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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

December 15, 2025

VIA ELECTRONIC TRANSMISSION

The Honorable Pamela Bondi
 Attorney General
 Department of Justice

The Honorable Kash Patel
 Director
 Federal Bureau of Investigation

Dear Attorney General Bondi and Director Patel:

On July 18, 2025, I wrote to the Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) requesting records related to whistleblower allegations that during investigations into the Clintons and their associated groups, DOJ prosecutors and FBI agents didn't receive support from DOJ's Public Integrity Section (PIN) and FBI executive management for additional investigative steps.¹ Notably, my letter also requested all records relating to the FBI's Clinton Foundation investigation.² My letter was based on years of investigative work with courageous whistleblowers. Since then, your offices have produced records based on these whistleblower disclosures and I appreciate your cooperation with my investigative work.

According to the records obtained by my office, during the Clinton Foundation investigation, FBI Headquarters (HQ) leadership, including former-Deputy Director (DD) McCabe, obstructed investigative activities.³ Notably, in November 2015, former-DD McCabe's wife, Dr. Jill McCabe, received over \$675,000 from political entities connected to former Virginia Governor and Clinton Foundation Board Member, Terry McAuliffe.⁴ According to reports and records, \$467,500 came in "monetary contributions" from McAuliffe's PAC, and \$207,788 came from the Virginia Democratic Party as "in-kind contributions," when McAuliffe was governor of the state.⁵ Ultimately, McCabe had to recuse himself from the investigation on November 1, 2016.⁶

¹ Letter from Senator Charles E. Grassley, Chairman, Senate Committee on the Judiciary, to the Honorable Pamela Bondi, Attorney General, Department of Justice, and to the Honorable Kash Patel, Director, Federal Bureau of Investigation (July 18, 2025), On File with Committee Staff.

² *Id.*

³ Exhibit 1 at 1 (In January-March 2016, "FBI-HQ (DD) [McCabe] directs no overt investigative steps without his approval."; In March-July 2016, "FBI-HQ (DD & EAD-CID) directs no investigative steps (NYO)."; In August-October 2016, "WFO & LR directed to close. FBI-HQ (DD [McCabe]) choked off. Lacked USAO (EDNY) and DOJ-Crim/PIN support.").

⁴ *Id.* at 15.

⁵ *Id.*; Devlin Barrett, *Clinton Ally Aided Campaign of FBI Official's Wife* (Oct. 24, 2016), WALL STREET JOURNAL, <https://www.wsj.com/articles/clinton-ally-aids-campaign-of-fbi-officials-wife-1477266114> ("Campaign finance records show Mr. McAuliffe's political-action committee donated \$467,500 to the 2015 state Senate campaign of Dr. Jill McCabe, who is married to Andrew McCabe, now the deputy director of the FBI. The Virginia Democratic Party, over which Mr. McAuliffe exerts considerable control, donated an additional \$207,788 worth of support to Dr. McCabe's campaign in the form of mailers, according to the records.").

⁶ Exhibit 1 at 24.

According to emails obtained by my office, on July 20, 2016—111 days before the 2016 election—an agent with the FBI’s Criminal Investigative Division (CID) stated that, “based on the sensitivities surrounding the Clinton Foundation,” agents were prohibited from “subpoena[ing] additional records related to the Foundation, the Clintons”; “conduct[ing] any interviews related to the Foundation or the Clintons”; and “shar[ing] any of the Foundation bank account info with any other offices.”⁷ Emails also show that the FBI “[did] not want to create any impression we are investigating the Clinton Foundation or the Clintons.”⁸ Internal FBI emails from January 12, 2017, show that the direction came from “higher, i.e., the DD (McCabe).”⁹

Records provided to my office show that on September 26, 2016, the US Attorney’s Office for the Southern District of New York (SDNY) obtained a search warrant for the laptop of Anthony Weiner, whose wife, Huma Abedin, was a political aide to Hillary Clinton during her time as Secretary of State, in connection with a child exploitation investigation.¹⁰ During the course of their investigation, the SDNY discovered information on the Weiner laptop connected to the FBI’s investigation into Hillary Clinton’s mishandling of classified information.¹¹ According to the records provided to my office, on November 1, 2016, the FBI’s New York Field Office (NYFO) former-Assistant Director in Charge (ADIC) Sweeney, requested that the Clinton Foundation investigative team be allowed to either review the Weiner laptop or be provided a briefing by the Weiner review team, which allegedly FBI HQ initially refused.¹²

For example, according to records provided to my office, on November 7, 2016, then-Executive Assistant Director (EAD) Coleman noted that “[i]t was determined by DD McCabe and EAD Steinbach that any follow on investigative activity concerning the emails located on Anthony Weiner’s laptop would be reviewed by the MIDYEAR investigative team.”¹³ Accordingly, it appears that the Clinton Foundation investigators, at that time, had to depend on the MIDYEAR team, which included Peter Strzok, for information.¹⁴

Furthermore, on July 24, 2017, under the Trump administration, the United States Attorney’s Office for the Eastern District of Arkansas (USAO EDAR) and FBI Little Rock reopened their investigation into the Clinton Foundation.¹⁵ During the course of their investigation, in November 2017, the US Attorney for the EDAR, Cody Hiland, requested information from then-head of DOJ PIN Ray Hulse and then-Acting Chief Anna Lou Tirol about “who made the decision to shut the [original] case down.”¹⁶ Documents provided to my office

⁷ *Id.* at 83-84; Department of Justice, Office of Inspector General, *A Review of Various Actions by the Federal Bureau of Investigation and Department of Justice in Advance of the 2016 Election* (June 2018), <https://oig.justice.gov/sites/default/files/reports/18-04.pdf>. (According to the June 2018 DOJ OIG report, “[n]o Department policy contains a specific prohibition on overt investigative steps within a particular period before an election. Nevertheless, various witnesses testified that the Department has a longstanding unwritten practice to avoid overt law enforcement and prosecutorial activities close to an election, typically within 60 or 90 days of Election Day.”)

⁸ Exhibit 1 at 83-84.

⁹ *Id.*

¹⁰ *Id.* at 22; AP News, *State Department releases emails from Clinton aide* (Dec. 30, 2017), ASSOCIATED PRESS <https://apnews.com/article/45bf7232374f43cab835145e5deabace> (“[T]he State Department has released emails from Huma Abedin, a top aide to Hillary Clinton, that were found by the FBI on her husband’s laptop.”).

¹¹ Exhibit 1 at 1, 5, 19-24, 31, 39-42.

¹² *Id.* at 6, 24.

¹³ *Id.* at 6, 81.

¹⁴ *Id.* at 6, 40.

¹⁵ *Id.* at 27.

¹⁶ *Id.* at 29.

also note that Hulser provided Hiland with a timeline that “omitted ALL references to interference from DOJ and FBI leadership.”¹⁷

Emails provided to my office also show that during the course of their reopened investigation, in July 2018, attorneys at the EDAR requested additional information to determine “whether sufficient probable cause exists to submit a search warrant affidavit for the Weiner laptop related to violations of 18 U.S.C. 201(b) and 201(c), 18 U.S.C. § 208, 18 U.S.C. §§ 1343, 1344, 18 U.S.C. § 1956, 1957, 18 U.S.C. § 1962 and perhaps other statutes.”¹⁸ EDAR attorneys also stated that for their team to make the assessment, “our office has determined that there is a need to be given access to some of the information described in the OIG Report that was released on June 11, 2018. This is necessary in order to determine if additional information related to these potential violations is currently possessed and already within the government’s knowledge.”¹⁹ According to emails, the request “ruffled some feathers” and the EDAR didn’t “receive[] any response from that request.”²⁰

Emails from September 2018 also indicate that Assistant United States Attorney (AUSA) Jonathan Ross at the EDAR had concerns about support from Main Justice and PIN regarding the Clinton Foundation investigation, stating that “[b]ut as we have previously discussed, there appear to be conflicts of interest for the leadership there related to the 2016 [Clinton] investigations that undermine any confidence we might normally have in looking to them for assistance.”²¹ According to documents provided to my office, prosecutors at the EDAR recommended in July 2019 that a referral be made to the DOJ OIG regarding the “manner in which the investigation had been conducted,” and that they did what they could do “about the interference by DOJ and FBI leadership at the time with the FBI’s [Clinton Foundation] investigation.”²²

The above are just some examples of interference that occurred when agents and prosecutors investigated the Clinton Foundation. In order for Congress to conduct proper oversight of past DOJ and FBI conduct, please provide the following no later than December 29, 2025:

1. Provide the report titled “Anthony Weiner Laptop Review for Communications Pertinent to Midyear Exam” dated November 15, 2016.
2. Provide all records related to the search warrant affidavits for Anthony Weiner’s laptop.
3. Provide all records related to the “yellow sheet of paper, at least 7 separate domains viewed on the device that were affiliated with the Clintons,” which was provided to a NYFO ASAC by a NYFO SA Forensic Examiner.²³

¹⁷ *Id.* at 29.

¹⁸ *Id.* at 39-42.

¹⁹ *Id.*

²⁰ *Id.* at 43.

²¹ *Id.* at 85-87.

²² *Id.* at 35, 82.

²³ *Id.* at 31.

4. Provide all records related to the decision to withdraw the third 2020 search warrant for the Weiner laptop including copies of all documents attached to the FBI EC titled “Withdrawn Search Warrant – Western Digital Hard Disk Drive, MODEL WD2003FZEX, S/N WMC6N0D5ZNA9.”²⁴
5. Provide the document titled “Investigative History, Status, and Recommendations Concerning the Clinton Foundation.”
6. Provide all emails related to the Clinton Foundation investigation and Anthony Weiner laptop to, from, or cc’ing Cody Hiland, Jonathan Ross, John Huber, Andrew McCabe, Diane Upchurch, Randy Coleman, Ray Hulser, and Anna Lou Tirol.
7. Provide all records requested in the July 5, 2018, email titled “Request for information related to DOJ OIG report issued June 11, 2018.”
8. Provide all emails and records in Exhibit 1, as well as records produced in conjunction with this letter, in unredacted form.

Thank you for your prompt review and response. If you have any questions, please contact Tucker Akin of my Committee staff at (202) 224-5225.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary

²⁴ *Id.* at 64-69.

OVERVIEW

- 2010 = Predication, but no investigation (Chatwal recording).
- January-March 2016 = Multiple investigations finally opened (WFO, NYO, LR). DOJ-Crim/PIN refused to support. Then, FBI-HQ (DD) directs no overt investigative steps without his approval.
- March-July 2016 = FBI-HQ (DD & EAD-CID) directs no investigative steps (NYO). DAG call to EDAR.
- July 2016 = Collateral investigation (LA) walled off, per FBI-HQ (DD). MYE concludes.
- August-October 2016 = Consolidated in NYO. WFO & LR directed to close. FBI-HQ (DD) choked off. Lacked USAO (EDNY) and DOJ-Crim/PIN support. Laptop discovered, and MYE reopened.
- October-November 2016 = FBI DD's conflict revealed, leaks, and then recuses. FBI-HQ refuses to allow CF coordination with MYE re laptop. Narrowly-tailored Att B for SW#2 re laptop (no CF).
- November-December 2016 = No change to MYE. Election. No USAO support (EDNY & SDNY) for NYO. FBI-HQ (ADD, EAD-CID), NYO, LA search for way forward.
- January-April 2017 = FBI-HQ (ADD & CID) discussion with NYO, WFO, LA, LR. FBI Director calls for review (Dantiki). Director briefed by ADD, EAD, CID, WFO, NYO, LR.
- May-July 2017 = Director fired. No activity.
- July-October 2017 = ADD meets with EAD, CID, WFO, NYO, LR, OGC re way forward. LR gets supports from EDAR. FBI-HQ consults with DOJ-Crim/PIN (approval required for USAO?). DAAG request to FBI-HQ for financial info from LA. EDAR seeks/receives PADAG approval.
- October 2017-January 2018 = LR investigation of UO allegations ([REDACTED], 5 interviews, review of DOS emails).
- February 2018-January 2020 = Attempts to revisit prior allegations (PCF, Digicel, etc.) and existing evidence (laptop, MYE electronic evidence).
- Today = Remaining matters (foreign witnesses and WFO campaign finance investigation)

JANUARY-FEBRUARY 2016

- Multiple investigations finally opened.
 - 1/21/16 meeting to discuss opening of CF investigation = FBI-HQ, WFO, NYO, LR
 - EAD Randy Coleman chaired.
 - Authorized 3 FOs to open, but take no investigative steps until discussed with DOJ.
 - Discussed access to MYE emails. Not able to share due to limited search/access parameters.
 - Predication = CHS, open source, SAR info.
 - NYO (1/22/16) = Preliminary Investigation
 - Chatwal, Uranium One, Polo Resources, Columbia FTA, VCS Mining.
 - LR (1/27/16) = Full Field Investigation
 - Uranium One.
 - WFO (1/29/16) = Preliminary Investigation
 - Uranium One, Polo Resources, Columbia FTA, VCS Mining, Boeing.
- DOJ-Crim/PIN refused to support.
 - 2/01/16 = EAD Coleman and CID met with AAG Leslie Caldwell and PIN Chief Ray Hulser. Not supportive of investigation.
- 2/17/16 = During SVTC, DD directs NYO and WFO that no overt investigative steps are to be taken without his approval.
- 2/22/16 = CID reiterates “no overt steps” during SVTC with WFO, NYO, LR.

