today is making public the [formerly Classified Appendix \(“Durham annex”\)](#) to John Durham’s 2023 [Special Counsel report](#). The Unclassified Report and the Classified Appendix form the entirety of Durham’s Special Counsel Report.

The Durham annex contains previously classified information exposing a reported Clinton campaign plan to falsely tie President Donald Trump to Russia.

The annex also goes into further detail on matters discussed in the Unclassified Report, specifically:

- Potential election influence by a foreign government regarding Hillary Clinton;
- False statements to the Foreign Intelligence Surveillance Court (FISA court) regarding FISA renewal applications for Carter Page;
- The FBI’s failure – under the leadership of then-Director James Comey – to investigate intelligence that the Clinton campaign may have created the Russia collusion hoax. Meanwhile the Comey-led FBI used the Steele Dossier – a Clinton campaign creation – to obtain FISA warrants on Carter Page.

Attorney General Pam Bondi, Federal Bureau of Investigation (FBI) Director Kash Patel and Intelligence Community elements declassified the Durham annex [at Grassley’s request](#). In requesting its declassification, which included declassification of information by the Central Intelligence Agency (CIA) and National Security Agency (NSA), Grassley argued that “the overriding public interest demands the release of this information, and doing so would benefit public transparency and accountability.”

“Based on the Durham annex, the Obama FBI failed to adequately review and investigate intelligence reports showing the Clinton campaign may have been ginning up the fake Trump-Russia narrative for Clinton’s political gain, which was ultimately done through the Steele Dossier and other means. These intelligence reports and related records, whether true or false, were buried for years. History will show that the Obama and Biden administration’s law enforcement and intelligence agencies were weaponized against President Trump. This political weaponization has caused critical damage to our institutions and is one of the biggest political scandals and cover-ups in American history. The new Trump administration has a tremendous responsibility to the American people to fix the damage done and do so with maximum speed and transparency,” **Grassley said.**

“For years, I’ve fought to assemble and publicize all the facts surrounding Durham’s investigation, Crossfire Hurricane and related matters. The American people shouldn’t be shortchanged or strung out on matters of significant public interest, and that firm belief fuels my tireless oversight. It’s been a refreshing change to see Attorney General Bondi and Director Patel’s increased efforts to bring transparency to a very dark corner of the people’s government. I hope that attitude continues, and you can be sure my oversight work will continue as well, because there’s much work yet to be done,” **Grassley concluded.**

**Read the Durham annex [HERE](#).**

#### Key Findings of the Durham Annex:

##### The Clinton Campaign Plan

In 2016, the Obama administration obtained intelligence information from a source contained in two separate memoranda – one memorandum from January 2016 and another from March 2016. The two memoranda “described ‘confidential conversations’ between then-Democratic National Committee (DNC) Chair Debbie Wasserman Schultz and two individuals at the [Soros] Open Society Foundations (i) [Leonard] Benardo and (ii) Jeffrey Goldstein.” (Pgs. 2-3)

- The January 2016 memorandum noted, in part, that President Barack Obama intended to scuttle the FBI’s investigation into [Hillary Clinton’s use of a private email server and mishandling of highly classified information during her time as Secretary of State](#). (Pg. 3)
- The March 2016 memorandum also included references to the same Obama effort to shut down the Clinton investigation, but additionally outlined a plan to falsely connect Trump to Russia. (Pg. 4)

- This memo stated, in part, that “[the Democratic Party’s] opposition is focused on discrediting Trump.... [a]mong other things, the Clinton staff, with support from special services, is preparing scandalous revelations of business relations between Trump and the ‘Russian Mafia’”. (Pg. 4)
- According to the Durham annex, based on an analysis and translation of the intelligence, FBI analysts believed that, at the time, the “special services” in the March 2016 memorandum could refer “to the FBI and the CIA or more broadly to the intelligence and law enforcement communities” in the United States, or, analysts speculated, it could refer to “Trump dossier author Christopher Steele.” (Pg. 5)
- When the Obama administration received this intelligence in March 2016, Fusion GPS was preparing [open source opposition research](#) regarding purported ties between Trump and Russians. The research was paid for by Clinton’s campaign and the DNC. (Pg. 5).
- Notably, on April 15, 2020, Grassley released Department of Justice Office of the Inspector General ([DOJ OIG](#)) [footnotes](#) showing that Russian intelligence was aware of Steele’s anti-Trump research in early July 2016. Further, the FBI had reports in hand in 2017 that the Dossier may have Russian sources and was potentially Russian disinformation.