MARCH-JULY 2016

- FBI-HQ (DD & EAD-CID) directs no investigative steps (NYO).
- March 2016 = DAG call to EDAR (“shut it down”).

JULY 2016

- Collateral investigation (LA) walled off, per FBI-HQ (DD).
- MYE concludes.

AUGUST-OCTOBER 2016

- Consolidated in NYO. WFO & LR directed to close.
- FBI-HQ (DD) choked off.
- Lacked USAO (EDNY) and DOJ-Crim/PIN support.
- Laptop discovered, and MYE reopened.

OCTOBER-NOVEMBER 2016

- FBI DD's conflict revealed in WSJ article.
- Leaks to WSJ.
- Recusal.
- AW Laptop (SW2 – 10/30/16)
 - FBI-HQ refuses to allow CF coordination with MYE re laptop.
 - Narrowly-tailored Att B for SW2 re laptop (no CF).

NOVEMBER-DECEMBER 2016

- No change to MYE.
- Election.
- No USAO support (EDNY & SDNY) for NYO.
- FBI-HQ (ADD, EAD-CID), NYO, LA search for way forward.

JANUARY-APRIL 2017

- FBI-HQ (ADD & CID) discussion with NYO, WFO, LA, LR.
- FBI Director calls for review (Dantiki).
- Director briefed by ADD, EAD, CID, WFO, NYO, LR.

MAY-OCTOBER 2017

- May-July 2017 = Director fired. No activity.
- July 2017
 - ADD meets with EAD, CID, WFO, NYO, LR, OGC re way forward.
 - LR gets supports from EDAR.
 - FBI-HQ consults with DOJ-Crim/PIN (approval required for USAO?).
 - DAAG request to FBI-HQ for financial info from LA.
- October 2017 = EDAR seeks/receives PADAG approval.

OCTOBER 2017-JANUARY 2018

- FBI-LR focused solely on UO allegations and HRC as subject.
- [REDACTED], 5 interviews [REDACTED], Foundation CFO), review of DOS emails.
- PADAG approval required for GJS and interviews.
- FBI's conclusion.
- EDAR SOL analysis.

FEBRUARY 2018-JANUARY 2020

- Attempts to revisit prior allegations and existing evidence.
- Multiple allegations identified in opening ECs that had not been investigated.
 - Approval of Abu Dhabi preclearance facility – finally investigated in Summer 2019.
 - Digicel's access to mobile telecom market in post-earthquake Haiti/approval of USAid grants, DOS contract, SBA loans – never investigated.
- Focus on AW laptop (Fall 2018-Winter 2019).
 - Efforts to ID analysts involved with initial review of device/discovery of non-AW email accounts/domains.
 - Review of events from SW1 to SW2.
 - Consults with CCIPS – relocation of device, review of non-content material, *Ganias* issues (constitutional implications of delayed review of “over-seized” data).
 - Review of non-content material with FBI-NYO forensic examiner.
- Coordination with USA Huber's team, FBI-OGC, DOS re MYE electronic evidence (Fall 2018-Fall 2019).
 - Servers (Pagliano, PRN).
 - Email accounts – content (SWs) and non-content (d orders).
 - FOIA disclosures.
 - “Federal records.”
 - Recovered deleted emails – “confirmation project.”

REMAINING MATTERS

- Interviews of foreign witnesses (4 Russians and 3 others)
 - Identified by [REDACTED] in December 2017 interview.
 - Andre Agepov – London
 - Joseph & Luba Optiker – Switzerland
 - Rod Fisk (died in 2011)
 - Vadim Mikerin – convicted in Tenex case; released from BOP in April 2018; now in Russia?
 - Igor Bilyk, Ludmilla Zulinskaya, Sergey Polgorodnik – Russia?
 - Efforts to coordinate with LEGAT commenced in September 2018.
 - No interviews have taken place, but “Director wants it done.”
 - Discussions with Md AUSAs.
- WFO/PIN campaign finance investigation
 - November 2019 indictment of Andy Khawaja (donor), George Nader, and straw donors.
 - Evidence of involvement/knowledge of campaign officials (Abedin, Cheng).
 - Investigation is overt – interview of Cheng, attempted interview of Abedin.
 - Subpoena to campaign. Limited email results. Relevant email missing.
 - Efforts to search AW laptop.
 - SW presented to DC Magistrate Judge Michael Harvey (5/04/20).
 - Questions re *Ganias*. Discussions about process to litigate constitutional issues (briefing, hearings).
 - PIN consult with CCIPS – willing to fight.
 - PIN decides to withdraw warrant.
 - Order re re-presenting warrant “in connection with this investigation” (5/07/20).



The Clinton Foundation Investigation Timeline

4/22/2010	Consensually-monitored call between [REDACTED] Sant Singh Chatwal. Description of conversations with foreign donors (Amar Singh, Lakshmi Mittal, Deepak Chopra, Praful Patel, Subhash Chandra) about giving to HRC. CHATWAL states [REDACTED] NOTES: FBI-NYO and USAO-EDNY investigation regarding campaign finance violations. Included use of CHS, consensual recordings, and Title III intercepts. Chatwal is an Indian national and New York City hotelier. Democratic fundraiser. Long-time friend of the Clintons. Foundation donor and Board Member. Trustee for American India Foundation, co-founded by WJC. In April 2014, Chatwal pled guilty to illegally funneling approx. \$200,000 to federal candidates (including HRC for 2008 presidential campaign) through straw donors from 2007-2011. Sentenced in December 2014 to three years' probation and \$500,000 fine. *Per EDNY AUSA Martin Coffey, case agents sought to expand investigation to include CF, but FBI-HQ would not allow.
3/21/2011	Wikileaks reveals that Sant Singh CHATWAL used money from Amar SINGH to retire debt of Hillary Rodham Clinton's 2008 Presidential Campaign FBI FD-1023 - 56C-NY [REDACTED]
4/01/2013	HRC resigns as Secretary of State
8/10/2014	ADIC McCabe becomes Assistant Director in Charge of the FBI Washington Field Office OIG Report – June 2018
2/25/2015	ADIC McCabe's wife, Dr. Jill McCabe, receives a call from the Virginia Lieutenant Governor's office asking her to consider a state senate run. OIG Report – June 2018



3/7/2015	ADIC McCabe accompanies Dr. McCabe to Richmond and the two meet with Governor McAuliffe to discuss her potential run for Virginia State Senate. OIG Report – June 2018
3/9/2015	ADIC McCabe contacts Director Comey's Chief of Staff and Deputy Director Giuliano to discuss Dr. McCabe's potential run for Virginia State Senate OIG Report – June 2018
3/11/2015	ADIC McCabe obtains advice from FBI ethics official Patrick Kelley and FBI General Counsel James Baker OIG Report – June 2018
3/12/2015	Dr. Jill McCabe announces candidacy for Virginia State Senate OIG Report – June 2018
4/12/2015	HRC announces presidential campaign in a YouTube video
4/29/2015	ADIC McCabe documents his recusal from all Virginia public corruption cases OIG Report – June 2018
5/5/2015	"Clinton Cash: The Untold Story of How and Why Foreign Governments and Businesses Helped Make Bill and Hillary Rich." by Peter Schweizer published. Book by Peter Schweizer in which he investigates donations made to the Clinton Foundation by foreign entities, paid speeches made by Bill and Hillary Clinton, and the state of the Clintons' finances since leaving the White House in 2001.
7/6/2015	IC OIG Notifies FBI Counterintelligence Division of potential compromise of classified material discovered via a FOIA review of SOS HRC emails OIG Report – June 2018
7/10/2015	FBI Counterintelligence Division opens criminal investigation in response from IC IG. Code name: "Midyear Exam" (MYE) OIG Report – June 2018
7/20/2015	██████ files Suspicious Activity Report regarding Clinton Foundation and related entities, specifically foreign transactions from 6/10/11 to 5/10/15 in response to "negative news reports"
8/01/2015	In July/August of 2015, WFO SSA Timothy Thibault has brief discussion with USAO-DC Criminal Chief John Malis regarding allegations raised in "Clinton Cash." SSA Thibault was attempting to predicate an investigation based on the



The Clinton Foundation Investigation Timeline

	allegations. Malis reportedly expressed interest in the matter and requested they meet to review supporting information sometime in the future. No meeting took place. FBI Timeline
9/6/2015	ADIC McCabe leaves FBI Washington Field Office and becomes Associate Deputy Director for the FBI OIG Report – June 2018
11/2/2015	Dr. Jill McCabe's campaign committee (McCabe for Senate) receives a combined total of \$675,000.00 from a Political Action Committee controlled by Virginia Governor and Clinton Foundation Board Member, Terrance McCauliffe. (\$467,500 in monetary contributions) and from Virginia Democratic Party (\$207,788 in in-kind contributions). ADIC McCabe later states he was not aware of these contributions until October 2016 OIG Report – June 2018
11/3/2015	Dr. Jill McCabe defeated in Virginia State Senate election OIG Report - June 2018
1/21/2016	FBI EAD Randall Coleman authorizes 3 FBI Field Offices to Open Investigations concerning CLINTON FOUNDATION. The meeting was held to discuss the opening of the Clinton Foundation (CF) investigation. EAD Coleman authorized all three field offices to open investigations <u>but to not take any investigative steps until the matter was discussed with DOJ</u>. CF investigative team access to e-mails from CD's Hillary Clinton server investigation was discussed and requested. CD advised the search/access parameters for their investigation were limited in scope and specific to the server investigation. Therefore, CD advised they would not be able to share any server e-mail information with the CF investigative team. FBI Timeline
1/22/2016	FBI New York submits case opening regarding Clinton Foundation and Clinton/Giustra Enterprise Partnership FBI - Electronic Communication - [REDACTED]
1/27/2016	FBI Little Rock submits case opening requesting full field investigation regarding Clinton Giustra Enterprise Partnership; Clinton Giustra Sustainable Growth Initiative; Uranium One, Inc.; Uranium One Americas; Frank Giustra; Ian Telfer. FBI - Electronic Communication - 58A-LR-[REDACTED]
1/29/2016	FBI WFO submits request to Public Integrity at Main Justice to Open a Preliminary Investigation on the Bill, Hillary and Chelsea Clinton Foundation.



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	AUSA Michael Atkinson, U.S. Attorney's Office for the District of Columbia (USAO-DC) and Ray Hulser, Public Integrity Section (PIN), DOJ have been briefed on the facts and circumstances to support the initiation of a Preliminary Investigation. The USAO-DC is in the process of reviewing allegations concerning the Foundation and are prepared to offer a prosecutorial opinion on or before January 29, 2015. DOJ/PIN will withhold issuing a prosecutorial opinion on this matter until the case is presented to DOJ by FBIHQ. FBI - Electronic Communication - [REDACTED]
2/01/2016	ADIC MCCABE BECOMES DEPUTY DIRECTOR OF FBI OIG Report – June 2018
2/1/2016	EAD Coleman and CID personnel (AD Joseph Campbell and DAD Timothy Delaney) met with DOJ Criminal Division AAG Leslie Caldwell and PIN Chief Hulser regarding the CF investigation. DOJ indicated they would not be supportive of a FBI investigation. No further information was available. FBI Timeline
2/2/2016	Shortly after the 2/1 CID meeting with DOJ (unknown exact date), LR personnel (former SAC David Resch, SSA [REDACTED] and SA [REDACTED]), who did not know about the DOJ position mentioned above, briefed the Eastern District of Arkansas (EDAR) U.S. Attorney (USA) Chris Thyer, First Assistant Patrick Harris and Criminal Chief John Ray White on the CF matter. After the briefing, USA Thyer stated he wished he could "unhear" the briefing, but agreed to move forward. EDAR USAO advised they were fully committed. FBI Timeline
2/17/2016	DD McCabe was advised by NYO of a NYO CHS who possibly had information on the matter. DD McCabe directed that NO OVERT INVESTIGATIVE STEPS were to be taken on the CF investigation without his approval. He authorized the debriefing of open CHS(s) and analysis of Information pertaining to the CF found in FBI FBI Timeline
2/22/2016	Between 2/1 and 2/22, former SAC Resch learned from former EAD Coleman and/or former CID AD Campbell that DOJ was implying this case was just based on open source reporting and fishing through a book. FBI Timeline
2/22/2016	CID hosted a SVTC with WFO, NYO, and LR, led by CID AD Campbell. CID advised all overt investigative steps related to the CF investigation would require DD approval with the exception of speaking to open CHSs. FBI Divisions were [REDACTED]



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	directed not to open or recruit any new CHSs, and no additional overt investigative steps were authorized. FBI Timeline
3/1/2016	LR SSA [REDACTED], at the direction of SAC Resch, sent an email to CID (SSA [REDACTED]) requesting concurrence for LR to obtain supporting documents of the SAR, if the POC would be willing to provide them voluntarily, thereby following DD McCabe's directives. LR never received permission to seek the documents. FBI Timeline
3/2/2016	AUSA Nicole Argentieri, the Chief of Eastern District of New York's (EDNYs) Public Integrity Unit advised NYO ASAC Khouzami that EDNY Criminal Chief James McGovern spoke with the DAG's office and was told to move forward and meet with a Cooperating Witness (CW). The purpose of the meeting with the CW was for the CW to review transcripts of the recording between the CW and an individual associated with the CF. ASAC [REDACTED] and SSA [REDACTED] discussed meeting with the CW to occur on or about March 10, 2016. FBI Timeline
3/2/2016 (approx.)	Possibly March, unknown exact date, EDAR Criminal Chief White informed LR SSA [REDACTED] that Deputy Attorney General (DAG) Sally Yates, DOJ ordered EDAR USAO to "SHUT IT DOWN." SSA [REDACTED] notified former LR SAC Resch and ASAC [REDACTED]. FBI Timeline
3/11/2016	State Department OIG shares report with WFO SSA [REDACTED] that alleges violations of 18 U.S.C. 208 by Cheryl Mills and Huma Abedin related to the Clinton Foundation. Report also discusses Dennis Cheng. Report requests assistance from FBI to advance investigation. State Department informed that FBI would not support this investigation. State Dept. Report of Investigation
3/15/2016	FBI NYO interviews CHS from Chatwal Case. Confirms information from 2010. CHS was still subject of active case in USAO. (Active through at least 2019). Email sent to Randall Coleman at FBI HQ with summary of CHS interview and preliminary investigative plan. Notes include that [REDACTED] "Do Outs" in email from FBI Diego Rodriguez to FBI Randall Coleman captured identified task to interview DENNIS CHENG, "Deputy Chief of Protocol (at State Department for HRC) and former Clinton political operative". CHENG is now subject of current (5/17/2020) FBI WFO/DOJ PIN [REDACTED]



The Clinton Foundation Investigation Timeline

	investigation for foreign political donations from 2016 who has emails to/from Huma Abedin on the Weiner Laptop that have never been reviewed. Additional Subjects to be interviewed included: Cheryl Mills; Huma Abedin; Doug Band. No interviews were ever authorized in 2016. The only subjects from this list that have ever been interviewed are Doug Band and Tim Phillips (Dec 2017 by FBI LR) Email from NYO to FBI HQ
3/18/2016	"Diego, thanks. I need to speak with you. Are you coming to HQ over the next week or two?" This is the response to email in which [REDACTED] summarized [REDACTED] from CHATWAL case and laid out investigative plan. Email from NYO to FBI HQ
3/19/2016	In FBI White Paper drafted by New York Division on 7/14/2016 titled "The Clinton Foundation; The Clinton Giustra Enterprise Partnership White Paper-07/14/2016" - FBI records that: "In March 2016, FBI Headquarters directed that no investigative activity take place going further until otherwise notified by FBI HQ. The one exception to this directive was FBI NYO could debrief any open CHS related to captioned investigation." FBI White Paper: "The Clinton Foundation; The Clinton Giustra Enterprise Partnership White Paper-07/14/2016" – drafted by FBI NYO
4/01/2016	FBI NYO sends FBI HQ list of questions to ask HRC when FBI HQ interviews HRC. Questions were: 1. Based on information derived from a recorded conversation, you (HC) and Mr. Chatwal had a conversation regarding settling debt from you first presidential campaign. You indicated to Mr. Chatwal that he could no longer donate to your campaign but he should instead donate to the Clinton Foundation. Were donations made to the Clinton Foundation used for personal use and/or to settle campaign debt? 2. Mr. Chatwal pled guilty to using straw donors to raise campaign funds for your first presidential election along with providing large amounts of cash to your husband. To your knowledge, did Mr. Chatwal also provide large cash payments to Indian officials in an effort to secure a nuclear deal between India and the US? 3. Per your agreement with the Obama administration, prior becoming Secretary of State, you agreed to disclose all donations made to the Clinton Foundation. Shortly after agreeing to this, The Clinton Giustra Sustainable Growth Initiative (CGSGI) was established. The majority of the funds raised by CGSGI are eventually sent to the Clinton Foundation but no financial disclosures are made by CGSGI. What are the funding sources for CGSGI and how many foreign governments send donations to CGSGI?



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	4. While serving as Secretary of State, did you discuss Clinton Foundation business on the same email account/server you used to conduct State Department business. How many other Clinton Foundation employees had email accounts on this server. 5. You had an agreement with the Obama Administration which placed restrictions on receiving donations to the Clinton Foundation from foreign countries, yet the Foundation continued to accept contributions without disclosures from countries where you also lobbied for actions. On how many occasions did the Foundation disregard the official agreement to accept contributions from countries you had State Department business in? FBI White Paper: "The Clinton Foundation; The Clinton Giustra Enterprise Partnership White Paper- 07/14/2016" – drafted by FBI NYO
6/6/2016	HRC becomes presumptive Democratic presidential nominee
6/27/2016	WJC meets with Attorney General Loretta Lynch on tarmac at Phoenix airport
7/2/2016	HRC interviewed by FBI concerning MYE Clinton Email Investigation only. FBI DOES NOT ask questions identified by Diego Rodriguez in April of 2016 of HRC related to Clinton Foundation Investigation. FBI 302
7/5/2016	Director Comey announces at press conference that there will be no criminal charges against Hillary Clinton in the Mid-Year Investigation related to her private server.
7/6/2016	Attorney General Loretta Lynch announces through press release that "Late this afternoon, I met with FBI Director Comey and career prosecutors and agents who conducted the investigation of Secretary Hillary Clinton's use of a personal email system during her time as Secretary of State. I received and accepted their unanimous recommendation that the thorough, year-long investigation be closed and that no charges be brought against any individuals within the scope of the investigation."
7/6/2016	FBI NYO SAC Harpster sends email to NYO ADIC Diego Rodriguez "We need direction/approval from HQ to reignite this case. We would like to conduct other logical investigative steps to include additional interviews, subpoenas and access to a limited time frame of Clinton emails around the same time our TIII was up and intercepting individuals associated with the Clinton Foundation" SAC Harpster's email includes a cop of FBI NYO SSA [REDACTED] email to Harpster from the same day that stated: "SAC Harpster,



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	Per the Director's press conference/email regarding the conclusion/results of the Clinton Email investigation, I wanted to bring to your attention the upcoming expiration date for the pending preliminary investigation on The Clinton Foundation, file number [REDACTED]. Captioned investigation was opened on 01/22/2016 as a preliminary investigation and is set to expire on 07/22/2016. There has been limited investigative activity in the case file per direction from FBI HQ. The only investigative action approved by FBI HQ to date was debriefing any open CHSs who had information pertaining to captioned investigation. One CHS related to the investigation was debriefed on 03/15/2016. No further investigative actions have been taken in the case. Please let me know if you need any additional information. [REDACTED]" Email from FBI SA [REDACTED] to ADIC Rodriguez
7/7/2016	FBI Director Comey refused to answer questions in Congressional hearing about whether the FBI was investigating the Clinton Foundation. Comey stated that he was "not going to comment on the existence or nonexistence" of the CF Investigation.
7/19/2016	DD McCabe was briefed on the CF investigation by CID. It is unknown if he was fully briefed on this previously as he requested a comprehensive briefing. CID provided a full detailed briefing concerning predication of the CF investigation involving open source, CHS, and Suspicious Activity Reports (SAR) information. FBI Timeline
7/20/2016	FBI –LA sends email to FBI CID (HQ) indicating that a separate investigation regarding Mark Weiner (now deceased) company "Border Health PAC-Financial Innovations" had been identified as transferring large sums of money into Clinton Foundation Accounts. "Not sure of the nonprofit rules for 501c3s but this appears to be the reverse (above)...PAC money flowing into the nonprofit. Dark money? Below is Mark S Weiner's business Financial Innovations (at least nine payments), not sure why his business receives these funds and several democratic PAC funds too Another unusual scheme seems to be a significant amount of non-profits donating to the CF" Email – LA FBI [REDACTED] to FBI HQ [REDACTED]
7/26/2016	HRC officially nominated as Democratic presidential candidate [REDACTED]



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7/31/2016	FBI opens Crossfire Hurricane Investigation
8/1/2016	FBI CID hosted a SVTC with WFO, NYO, and LR. CID advised this investigation would be consolidated into one case file and worked by the NYO. NYO was determined to have the best opportunity to pursue this investigation proactively using an existing CHS and due to the fact the majority of the CF operations were based out of New York City. Additionally, having three field offices pursuing the same subject/target was Inefficient and duplicative. WFO and LR were directed to close their investigations due to the consolidation. FBI NYO was advised no overt investigative action was to take place unless authorized by Deputy Director McCabe. Analysis of bank records obtained through a related LA investigation and the debriefing of existing CHSs were authorized. Analysis of Hillary Clinton e-mails obtained through the State Department during the WFO investigation on Governor McAuliffe was also authorized. FBI - Timeline
8/10/2016	NYO ASAC [REDACTED] and EDNY First Assistant Bridget Rohde had a telephone conversation in which ASAC [REDACTED] requested a commitment from the EDNY for moving forward with at least obtaining subpoenas. First Assistant Rohde advised she would let ASAC [REDACTED] know upon review and discussion with her personnel. FBI - Timeline
8/12/2016	McCabe told the OIG that on August 12, 2016, he received a telephone call from PADAG regarding the FBI's handling of the CF Investigation (the "PADAG call"). McCabe said that PADAG expressed concerns about FBI agents taking overt steps in the CF Investigation during the presidential campaign. According to McCabe, he pushed back, asking "are you telling me that I need to shut down a validly predicated investigation?" McCabe told us that the conversation was "very dramatic" and he never had a similar confrontation like the PADAG call with a high level Department official in his entire FBI career. OIG Report – June 2018
8/16/2016	NYO SSA [REDACTED] contacted EDNY AUSA Argentieri, to request subpoenas for financial documents from several financial Institutions. This was the only subpoena request made by FBI NYO to EDNY. FBI - Timeline
8/25/2016	FBI New York interviews [REDACTED] re: corruption probe related to corruption in Haiti: Subjects discussed include Anthony Rodham, Digicel, Cheryl Mills, Clinton Foundation.