On March 31, 2016, FBI personnel, including then-Deputy Director Andrew McCabe, shared the intelligence regarding the potential Clinton Campaign Plan with high-ranking career officials at DOJ. (Pg. 5)

#### **FBI Receipt of Additional Intelligence Information on the Clinton Campaign Plan**

The Durham annex describes that, in July 2016, the FBI received additional intelligence regarding a possible Clinton Campaign Plan, including documents with purported emails allegedly sent by Leonard Benardo, Senior Vice President of Soros’ Open Society Foundations. The intelligence included data providing specificity on the plan and the attempt to smear then-candidate Donald Trump by falsely linking him to Russia, while apparently counting on the support of the FBI to open up an investigation. (Pgs. 7-11)

The intelligence the FBI received also included information and analysis from purported Leonard Benardo emails that stated, in part:

- “During the first stage of the campaign, due to lack of direct evidence, it was decided to disseminate the necessary information through the FBI-affiliated...technical structures... in particular, the CrowdStrike and ThreatConnect companies, from where the information would then be disseminated through leading U.S. publications.” (Pg. 8)
- “The media analysis on the DNC hacking appears solid.... Julie [Clinton Campaign Advisor] says it will be a long-term affair to demonize Putin and Trump. Now it is good for a post-convention bounce. Later the FBI will put more oil into the fire.” (Pg. 9)
- “HRC [Hillary Rodham Clinton] approved [Campaign Advisor Julie’s] idea about Trump and Russian hackers hampering U.S. elections. That should distract people from her own missing emails.” (Pg. 11)
- “The point is making the Russian play a U.S. domestic issue... In absence of direct evidence, CrowdStrike and ThreatConnect will supply the media, and GRU [Russia’s Main Intelligence Directive] will hopefully carry on to give more facts.” (Pg. 11)

#### **Assessment of Authenticity of the “Benardo Emails” Intelligence**

- The Durham annex states, “Analysts and officers whom [Durham’s team] interviewed, and who were well-versed in the Sensitive Intelligence collection, stated that their best assessment was that the Bernardo emails were likely authentic.” (Pg. 11)

Durham’s team conducted investigative work to inform their assessment. Per the Durham annex:

- “The [Clinton] campaign might have wanted or expected the FBI or other agencies to aid that effort (“put more oil into the fire”) by commencing a formal investigation of the DNC hack.” (Pgs. 15-16)
- Communications the Durham team reviewed provided additional support that the Clinton campaign was engaged in a plan to tie Trump to Russia and that the campaign wanted or expected the Office of the Vice President, the FBI or other parts of the Intelligence Community, such as the State Department’s Bureau of Intelligence and Research (INR), to aid that effort. (Pgs. 16-17)
- The Durham annex states, “The Office’s best assessment is that the ... emails that purport to be from Benardo were ultimately a composite of several emails that were obtained through Russian intelligence hacking of the U.S.-based Think Tanks, including the Open Society Foundations, the Carnegie Endowment, and others.” (Pg. 17)
- The Durham annex concludes, “It is a logical deduction [redacted] [Julianne] Smith was, at minimum, playing a role in the Clinton campaign’s efforts to tie Trump to Russia,” and that the communications it reviewed “certainly lends at least some credence that such a plan existed.” (Pg. 17)

## The Obama-Biden Administration's Response to Intelligence on the Clinton Campaign Plan

- According to the Durham annex, following the receipt of this intelligence, multiple high-ranking U.S. officials were briefed on the matter, including an August 3, 2016 briefing in the White House by CIA Director John Brennan to President Obama, Vice President Joe Biden, Director of National Intelligence James Clapper, FBI Director Comey, among others. As described in Durham's Unclassified Report, ultimately, the CIA sent the FBI an investigative referral that included the "purported Clinton campaign plan." (Pg. 18)
- In 2017, the "CIA prepared a written assessment of the authenticity and veracity of the above-referenced intelligence. The CIA stated that it did not assess that the above [redacted] memoranda, or [redacted] hacked U.S. communications, to be the product of Russian fabrications." (Pg. 19)
- The Durham annex notes that "FBI was fully alerted to the possibility that at least some of the information it was receiving about the Trump campaign might have its origin either with the Clinton campaign or its supporters, or alternatively, was the product of Russian disinformation."
- The Durham annex concludes, in part, that "[d]espite this awareness, the FBI appears to have dismissed the [intelligence information] as not credible without any investigative steps actually having been taken to either corroborate or disprove the allegations." (Pgs. 22-24)

## The Threat of Foreign Election Influence and Assessment in FISA Renewal Applications

As the Unclassified Durham Report noted, "[b]eginning in late 2014... the FBI learned from a well-placed Confidential Human Source that a foreign government ("Foreign Government-2") was planning to send an individual ("Non-U.S. Person-1") to contribute to Clinton's anticipated presidential campaign, as a way to gain influence with Clinton should she win the presidency."

The Durham annex notes that "Non-U.S. Person-1" was "directly tasked by the leader of Foreign Government-2" with facilitating this plan, but had indicated plans to travel to the U.S. in late 2014.

- At the time, an FBI Field Office sought expedited FISA authorization to begin coverage of this individual as soon as he/she arrived in the United States.
- However, as known from the Unclassified Durham Report, the FISA "application lingered because 'everyone was super more careful' and 'scared with the big name [Clinton]' involved."
- Ultimately, after four months, the FISA authority was authorized following a commitment that Clinton and others targeted by Foreign Government-2 would receive defensive briefings. (Pgs. 23-24)

The remainder of the Durham annex reinforces that the FBI provided false and misleading information to the FISA court in pursuit of FISA renewals, and at least one Confidential Human Source lied to his handlers.

The information in the Durham annex, taken together with previously released details in the Unclassified Report, reinforce the FBI's disparate treatment of Trump versus Clinton. Despite lacking probable cause and relying on false information, the FBI secured a FISA warrant and multiple renewals to surveil Carter Page and did not provide Trump a defensive briefing equivalent to Clinton's briefings.

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