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	In June 2019, ██████ was convicted in a separate corruption case in the District of Massachusetts. FBI 302 - ██████
8/25/2016	EDNY AUSA Argentieri and SSA ██████ met to discuss service of subpoenas for bank account related transactions. Later In the same day, ASAC ██████ contacted First Assistant Rohde who advised that she will be meeting with U.S. Attorney (USA) Robert Capers to decide whether or not to move forward with the service of the subpoenas. FBI - Timeline
9/1/2016	Telcal between incoming ADIC Sweeney from DD regarding CF and EDNY with DD McCabe DIRECTING NO OVERT ACTION, review only, and requesting Sweeney relay the same to NYO SAC Harpster. DD McCabe had received call from ODAG asking why NYO was shopping the CF case around. ADIC Sweeney placed call to NYO SAC Michael Harpster relaying DD's direction that there be no overt action; review only FBI - Timeline
9/26/2016	SDNY search warrant for laptop of Anthony Weiner in connection with child exploitation investigation. Search Warrant 1 Affidavit – Weiner Laptop
9/26/2016	Attorney General Loretta Lynch visits US Attorney's Office while in Little Rock for the Violence Reduction National Summit at the Clinton Presidential Library. During this visit, AG Lynch meets with USAO EDAR leadership.
10/23/2016	WSJ Article "Clinton Ally Aided Campaign of FBI Official's Wife" Article describes donations from McAuliffe-affiliated PACs to Virginia state senate campaign of DD McCabe's wife. Per the article, FBI officials stated that McCabe's supervision of HRC e-mail case did not present a conflict or ethics issue because his wife's campaign had concluded by that time. Immediately following online publication of the article, there was substantial public discussion as to whether McCabe's oversight of the Clinton E-mail Investigation had been appropriate in light of the information in the article. Additionally, on October 24, 2016, ██████ e-mailed the AD/OPA about a follow-on story that he was working on. In that e-mail, ██████ said that he was told that in the summer, McCabe himself gave some instruction as to how to proceed with the Clinton Foundation probe, given that it was the height of election season and the FBI did not want to make a lot of overt moves that could be seen as going after [Clinton] or drawing attention to the probe. ██████ e-mail asked AD/OPA "[h]ow accurate are those descriptions? Anything else I should know?" McCabe subsequently instructed Special Counsel ██████



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	to provide information to [REDACTED] for the follow-on story.
10/25/2016	SVTC (D, DD, ADIC NYO) which included brief update on Weiner investigation; overt legal process and ability to get federal search warrant for the Weiner laptop. Note: This small group discussion occurred after two separate larger group discussions during the same SVTC session. DD McCabe advised need to move forward and request action consistent with DOJ guidelines relative to election. In follow-up telcal between ADIC Sweeney and DD, DD McCabe is reminded that EDNY had previously stated not interested in pursuing CF matter, but then changed to no legal process (subpoenas) until after the election. Telcals between ADIC Sweeney and EAD Coleman and separately AD Richardson. Both advised of SVTC mtg with O/DD and advised guidance given during that SVTC from DD was to seek legal process if that was deemed needed in accordance with DOJ guidelines. AD CID advised that was contrary to previous guidance which was no overt legal process to be sought. FBI - Timeline
10/26/2016	In a follow-up call to the one above, the DD McCabe advises ADIC NYO and EAD Coleman that he wanted to be on the record recusing himself from the Clinton Foundation case. According to NY-ADIC's e-mail, McCabe told them "he may make a more formal decision at a later time." NY-ADIC stated during his OIG interview: "I think [McCabe] couched it as like, hey, this is not final . . . I don't know, I think he says he still has to talk about it." NY-ADIC stated that he clarified with McCabe that unless McCabe told him otherwise, NY-ADIC would begin reporting to EAD on the CF Investigation. FBI - Timeline
10/27/2016	At approximately 12:06 p.m. on October 27, 2016, shortly before Special Counsel was to speak with [REDACTED] for the first time, McCabe texted Special Counsel asking "Are you in with wsj now". About 10 minutes later, at 12:19 p.m., Special Counsel texted McCabe back stating that she was "going there now" and would call him "immediately after re call with devlin." Special Counsel told the OIG that she and AD/OPA then had their first call with [REDACTED] in "receive mode" regarding his follow-up story. According to Special Counsel's contemporaneous notes of the call and testimony to the OIG, she and AD/OPA learned during the first call that [REDACTED] had sources who were adamant that McCabe gave a purported order to "stand down" on the CF Investigation before the 2016 presidential election, implying that McCabe wanted to shut down the investigation for improper reasons. OIG Report
10/28/2016	Director Comey sends letter to Congress that the FBI had discovered additional Clinton-related e-mails in an unrelated investigation.



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10/30/2016	Telcal from DD to ADIC Sweeney regarding WSJ article, concern over leaks and need to advise folks of media policy. Follow-up telcals w/ADIC Abbate; EAD Coleman, and EAD Steinbach on WSJ article and DD's direction. FBI - Timeline
10/30/2016	WSJ article by [REDACTED] "FBI in Internal Feud over Hillary Clinton Probe"
10/30/2016	SDNY search warrant for laptop of Anthony Weiner concerning evidence of mishandling classified information. Search Warrant 1 Affidavit – Weiner Laptop
11/01/2016	ADIC Sweeney request to EAD Coleman to add CF investigative personnel to Weiner review team or to provide CF briefing to the Weiner review team. FBI - Timeline
11/01/2016	"Randy and Steve: As of today, I am voluntarily recusing myself from the ongoing Clinton Foundation investigation. I will continue to respond to congressional requests from information as necessary." Email from DD McCabe to EAD Randal Coleman FBI - Timeline
11/02/2016	AD Priestap is advised by ADIC Sweeney that the POC for coordinating/handling discussion of potential Clinton Foundation information that may be seen in plain view during Weiner laptop search is NYO SSA [REDACTED] FBI - Timeline
11/06/2016	Director Comey sends letter to Congress; conclusion not changed
11/08/2016	Donald J. Trump elected POTUS
11/13/2016	Retired SAC from Immigration and Naturalization Service files complaint with FBI related to Clinton Foundation role in helping UAE to obtain Pre-Clearance Facility at Abu Dhabi airport. FBI 302 - 58A- NY- [REDACTED]
11/17/2016	FBI-NYO interview of [REDACTED] of Teneo. Park discusses routine nature of quid pro quo between Foundation donors and Teneo related to political favors. FBI 302 - 58A- NY- [REDACTED]
	Mtg @ EDNY (SAC McGarrity, ADIC Sweeney, USA Capers, 1st Assistant [REDACTED])



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11/22/2016	Rohde, Criminal Chief James Gatta) concerning moving forward on CF Investigation now that election is over consistent with previous understanding. Criminal Chief Gatta advised EDNY had some concerns regarding statute of limitations. USA Capers was more direct and advised he looked at the issue in three buckets: (1) he was personally concerned about the depiction of him in recent articles [note WSJ article on 11/2/2016 by ██████████ regarding tension between FBI and DOJ and specifically cites USA Capers] (2) the case could have statute of limitations issues, and (3) USA Capers wanted to close this chapter and move forward. USA Capers advised he did not think DOJ/PIN would have an issue to pursue the case because there was no longer an election reason not to move forward and EDNY could pursue if in fact they decided to do so. EDNY requested additional time to contact DOJ/PIN. USA Capers and Criminal Chief Gatta shortly thereafter notified ADIC Sweeney and SAC McGarrity respectively that EDNY would not proceed with the Clinton Foundation investigation. USA Capers advised ADIC Sweeney that he did not contact DOJ/PIN again on matter. FBI - Timeline
12/01/2016	NYO SAC McGarrity and ASAC ██████████ met with SDNY First Assistant Kim, Criminal Chief Lisa Zornberg, Public Corruption Chief Goldstein, and AUSA Tatiana Martins to discuss whether SDNY would open a case on the CF and assist NYO with subpoenas. SDNY requested time to speak with EDNY and DOJ/PIN FBI - Timeline
12/09/2016	SDNY First Assistant Joon Kim called SAC McGarrity and advised he consulted with EDNY Criminal Chief Gatta and the ODAG. He advised the ODAG left it up to SDNY to make the decision. First Assistant Kim advised he spoke to SDNY USA Preet Bharara, Criminal Chief Zomberg, and the SDNY's Public Corruption Section on the matter and then stated SDNY was not in a position to disagree with EDNY and therefore SDNY declined to pursue the investigation into the Clinton Foundation. FBI - Timeline
12/20/2016	A SVTC was held with LAFO, NYO, and FBIHQ. Participants Included ADD Bowdich, EAD Abbate, NYO ADIC Sweeney, LAFO ADIC Deirdre Fike, General Counsel James Baker, NYO ASAC ██████████, and NYO ASAC ██████████. The purpose of the SVTC was to discuss how to move forward on the investigation. FBIHQ advised there would be guidance from the Director's office soon after the New Year. FBI - Timeline
12/23/2016	EDNY USA advises ADIC Sweeney that he is not likely to authorize a declination letter because he was burned before on a different case. He agreed to meet after the New Year. ADIC Sweeney advised that a case wasn't presented for prosecution and that it is not a legitimate declination. Separately, ADIC Sweeney ██████████



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	advised USA Capers of leaks admitted to by Supervisory Special Agent [REDACTED] who provided the WSJ Information on an insider trading investigation being conducted by SONY. [REDACTED]s had also been previously assigned to the [REDACTED] investigation with EDNY, but [REDACTED] had stated he was not the source of leaks on Garner. FBI - Timeline
1/11/2017	ADD Bowdich hosted a SVTC with EAD Abbate, CID AD Richardson, DAD Hacker, SC Moon. NYO, WFO, LAFO, and LR each briefed their respective holdings on case. NYO advised FBI NYO still did not have a USAO willing to work the case and provide subpoenas. LR briefed that their USA was willing to work the case. FBI - Timeline
1/12/2017	DOJ-OIG announces initiation of review that later resulted in June 2018 report. States that review will examine "allegations that the FBI Deputy Director should have been recused from participating in certain investigative matters." DOJ OIG Press Release
1/17/2017	ADD Bowdich sends email ordering 30 in-depth review of all open Clinton Foundation Investigations by [REDACTED], Special Counsel to Director Comey. Email stated: "All, After consideration pertaining to the facts as set forth last week surrounding the Clinton Foundation investigation, we have asked FBI Special Counsel [REDACTED] to give it an in-depth 30 day review. [REDACTED] came to the FBI from Main Justice and has been serving as a Special Counsel to the Director for several months. He will spend the next 30 days digging into the acquired investigative information, and at the end of that period will make a recommendation on a way forward. His in-depth review will necessitate extensive contact with your case agents, so please e-mail him the necessary POC information from each of your offices. In the interim, please ensure the PI is extended for a period of 90 days. Also, please pass this information to your respective case agents and other participants who were present at the meeting last week. As discussed, discretion in this investigation is very important. Thanks, and feel free to call me with any questions. DB" Email from Bowdich to SACs provided by DOJ OIG
1/20/2017	Donald J. Trump inaugurated 45th POTUS.
4/10/2017	Director Comey was briefed on the Clinton Foundation investigation. ADD Bowdich, EAD Abbate, CID, WFO, NVO, and LR participated in the briefing. FBI - Timeline
5/09/2017	Director Comey removed by President Trump.



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5/17/2017	Robert Mueller appointed by DAG Rosenstein as Special Counsel.
7/07/2017	FBI ADD Bowdich formally directs FBI-LR SAC Diane Upchurch to "re-open the CF case." FBI - Timeline
7/11/2017	USAO Acting US Attorney Patrick Harris submits urgent report to Main Justice requesting concurrence of Main Justice to open investigation of Clinton Foundation at request of FBI SAC DIANE UPCHURCH who said that she had a telephone conversation last week with her superiors at FBI HQ, and that the FBI wants to reopen the Arkansas investigation involving the Clinton Foundation, Hillary Clinton and monies flowing to the Foundation from donors. Urgent Report to Main Justice
7/24/2017	FBI Little Rock opens case again after obtaining approval from EDAR USAO. Case Opening is reviewed by PIN Section Chief Ray Hulser. Electronic Communication - 58A-LR [REDACTED]
8/1/2017	FBI-LR SAC Diane Upchurch spoke with the Eastern District of Arkansas (EDAR) USAO, Acting USA Patrick Harris. SSA [REDACTED] also separately spoke with EDAR Criminal Chief John Ray White. EDAR was supportive and agreed to issue subpoenas, but would require DOJ concurrence before moving forward. Email
8/01/2017	Christopher Wray confirmed as FBI Director
8/03/2017	AD Stephen Richardson and DAD J.C. Hacker met with DOJ-Criminal Division's Acting Assistant Attorney General Kenneth Blanco and DAAG Raymond Hulser. SC Matthew Moon and UC [REDACTED] from CID and [REDACTED], Special Counsel to the Director met separately with Acting PIN Chief AnnaLou Tirol and PIN Deputy Chief John Keller to discuss the CF investigation. During both meetings, DOJ personnel indicated USAOs have the autonomy and discretion to pursue any investigation deemed appropriate and EDAR does not require DOJ concurrence to move forward. FBI - Timeline
8/11/2017	After discussions between LR SAC Upchurch and SC Moon regarding CID's 8/2 meetings with DOJ, SAC Upchurch called EDAR Acting USA Harris to determine if they had heard from DOJ about DOJ's position on the matter— that EDAR does not need concurrence from DOJ to proceed. Acting USA Harris stated he had not [REDACTED]



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	heard from DOJ, but would call them to see if that was true. Acting USA Harris added they continue to fully support LR FBI on this matter and re• iterated it was "the right thing to do," since the allegations were like any other PC case that would be worked, albeit this matter was more sensitive than others. However, because DOJ had told them to stand-down last year, Acting USA Harris was going to wait until DOJ gave them concurrence to proceed. It is unknown if Acting USA Harris had contacted DOJ. FBI - Timeline
8/15/2017	Acting US Attorney Patrick Harris emails PADAG Rob Hur to ask whether the case opening request has been authorized and that Ray Hulser who said that the USAO does not need to consult with them about looking into the Clinton Foundation. Email from P. Harris to PADAG Hur
8/23/2017	SC Moon, CID received a telephone call from DAAG Hulser who requested follow-up information concerning the 19 CF bank accounts obtained by LAFO during a separate Campaign Finance Fraud investigation. He also requested a copy of the Suspicious Activity Report (SAR) involving the Clinton Foundation referenced in the Clinton Foundation briefing. SC Moon e-mailed DAAG Hulser a copy of this SAR (#31000070321341, dated 7/20/2015). FBI - Timeline
10/10/2017	Cody Hiland sworn in as U.S. Attorney for EDAR after having been confirmed by the US Senate on 9/28/2017 - Nominated by President Trump on 6/29/2017
10/10/2017	Upon entering office for the first day, FAUSA Pat Harris tells Hiland that the office is investigating the Clinton Foundation and Hillary Clinton. He would learn in subsequent days that Harris had requested that EDAR had requested via email, permission to re-open the case. The permission was necessary because the case had been shut down in 2016.
11/02/2017	EDAR US Attorney Hiland receives a call from PADAG Rob Hur. The call is in response to emails from then Acting US Attorney Pat Harris seeking guidance and approval to re-open the Clinton Foundation investigation. Hur indicated that EDAR had the green light to re-open the investigation. Hiland conveyed this information back to Harris and Little Rock SAC Diane Upchurch. Upchurch inquired as to whether there were any restrictions on the investigation this time. Hiland indicated that no restrictions had been communicated other than to recognize the sensitivity of the matter.
11/03/2017	US Attorney Hiland receives a call from PADAG Rob Hur. He was very concerned that LR SAC Diane Upchurch had communicated to FBI HQ that no restrictions



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	were in place for the investigation. He indicates that Upchurch has a reputation for being too aggressive and Hiland needed to keep her in line and closely supervise the investigation. Hur communicated to Hiland that "all of our jobs are on the line" with this investigation and to proceed cautiously.
11/07/2017	First [REDACTED]
11/08/2017	US Attorney Hiland meets with DAG Rod Rosenstein and PADAG Rob Hur about the Clinton Foundation investigation. Hiland is curious about the lack of information currently available, what happened with the case originally being shut down by Main Justice and the lack of resources available to conduct the investigation. Hiland mentions to Rosenstein that it feels like "we've been asked to take the beaches of Normandy with a single boat crew." Rosenstein instructs Hiland to contact head of Public Integrity Ray Hulser to obtain information on the case.
11/09/2017	US Attorney Hiland meets with head of Public Integrity Ray Hulser and Anna Lou Tirol. Hulser is dismissive of the merits of the investigation. Hiland asks Hulser "who made the decision to shut the case down?" Hulser responds "that never happened" and promises to provide Hiland with documentation on the case. Hulser forwards opening EC's and a 2 page FBI Timeline on the history of the investigation. (This Timeline is a stark contrast from the 6 page FBI Timeline received from OIG in September of 2018...the FBI Timeline received from Hulser had omitted ALL references to interference from DOJ and FBI leadership.)
11/10/2017	Phone call with PADAG Rob Hur and US Attorney Hiland. Hur inquires about the meeting with Ray Hulser. Hiland communicates that it did not go very well and that Hulser was very dismissive of the investigation. Hur instructs Hiland to exclude Public Integrity and Hulser from the Clinton Foundation Investigation going forward.
11/13/2017	DOJ Fraud Section declines FCPA Complaint from MDA Analytics Report from DOJ Fraud
11/22/2017	AG Jeff Sessions appoints U.S. Attorney John Huber of Utah to review the matters referenced in the enclosed Nov 13, 2017 letter from AAG Stephen Boyd to House Judiciary Committee Chairman Robert Goodlatte which referenced "the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation" Letter from AG Sessions to USAttorney Huber



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1/30/2018	FAUSA Pat Harris sends email to entire investigative team and U.S. Attorney Hiland indicating that in his opinion that we've deemed to be faulty, the statute of limitations for the entire investigation ends on 2/1/2018. This opinion is based on fact that HRC left office at State Dept. on 2/1/2013 and as such, 5 years had passed and statute of limitations had expired. This opinion is faulty because the FBI had already learned that UAE provided a \$5 million payment to CF on January 6, 2015 after obtaining a controversial pre-clearance facility in Abu Dhabi. Furthermore, this opinion failed to include whether Acts of Concealment such as deleting emails in 2015 and making additional statements and representations about those deletions would have extended the statute of limitations. Also RICO, Major Fraud vs. the Government, Bank Fraud, and Wartime Suspension of Statute of Limitations Act. Email
3/6/2018	DD McCabe is removed from FBI
4/11/2018	US Attorney Huber communicates with US Attorney Hiland to say that he had a very good visit with the deputy director and passed onto him our asks in re: CF. He will be seeing SAC Diane Upchurch next week at the SAC conference and will likely ask her to come a day early to meet with her. Seems like our asks were received well: investigative support.
4/13/2018	DOJ OIG releases "A Report of Investigation of Certain Allegations Relating to Former FBI Deputy Director ADIC McCabe"
6/14/2018	DOJ OIG releases "A Review of Various Actions by the Federal Bureau of Investigation and Department of Justice in Advance of the 2016 Investigation"
7/5/2018	FAUSA Ross sends email titled "Request for Information related to DOJ OIG Report issued June 11, 2018" and requests that information and records held by FBI related to previous activities of CF investigation to include specific records concerning Weiner Laptop in order to evaluate potential 3rd Search Warrant. Access was also requested to the Sealed Addendums of the OIG Report "A Review of Various Actions by the FBI and DOJ in Advance of the 2016 Election" Email
7/17/2018	FAUSA Ross calls FBI LA ASAC [REDACTED], per US Attorney John Huber's suggestion. ASAC [REDACTED] states that in 2016 he was FBI HQ Public Corruption Section Chief and that there was an investigation of a Nigerian billionaire (Gilbert Chagoury) for crimes including election fraud re: straw donors. The investigation resulted in approximately [REDACTED] [REDACTED] [REDACTED]



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	██████ States that the Deputy Director McCabe did not want ██████ to be shared with other FBI field offices. Phone Call
7/17/2018	FBI LR SAC Diane Upchurch sends email to US Attorney Cody Hiland: "I received a call from an FBI employee this morning who was contacted by ██████. I request that ██████ refrain from interviewing any other FBI employees. Respectfully, all interviews should be conducted by my team, as it is with any investigation we work.....FBI HQ would like ██████ to participate in a SVTC with us...." Email
7/17/2018	FAUSA Ross calls FBI NYO ASAC ██████ who tells Ross not to call him again, and to direct any questions to him through Arkansas SAC Upchurch. Ross had called him in an attempt to identify the FBI NYO personnel that worked on original Weiner laptop search warrant. Ross called ██████ because he first called SDNY NY USAO AUSAS that worked on Weiner laptop search warrant: AUSAs Brian Blais and Ilan Graff. Blais said that the correct FBI POC was ASAC ██████. In October 2018, FAUSA Ross and AUSA Coan speak with FBI NYO SA Forensic Examiner of Weiner Laptop ██████ who describes that in September 2016, while working on Weiner Laptop, he observed and transcribed on a yellow sheet of paper, at least 7 separate domains viewed on the device that were affiliated with the Clintons and that he provided the document to ASAC ██████ and then never saw it again. ██████ described feeling conflicted about disclosing that to FAUSA Ross and AUSA Coan because "I don't like diming out an SAC or ASAC". ██████ was clearly upset that FAUSA Ross had contacted him on 7/17/2016 because he quickly called SAC Upchurch to complain about the contact, which she then formally captured in an email to Hiland to request that FAUSA Ross not contact any additional FBI employees. Phone Call/Email
7/18/2018	US Attorney Hiland receives text from US Attorney HUBER "I enjoy working with you. Keep your finger off the button for now" referencing previous discussion in which Hiland raised ██████ ██████. Huber had asked Hiland during phone call to hold off on that so that Huber can talk to AG Sessions. Phone Call
7/18/2018	Phone call from US Attorney Hiland to US Attorney John Huber. Expresses frustration at the lack of information currently "in house" at the FBI that was not forthcoming. His complaint was that the FBI was not sharing information that was fundamental in nature. US Attorney Hiland raises the option of ██████



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	██████████ to the FBI. US Attorney Huber suggests waiting until he visits with AG Jeff Sessions on Friday Phone Call
7/20/2018	Teleconference with FBI HQ and US Attorney Hiland/██████████ to discuss request made by ██████████ on 7/5/18 SVTC Call
7/20/2018	AG Sessions and US Attorney Huber meet re the Clinton Foundation. Huber expresses the frustration faced by EDAR in obtaining information from the FBI. According to Huber, AG Sessions suggests ██████████ for the FBI. Huber advises that he had communicated with AG Sessions that he had talked Hiland off the ledge on that yesterday, let me talk you off of it today. ██████████ with AG Session's office calls US Attorney Hiland to set up a visit to EDAR for August 1, 2018.
8/1/2018	AG Sessions visits EDAR offices in Little Rock. He is briefed on all high profile cases and PSN numbers for the district. US Attorney Hiland accompanies AG Sessions to Hot Springs and is asked specifically about the Clinton Foundation investigation. Despite the request from PADAG O'Callaghan, in response to the query from AG Sessions, Hiland conveys his concern at the lack of information forthcoming and the lack of adequate resources available to the district to accomplish the task. He notes that with roughly 4 public corruption agents already working several significant state level public corruption cases, EDAR would be better served with additional line agents to conduct this investigation. AG Sessions conveys to US Attorney Hiland he would see to it that resources were made available for the district to properly conduct the investigation. His only instruction was to "do the right thing" and treat this case as you would any other but get to the bottom of it.
8/14/2018	US Attorney Hiland and FAUSA Ross met at FBI LR SAC Conference Room with FBI EAD Bob Johnson and John Jimenez to discuss increasing tensions and lack of progress by FBI on CF Investigation. They ask whether the local line agents are capable of conducting the investigation. Hiland conveys that with roughly 4 public corruption agents already working several significant state level public corruption cases, EDAR would be better served with additional line agents to conduct this investigation. They had good local agents but they were buried with state level work. US Attorney Hiland's perspective on the meeting is that Johnson and Jimenez were also probing for his intent on whether to investigate the FBI on obstruction ostensibly based on FAUSA Ross's July 5, 2018 email and US Attorney Hiland's



The Clinton Foundation Investigation Timeline

	clear frustration related to the lack of cooperation from the FBI troubling resistance to sharing information already in house. Teleconference Call
8/15/2018	PADAG O'Callaghan emails Hiland and Ross "I followed up with the DAG after our discussion and we agree that you should go ahead and reach out to your colleagues in EDTX and/or WDAR to enlist the assistance of those whom you think may be helpful with your ongoing investigation..." Email
8/24/2018	FAUSA Ross emails [REDACTED], FBI LR SSA with a "to-do" list of investigative actions concerning Abu Dhabi Pre Clearance Facility Email
8/26/2018	Phone call from US Attorney John Huber to US Attorney Cody Hiland. AG Sessions is clearly frustrated...desire for EDAR to "shake the trees" and not worry about going through FBI to visit with other agents to obtain information (as SAC Diane Upchurch had requested on July 17, 2018). Phone Call
8/29/2018	SAC Diane Upchurch complained to US Attorney Hiland about FAUSA Jonathan Ross contacting John Jimenez directly. (Jimenez previously told Ross to "call me anytime".) There still was no response to the July 5, 2018 Ross email. Phone Call
8/31/2018	Beginning 8/31/2018, FBI HQ imitated having bi-weekly teleconference calls with FAUSA Ross and EDTX AUSAS and FBI LR to facilitate relations between FBI LR and Ross and to make sure investigative actions were being performed. These meetings have continued through at least March 2020. Teleconference Call
9/6/2018	US Attorney Hiland, US Attorney Krickbaum, US Attorney Huber, FAUSA Ross, AUSAs Ryan Locker, Frank Coan, Nathaniel Kummerfeld and AUSAS Sean Driscoll and Kristina Barclay meet in SCIF at Main Justice to discuss overlap of separate investigations and search warrant matters.
9/6/2018	US Attorney Hiland, FAUSA Ross, AUSAs Ryan Locker, Frank Coan, Nathaniel Kummerfeld meet at DOJ OIG to discuss access to sealed addendums to OIG Report "A Review of Various Actions by the FBI in Advance of the 2016 Election". Access was not authorized, rather we were re-directed to make the requests for access to FBI and Main Justice.



The Clinton Foundation Investigation Timeline

	During this meeting however, Joshua Mahan at DOJ OIG shared observations regarding interference by FBI Leadership concerning Clinton Foundation Investigation while investigating for the OIG Report. OIG Mahan was very helpful. Provided a 6 page timeline drafted by the FBI with information on the origins and demise of the 4 investigations into the Clinton Foundation in field offices around the country. Promised to get approval and send us the information. FAUSA Ross asks Mahan to gain permission from Horowitz before sharing copy with USAO EDAR. Timeline provided by attachment to email to FAUSA Ross on 9/13/2018
9/11/2018	FAUSA Ross, AUSAs Coan, Locker, Kummerfeld met with State Department OIG SAC Bob Smolich concerning the SD OIG report dated 3/11/2016 related to H. Abedin, C. Mills, and the Clinton Foundation.
9/13/2018	USAO EDAR FAUSA receives copy of FBI Timeline for Clinton Foundation from OIG, promptly forwards copy to FBI LR ASAC [REDACTED] at 2:41 PM. At 4:23 PM, [REDACTED] responds "Who provided this document to you?" At 4:45 PM, [REDACTED] responds "OIG". At 5:00pm US Attorney Hiland then received a phone call from SAC Diane Upchurch demanding to know whether "we were investigating them (meaning the FBI)." US Attorney Hiland's response was that we were investigating what we had always been investigating, the Foundation. SAC Upchurch then demanded that FAUSA Ross be removed...that they didn't trust him and wouldn't work with him going forward. US Attorney Hiland declined to acquiesce to her demand. SAC Upchurch was clearly concerned than EDAR had obtained the history of the original investigation and the damning information contained therein. Despite her concern over whether EDAR was investigating the FBI for obstruction, she nonetheless demanded the person she believed responsible for said investigation be removed. FAUSA Ross drafts email to himself to preserve record of SAC actions Phone Call/Emails
9/19/2018	FAUSA Ross and AUSA Coan met with IRS SAC and ASAC requesting review of any reports generated by letter from Congresswoman Marsha Blackburn, Complaint by MD Analytics, and to request Assistance on CF Investigation. Discussion



The Clinton Foundation Investigation Timeline

	includes "Foreign Activities of Domestic Charities and Foreign Charities" and the deductibility of contributions under IRC 170(c)(2) for IRC 501(c)(3) organizations
11/20/2018	US Attorney Cody Hiland sends request to IRS for assistance in FBI Investigation Letter to IRS
1/07/2019	US Attorney Hiland and FAUSA Ross met with Acting AG Matt Whitaker's Chief of Staff, Greg Scott; US Attorney Huber; US Attorney Krickbaum; PDAG Ed O'Callaghan to debrief on 3 separate investigations. At end of meeting, Krickbaum and Huber both emphasized that US Attorney Hiland should take steps to review sensitive addendum to OIG Report "A Review of Various Actions by the FBI and DOJ in Advance of 2016 Election" US Attorney Hiland made request to PDAG O'Callaghan. As of 5/15/2020, the request has never been authorized.
5/28/2019	EDNY AUSA Marty Coffee tells FAUSA Ross, AUSAs Coan and Kummerfeld, AUSA EDNY 5.28.2019 1:00PM that Chatwal provided zero cooperation, but that Chatwal knows a lot. Tried to get him to cooperate. We had a [REDACTED] [REDACTED] Reason we were stymied: 2 fold: 1: Chatwal wouldn't give us a proffer, 2: FBI was told by HQ no subpoenas, don't go forward. Field agents were frustrated. But HQ would not let it go forward We were trying to explore the Foundation, and we were told "NO" by FBI HQ. Our next best option was to circle back and speak with our cooperator. Chatwal's defense attorney is the former chief of the criminal division. Very smart. Cooperator was brought up on a separate IRS case, and [REDACTED] attorney, former Acting U.S. Attorney, brought us the info/case on Chatwal, out of nowhere. Wasn't on our radar. Our choice was to immunize and give him a compulsion order, which we wouldn't do without a proffer. close, close personal friend of the Clintons. Attended Chelsea's wedding. Very wealthy hotelier in NYC. Took his yacht to the wedding.
7/12/2019	EDAR US Attorney Cody Hiland Sends Report to OAG "Investigative History, Status, and Recommendations Concerning the Clinton Foundation." Included was a recommendation that a referral be made to DOJ OIG regarding the manner in which the investigation had been conducted.
8/20/2019	US Attorney Hiland, FAUSA Ross, AUSA Coan met with AAG Brian Benczkowski; John Cronin; AnnaLou Tirol at PIN to discuss need for additional resources to [REDACTED]



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The Clinton Foundation Investigation Timeline

	support CF investigation, or in the alternative, closing the case as a result of insufficient resources and remaining time under statute of limitations.
1/07/2020	Interview of Gilbert Chagoury at O'Melveny Law Offices in London with USAO FAUSA Ross and USAO CDC Public Corruption Chief [REDACTED] and FBI agents from L.A. and Little Rock FBI-302
1/09/2020	Leak of Investigation status by unknown source results in Washington Post article by [REDACTED] "Justice Department winds down Clinton-related inquiry once championed by Trump. It found nothing of consequence"

AUTHORIZED FOR PUBLIC RELEASE BY CHAIRMAN GRASSLEY

From: Huber, John (USAUT)
To: Hiland, Cody (USAARE)
Cc: Ross, Jonathan D. (USAARE)
Subject: RE: CF update
Date: Friday, June 1, 2018 9:14:37 PM

Thank you. Hope you each have a good weekend.

From: Hiland, Cody (USAARE)
Sent: Friday, June 01, 2018 8:04 PM
To: Huber, John (USAUT) <JHuber@doj.gov>
Cc: Ross, Jonathan D. (USAARE) <JRoss@doj.gov>
Subject: CF update

John, per our conversation, please find the information below concerning an update on the CF investigation. Jonathan put much of this together for you. I hope it provides sufficient information and a candid view of our assessment of the status of the case and our needs going forward. We can put something more formal and thorough together should you have need of it.

Summary

On May 23rd, 2018, Jonathan conducted a status review of the Cracked Foundation Investigation into the Clinton Foundation at the FBI Field Office in Little Rock, Arkansas.

The Bureau has 17 302's and 9 Intelligence Summaries. These summaries are for internal distribution only at FBI and are available for review in any FBI office. They cannot be disseminated.

They also possess voluminous [REDACTED] concerning the Foundation and individuals for whom the foundation exists. Analysis of these [REDACTED] is ongoing. No estimate on the date of completion. They have concluded their review of all emails turned over to them by the OIG at the Department of State. They are finishing up the reports for this review and expect to have them completed very soon.

The majority of the existing 302's pertain directly to the Uranium One component of the investigation. The majority of the investigative tasks remaining relate to the Abu Dhabi Preclearance Facility.

Abu Dhabi Preclearance Facility

The matter that appears to justify the greatest investigative resources going forward is the Abu Dhabi preclearance facility. The original complaint lodged with the bureau was that Etihad Airlines' used influence with DHS and CBP to obtain a preclearance facility in Abu Dhabi, United Arab Emirates after paying for several speeches to former President Bill Clinton (\$1.425 million) and to be honorary chairman of GEMS Education Group (\$5.6 million from 2011-2015). The timing of the payments in relation to the facility approval are very questionable and came to the FBI via complaint. If you need more information on the origin of the criminal predicate for the investigation, please let me know.

A review of the transcript from July 10, 2013 before the Subcommittee on Terrorism, Nonproliferation and Trade of the Committee on Foreign Affairs for the House of Representatives clearly documents that there was substantial controversy related to DHS's decision to allow the construction and operation of the preclearance facility at Abu Dhabi.

A basic internet query yields a significant amount of articles related to this controversy. According to the news reports (Wall St. Journal and NY Times) the original 2009 application was denied, and then later authorized in 2011 after a series of paid speeches by WJC. Whether WJC/HRC obtained approval from Dept of State for these speeches pursuant to a conflict of interest review or review of an OGE 278 is not clear. It should also be noted that from 2011 to 2014, the Varkey G.E.M.S foundation, based in U.A.E. paid WJC \$5.6 million as the "honorary chairman" for the Dubai entity.

Further Investigative Tasks

1. to obtain all Dept. of State internal documentation of the conflict of interest review process to ascertain whether the appropriate authorizations were obtained and if so, whether a full disclosures were made in order for an accurate determination(s) to be made to comply with 18 U.S.C. 208
 2. Obtain copies of the original 2009 application by Etihad Airways to gain a pre-clearance facility as well as the supporting internal memoranda/documents that explain why the application was rejected.
 3. Interviews of the officials that made the Department's decision to reject the application
 4. Obtain copies of the successful 2011 application and authorization documents from both Dept. of State and Department of Homeland Security.
 5. Interviews of the officials that approved the application
 6. Interviews with the APCO Worldwide officials (lobbying firm hired by Etihad to lobby U.S. Government for approval of the pre-clearance facility) and any additional individuals identified by such interviews. It should be noted that APCO Worldwide is the same consulting firm that was hired by Rosatom to lobby on behalf of the Russian Government for the acquisition of Uranium One, and also a donor to the Foundation.
 7. Interviews with potential U.S. Government officials in UAE at the time that the facility was approved regarding any communications and/or the negotiations process.
 8. Interviews with Etihad Airways officials and UAE officials concerning the approval process.
 9. Interviews with Varkey GEMS Foundation officials based in UAE that donated \$5.6 million to WJC from 2011 through 2014.
 10. A review of the [REDACTED] demonstrates that there are additional bank records from [REDACTED]
- Description of the remaining intelligence summaries:

Uranium One

There are remaining investigative tasks that should be completed before making a final assessment of the U/O matter. This includes potential interviews with (1) Frank Guistra, (2) Ian Telfer, (3) [REDACTED], (4) the foreign nationals specifically identified by [REDACTED] as having made statements concerning the attempts to use the Foundation as a vehicle to influence the Secretary of State, (5) the career official at the State Department that Undersecretary Fernandez communicated with prior to voting to approve the transaction, and (6) officials at DOE that approved the export authorization for the trucking firm owned and operated by Rosatom after C.F.I.U.S. approval of the U/O acquisition.

Also of note, according to [REDACTED] at C.F.I.U.S., unanimity is required for final approval of all decisions. Because of this unanimity requirement, a single "no" vote for approval results in an effective veto of the proposed action. As such, simply securing any voting member's agreement to not vote "no", can have a substantial value to any entity seeking to exercise influence on the authorization process.)

The intelligence summary regarding Uranium One aka U/O fails to account for the dynamic related to possible deliberately false misrepresentations/false statements that may have been made by U/O officials to C.F.I.U.S. to induce the authorization sought to sell U/O to Rosatom. (i.e. that Rosatom could not export uranium). That the approval process included identified mitigation measures related to the export authorization of Rosatom and that U/O would continue to be publicly traded (which later changed) have not been considered by the FBI as part of its analysis, is an incomplete evaluation.

However, according to 50 U.S.C. App 2170(b)(D), the President of the Committee may initiate a review . . . (i) of any covered transaction that has previously been reviewed or investigated under this section, if any party to the transaction submitted false or misleading material information to the Committee in connection with the review or investigation or omitted material information, including material documents, from information submitted to the Committee; or (ii) any covered transaction that has previously been reviewed or investigated under this section, if—

- (I) any party to the transaction or the entity resulting from consummation of the transaction intentionally materially breaches a mitigation agreement or condition described in subsection (I)(1)(A);
- (II) such breach is certified to the Committee by the lead department or agency monitoring and enforcing such agreement or condition as an intentional material breach; and
- (III) the Committee determines that there are no other remedies or enforcement tools available to address such breach.

This process is described by C.F.I.U.S. as "Unwinding". To my knowledge, no such action has been taken regarding the U/O transaction, although this remains technically possible. The lack of such action may prove significant to potential prosecution.

Statute of Limitations Issues

As previously discussed, should evidence be discovered that warrants seeking [REDACTED] indictment, we do not believe prosecution is time barred by a statute of limitations pursuant to 18 U.S.C. 3287 — The Wartime Suspension of Limitations Act (See <https://dojnet.doj.gov/usao/ronca/oia/tables/subject/wartime.htm>), and also because payments from the subjects of the investigation to the Foundation were made continuously from 2007 through 2014.

The last act in furtherance of a conspiracy is the date from which a statute of limitations commences to run, not the date from which a public official resigned/left their office. (See <https://dojnet.doi.gov/usao/eonsa/ole/tables/subject/crimlim.htm>) So any payments that were made as part of a pre-existing agreement for an official act taken (or intentionally NOT taken) during the time a public official was in office, but paid after the public official took any official action (or intentionally failed to take), are part of an ongoing conspiracy that is not completed until the last payment is made or any act of concealment is taken.

And it should also be noted that in U.S. vs Suhl, 885 F.3d 1106 (8th Cir. 2018), the 8th Circuit recently interpreted McDonnell vs. United States, 136 S.Ct. 2355 (2016) concerning both honest-services and federal-funds bribery. (attached above) The court in Suhl makes clear that with regard to 18 U.S.C. 201,

"The portion of § 201 -[https://1.next.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000546&cite=18USCAS201&originatingDoc=15b16f202de311e884b4b523d54ea998&refType=SP&originationContext=document&transitionType=DocumentItem&contextData=\(sc_Search\)#co_pp_8b16000077793](https://1.next.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000546&cite=18USCAS201&originatingDoc=15b16f202de311e884b4b523d54ea998&refType=SP&originationContext=document&transitionType=DocumentItem&contextData=(sc_Search)#co_pp_8b16000077793)>. The relevant portion of the federal-funds bribery statute likewise requires payment with "intent to influence" a state actor "in connection *1113 with any business ... of ... [a state] agency." 18 U.S.C. § 666(a)(2)-[https://1.next.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000546&cite=18USCAS666&originatingDoc=15b16f202de311e884b4b523d54ea998&refType=SP&originationContext=document&transitionType=DocumentItem&contextData=\(sc_Search\)#co_pp_d86d0000be040](https://1.next.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000546&cite=18USCAS666&originatingDoc=15b16f202de311e884b4b523d54ea998&refType=SP&originationContext=document&transitionType=DocumentItem&contextData=(sc_Search)#co_pp_d86d0000be040)>. Neither of these statutes, nor McDonnell-[https://1.next.westlaw.com/Link/Document/FullText?findType=Y&scNum=2039250556&originatingDoc=15b16f202de311e884b4b523d54ea998&refType=RP&originationContext=document&transitionType=DocumentItem&contextData=\(sc_Search\)>](https://1.next.westlaw.com/Link/Document/FullText?findType=Y&scNum=2039250556&originatingDoc=15b16f202de311e884b4b523d54ea998&refType=RP&originationContext=document&transitionType=DocumentItem&contextData=(sc_Search)>), imposes a universal requirement that bribe payors and payees have a meeting of the minds about an official act. A payor defendant completes the crimes of honest-services and federal-funds bribery as soon as he gives or offers payment in exchange for an official act, even if the payee does nothing or immediately turns him in to law enforcement."

In light of this ruling, even when it is determined that no identifiable official act was taken by a public official after payments were made to the payee (public official), nevertheless, payments made by any Payor in exchange to attempt to influence any Payee (public official) to take formal action are prosecutable against the Payor even if the Payee never actually took the desired action. Furthermore, 18 U.S.C. 201(c) also criminalizes the act of paying a gratuity to a public official or former public official because of any former action taken by that official.

Remaining Intelligence Summaries

1. S Daniel Abraham Center for Mideast Peace – significant Foundation donor who attempted to gain access to the Secretary of State regarding his viewpoints concerning Middle East issues
2. Magna International – reversal of Russian owned bank [REDACTED]'s attempted acquisition of Opel (form GM)
3. Guistra and the Colombian Free Trade Agreement – Reversal of HRC's previous stance of the agreement after Guistra donations to Foundation
4. Boeing – obtaining substantial contracts after donations to Foundation
5. VC Mining in Haiti – obtaining contracts and licenses to mine in Haiti after donations to Foundation
6. Digicel-Haiti – obtaining increased market share pursuant to favorable government treatment after donations to Foundation after 2010 Earthquake.
7. Jonathan spoke with an IRS Criminal Investigator here in Little Rock on May 25th who stated that he had reviewed the 6000+ page complaint filed by [REDACTED]. He stated that he finished his report with his recommended actions earlier that week and that it had been sent to his supervisors at IRS. The report is for internal review only, so we cannot be provided with a copy, unless his supervisors grant us access.

Each of these summaries have been updated to include corresponding emails provided by the State Department OIG. It should be noted that the tedious and time consuming process of analyzing this voluminous production of emails was completed just this week by a team of FBI analysts here in Little Rock on TDY that have been working since earlier this year)

Further Investigative Tasks

Having read the summaries concerning Boeing and Digicel-Haiti, and also the Dept. of State emails that were identified as related to both of these matters, I believe that there are some additional investigative actions warranted concerning both of these matters as well.

Moving Forward

Anthony Weiner Laptop

We believe there is significant information contained on the Anthony Weiner laptop. Pending the release of the OIG report, we believe there may be opportunities to re-evaluate the probable cause for a warrant through a reopened criminal investigation into the Clinton email issue.

Request for Additional Prosecutorial and Investigative Resources

It is the assessment of our office that in order to fully and properly develop the remaining investigations, additional prosecutorial and investigative resources are needed.

The 4 career agents that FBI Little Rock assigned to public corruption investigations are also assigned to a significant ongoing public corruption investigation here in Arkansas. That investigation involves several elected officials and lobbyists demanding the full attention from 3 U.S. Attorney's Offices and significant time from these agents for the indefinite future. In addition, they each have several other significant cases that they are working on. They simply don't have the resources here to give adequate attention to all that they are being asked to do.

Furthermore, I would be less than forthcoming if I didn't convey my belief that our local agents continue to have an issue concerning confidence in their authority to investigate the matter due to an email message containing a flawed statute of limitations opinion from a man they have worked with for years and respect. The email was sent on January 30, 2018 and has cast a permanent pall over the local agents attitude toward the very investigation they fought so hard to reinstate after being shut down in January of 2016.

For these reasons, I think the FBI must allocate additional agent support. In my opinion, preferably a complete reassignment of this matter to a separate team of investigators allowing our very talented local investigators the liberty and time to pursue pressing, ongoing state level public corruption.

Furthermore, I also believe that we need additional AUSA support from outside our office. It is my current intent to request a minimum of 3 AUSA's to be assigned tly to the Eastern District of Arkansas to pursue the day to day aspects of the various spokes of investigation.

It's time to make significant movement on this matter if it is to properly and effectively run to ground...especially as it relates to wrapping up the U/O Investigative tasks and working through the highly questionable circumstances surrounding the Abu Dhabi Preclearance Facility. Obviously, the OIG Report could be a game changer and make for some open field running outside of the investigative tasks mentioned here. But, if we are to perform our due diligence and work toward results we can trust to be timely, complete and just, I am confident the initial requests for assistance are warranted and the tasks enumerated worth seeing through to completion.

Cody

Sent from my iPhone

From: [Ross, Jonathan D. \(USAARE\)](#)
To: [Coan, Frank \(USATXE\)](#); [Kummerfeld, Nathaniel \(USATXE\)](#); [Locker, Ryan \(USATXE\)...](#)
Cc: [Rattan, Heather \(USATXE\)](#); [Quinn, Matt \(USATXE\)](#)
Subject: FW: Request for Information related to DOJ OIG Report issued June 11, 2018
Date: Tuesday, August 28, 2018 12:02:00 PM

Here's the 2nd of the 3 emails that I will forward to be forwarded today.

From: Ross, Jonathan D. (USAARE)
Sent: Thursday, July 05, 2018 6:59 PM
To: [REDACTED] (LR) (FBI) [REDACTED]
Cc: Hiland, Cody (USAARE) <CHiland@[REDACTED].doj, [REDACTED]>
Subject: Request for Information related to DOJ OIG Report issued June 11, 2018

SAC Upchurch,

Please consider this letter as our formal, written request for access to certain materials maintained by the FBI that are referenced in the OIG Report "A Review of Various Actions by the Federal Bureau of Investigation and the Department of Justice in Advance of the 2016 Election" that was published on June 11, 2018. It is my understanding you agreed to forward this request to appropriate personnel at your agency upon receipt.

Pursuant to the ongoing criminal investigation into the Clinton Foundation that was predicated on Suspicious Activity Reports and a complaint opened as "Cracked Foundation" by the Bureau, the United States Attorney's Office for the Eastern District of Arkansas and the FBI field office in Little Rock are attempting to determine whether sufficient probable cause exists to submit a search warrant affidavit for the Weiner laptop related to violations of 18 U.S.C. § 201(b) and 201(c), 18 U.S.C. § 208, 18 U.S.C. §§ 1343, 1344, 18 U.S.C. § 1956, 1957, 18 U.S.C. § 1962 and perhaps other statutes.

In order to make this assessment, our office has determined that there is a need to be given access to some of the information described in the OIG Report that was released on June 11, 2018. This is necessary in order to determine if additional information related to these potential violations is currently possessed and already within the government's knowledge.

The Weiner laptop was originally searched pursuant to a SDNY search warrant issued on September 26, 2016 that authorized a search for evidence, fruits, and instrumentalities of violations of Title 18, United States Code, §§ 1470, 2252, 2252A and 2422. During the search, evidence outside the scope of the search warrant related to violations of 18 U.S.C. § 793 was observed. These observations were immediately reported by the FBI NYO case agent, and on October 30, 2016, a second search warrant was obtained and executed. However, during this second search, whether or not evidence of additional violations of criminal statutes

[REDACTED]

was observed related to the investigation in the Eastern District of Arkansas has never been shared or reported with authorities here.

During the execution of the second search warrant, the “Midyear team flagged all potentially work-related emails [between Huma Abedin and Hillary Rodham Clinton] encountered during the review process and compared those to emails that they had previously reviewed in other datasets”. *OIG Report*, page 389. This review resulted in identifying 48,892 items related to Ms. Clinton on the device, of which 6,827 were identified as emails between Ms. Abedin and Ms. Clinton. *Id.* Of these 6,827 emails, it was determined that 3,077 were “work-related”. *Id.* According to the report, the FBI only reviewed emails to or from Clinton during the period in which she was Secretary of State, and not emails from Abedin to other parties or emails outside that period. *Id.* However, at least 2 emails between Ms. Abedin and a third party were reviewed because it was ultimately determined that Ms. Abedin had forwarded 2 emails containing classified information to her husband. *Id.* That at least 2 emails not exclusively between Ms. Clinton and Ms. Abedin were reviewed suggests that the review was not in fact limited to only communications between Ms. Abedin and Ms. Clinton. Analysts on the Midyear team subsequently drafted a document summarizing the review of the Weiner laptop entitled, “Anthony Weiner Laptop Review for Communications Pertinent to Midyear Exam”, dated November 15, 2016. *Id.*

Given that any affidavit for probable cause for a third search warrant of the Weiner laptop would necessarily need to articulate whether the device is already known to contain communications related to the matters currently under investigation here, it is necessary for the investigative team here to have access to the work product related to the previously executed search warrants to be able to determine whether relevant information was observed during the previous search warrant executions.

Any communications between Ms. Abedin and Ms. Clinton related to any matters now under investigation in the Eastern District of Arkansas would be relevant to a proposed search warrant. *See page 316 of OIG Report in which FBI S.A. Peter Strzok is quoted regarding the relationship between Ms. Clinton and Ms. Abedin as follows: “...Huma was frequently used, my recollection, as kind of a proxy for the, for Secretary Clinton. So if people wanted to get something to Clinton, they’d email it to Huma and say please print for the Secretary. And she would, she was a gatekeeper in that way.”*

Any communications between Ms. Abedin and other subjects of interest related to any matters now under investigation here in the Eastern District of Arkansas would be relevant to a proposed search warrant.

The U.S. Attorney’s office for the Eastern District of Arkansas is officially requesting access to the following items as part of its effort to determine whether sufficient probable cause exists to seek a third search warrant of the Weiner laptop:

[REDACTED]

1. REPORT titled, "Anthony Weiner Laptop Review for Communications Pertinent to Midyear Exam", dated November 15, 2016.
2. Additional INFORMATION concerning data on Weiner laptop known to FBI prior to execution of second search warrant. To include:
 - a. Identities of third parties Ms. Abedin had electronically communicated. *See OIG Report pg. 306 which states, "In order to stay within the scope authorized by the warrant, [the case agent] sorted the emails recovered by sender."*
 - b. *Additional unknown information. See OIG Report pg. 322 which quotes former FBI Director James Comey as follows, "...but somehow technically they got the stuff transferred down here and figured out how they could – what they could look at properly without a warrant and had been able to look at an image of that computer and what they saw led them to believe that they needed to go get a search warrant." AND ALSO OIG Report pg. 318 which quotes former FBI Assistant Director Andrew McCabe as follows: "I think they had looked a little bit deeper than just the tos and froms and could actually say, like you know, I seem to remember in the kind of legally restricted view it was just kind of a snapshot having looking, you know, at stuff and then determined they couldn't look further. That's how they had a sense of what was there. Now, at this point, we had done some sort of more extensive review to say, okay, yeah, it's like this number between these people, that sort of thing."*
3. The identity and access for an INTERVIEW with the LEAD ANALYST that performed forensic analysis of Weiner laptop at OTD (Quantic) between October 30, 2016 and November 6, 2016 so as to determine:
 - a. Whether any of his/her work product contains evidence relevant to the EDAR investigation from the "full review" of the 48,892 subset of 694,000 items recovered from the Weiner laptop.
 - b. Whether any of the 6,827 emails between Ms. Abedin and Ms. Clinton contain evidence relevant to the EDAR investigation.
 - c. Whether evidence concerning additional third parties with which Ms. Abedin communicated (beyond Mr. Weiner) were identified and if so, to then compare such information with known subjects of the EDAR investigation for an assessment as to whether the device potentially contains relevant evidence. Apparently this was also done by the NYO that executed the first search warrant.
 - d. Describe and provide information related to record keeping process of specific steps taken to review all relevant metadata information sets and how such information was cataloged/described so as to determine whether this process resulted in describing evidence relevant to investigation in EDAR.
 - e. Describe and provide information related to process used to "rapidly de-duplicate" the emails
4. Whether PRESERVATION REQUESTS were made for Ms. Abedin's email accounts at yahoo.com, Clinton.com, Clinton.gov, Clintonfoundation.org, @AW.com, Clintonemail.com, hillaryclinton.com, presidentclinton.com. And if so, access to information concerning any preserved data and whether additional search warrants were obtained. If additional search warrants were obtained, then access to basic information related to the execution of such search warrants that might also contain evidence relevant to the EDAR investigation.
5. WEINER'S ICLOUD account Information that was voluntarily turned over by his

attorney (but not communications between Ms. Abedin and Mr. Weiner that may be protected by marital privilege) See OIG Report page 279.

The U.S. Attorney's office for the Eastern District of Arkansas is also requesting that the FBI provide the following items relevant to the investigation here:

1. A copy of any IMMUNITY AGREEMENT given to Ms. Abedin, so as to determine whether the EDAR is bound by such an agreement.
2. ALL RECORDS related to the DENIAL OF REQUESTS TO PERFORM INVESTIGATIVE ACTIONS regarding the investigation of the CLINTON FOUNDATION by FBI Special Agents in the Southern District of New York and the Eastern District of Arkansas. SEE OIG Report pg. 348. ". . . numerous witnesses told us that agents involved in the Clinton Investigation were instructed to take no overt investigative steps prior to the election."
3. ANY KNOWN RECORDS related to actions (if any) by any FBI personnel to intentionally not share known relevant information observed on the Weiner laptop gained from the second search warrant with the investigation team in the Eastern District of Arkansas.

If you have any questions concerning this request, please contact me at any time.

Thank you,

Jonathan D. Ross
First Assistant United States Attorney
Eastern District of Arkansas
425 West Capitol Avenue
Little Rock, Arkansas 72201


jonathan.d.ross@doj.gov 

The information contained in this transmission is property of the United States and may be privileged and sensitive. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately.



From: [Hiland, Cody \(USAARE\)](#)
To: [Huber, John \(USAUT\)](#)
Cc: [Ross, Jonathan D. \(USAARE\)](#)
Subject: Re: FBI Agent
Date: Monday, July 16, 2018 7:55:31 AM

Also, my local SAC indicated on Friday that the email we sent (the one I forwarded to you) requesting information related to the AW device has “ruffled some feathers.”

I’m not exactly sure whose feathers were ruffled or whether that’s an accurate representation of what’s happened. Nonetheless, probably intel you should be aware of in the event it becomes relevant.

For the record, I’m not worried about ruffling feathers so long as we gain appropriate access to the information and data that’s already in house relevant to the investigation. I could maybe understand it being withheld pending the OIG report but withholding now is concerning (assuming it continues to be withheld). We still haven’t received any response from that request.

Cody

Sent from my iPhone

On Jul 15, 2018, at 8:33 PM, Huber, John (USAUT) <[JHuber@\[REDACTED\].doj](mailto:JHuber@[REDACTED].doj)> wrote:

Cody and Jonathan:

I am reviewing my notes. Have you connected with FBI Special Agent [REDACTED] in your work? He gave me a briefing earlier this year and at one time he was the top authority on the work you are doing. He was transferred several months ago from HQ to Los Angeles. If you haven’t connected with him, it may be helpful to you.

*John Huber
United States Attorney
District of Utah*

[REDACTED]

From: [Ross, Jonathan D. \(USAARE\)](#)
 To: [REDACTED] (LR) (FBI); [Hiland, Cody \(USAARE\)](#)
 Cc: [REDACTED] (LR) (FBI); [REDACTED] (LR) (FBI); [REDACTED] (LR) (FBI); [REDACTED] (LR) (FBI); [REDACTED] (LR) (FBI); [REDACTED] (LR) (FBI)
 Subject: RE: Request for lead information
 Date: Friday, August 24, 2018 3:58:00 PM
 Attachments: [U.S. House Hearing - 113-43 - The Abu Dhabi Pre-Clearance Facility.pdf](#)
[JW-v-State-Abedin-Deposition-01363.pdf](#)

[REDACTED]

As you noted in your email from 8/15, I did reference a list of approximately nine questions/tasks in our meeting on 8/13. The list I referenced was specific to the Abu Dhabi pre-clearance facility. The list contains the most obvious next steps to take as best I can tell and is as follows:

ABU DHABI:

1. to obtain all Dept. of State internal documentation of the conflict of interest review process to ascertain whether the appropriate authorizations were obtained for speeches made by former President Clinton, and if so, an assessment as to whether full disclosures were made in order for an accurate determination(s) to be made to comply with 18 U.S.C. 208
2. Obtain copies of the original 2009 application by Etihad Airways to gain a pre-clearance facility in U.A.E. submitted to the State Department and Department of Homeland Security as well as the supporting internal memoranda/documents that explain why the application was rejected.
3. Interviews of the officials that made the Department's decision to reject the original application.*
4. Obtain copies of the successful 2011 application and authorization documents from both State Department and Department of Homeland Security.
5. Interviews of the officials that approved the application. *
6. Interviews with the APCO Worldwide officials (lobbying firm hired by Etihad to lobby U.S. Government for approval of the pre-clearance facility) and any additional individuals identified by such interviews. It should be noted that APCO Worldwide is the same consulting firm that was hired by Rosatom to lobby on behalf of the Russian Government for the acquisition of Uranium One, and also a donor to the Foundation. *
7. Interviews with potential U.S. Government officials in UAE at the time that the facility was approved regarding any communications and/or the negotiations process. *
8. Interviews with Etihad airways officials and UAE government officials concerning the approval process. *
9. An assessment of the relationship between the UAE Government and the Varkey GEMS Foundation as to whether the Varkey GEMS Foundation works to advance the interests of the UAE Government. And consideration of potential interviews with Varkey GEMS Foundation officials based in UAE that donated \$5.6 million to former President Clinton from 2011 through 2014.
10. Review of the State Street bank records to determine whether there are additional bank records that should be requested by [REDACTED].
11. An assessment of the attached testimony transcript from the Congressional hearing on July 10, 2013 in which concerns were provided regarding the approval and construction of the pre-clearance facility. SEE ATTACHMENT

* PLEASE COORDINATE WITH ME PRIOR TO SCHEDULING ANY SUCH INTERVIEWS.

In addition, we are also requesting to consider the following actions or access to records on hand for the following:

1. As to Uranium One: interviews with Mr. Guistra, Mr. Telfer, [REDACTED], the foreign nationals specifically identified by [REDACTED] as having made statements concerning the attempts to use the Foundation as a vehicle to influence the Secretary of State; the career official at the State Department that Undersecretary Fernandez communicated with prior to voting to approve the transactions before CFIUS; and officials at DOE that approved the export authorization for the trucking firm owned and operated by Rosatom after C.F.I.U.S. approval of the U/O acquisition. It should be noted that according to [REDACTED] at C.F.I.U.S., unanimity is required for final approval of all decisions. Because of this unanimity requirement, a single "no" vote for approval results in an

effective veto of the proposed action. As such, simply securing any voting member's agreement to not vote "no", can have a substantial value to any entity seeking to exercise influence on the authorization process.) *

2. Results of any analysis of [REDACTED] and within the possession of the FBI to include [REDACTED] and an assessment as to whether any of these payees are controlled by principals or associates of the Clinton Foundation. We should also meet to discuss the findings so as to determine whether we should follow up with additional [REDACTED] for any of these payees.

3. GILBERT CHAGOURY: In light of the emails released by the State Department pursuant to FOIA litigation that revealed that a foreign individual who had pledged to donate a billion \$ to the Clinton Global Initiative was able to have a Clinton Foundation employee (Doug Band) seek and arrange a meeting with the Secretary of State through Ms. Abedin we are requesting a briefing on the Los Angeles Field Office's Investigation regarding Mr. Chagoury. We also request verification of any donations and total sums received by Clinton Foundation entities by Mr. Chagoury or his affiliated organizations.

My source for this information is: https://www.nytimes.com/2016/08/10/us/politics/emails-renew-questions-about-clinton-foundation-and-state-dept-overlap.html?_r=0

Here's the link to the emails that show this coordination between the State Dept (Abedin) and the Foundation (Doug Band) was obtained by FOIA litigation by Judicial Watch:

<http://www.judicialwatch.org/wp-content/uploads/2016/08/JW-v-State-Abedin-production-9-00684-pg-255-1.pdf>

An article linking to these emails in addition to others showing further alleged coordination between State Department officials and employees of the Clinton Foundation can be found at this link:

<https://www.judicialwatch.org/press-room/press-releases/new-abedin-emails-reveal-hillary-clinton-state-department-gave-special-access-top-clinton-foundation-donors/>

We would also like to formally debrief with Los Angeles FBI SAC Matthew S. Moon regarding his previous knowledge and work on the Chagoury investigation.

In addition, because we have yet to receive the items described below from our request dated July 5, 2018, we repeat our request for access to the following items as part of our effort to determine whether sufficient probable cause exists to seek a third search warrant of the Weiner laptop:

1. REPORT titled, "Anthony Weiner Laptop Review for Communications Pertinent to Midyear Exam", dated November 15, 2016.

2. Additional INFORMATION concerning data on Weiner laptop known to FBI prior to execution of second search warrant.

3. The identity and access for an INTERVIEW with the LEAD ANALYST that performed forensic analysis of Weiner laptop at OTD (Quantico) between October 30, 2016 and November 6, 2016 so as to determine:

a. Whether any of his/her work product contains evidence relevant to the EDAR investigation from the "full review" of the 48,892 subset of 694,000 items recovered from the Weiner laptop.

b. Whether any of the 6,827 emails between Ms. Abedin and Ms. Clinton contain evidence relevant to the EDAR investigation.

c. Whether evidence concerning additional third parties with which Ms. Abedin communicated (beyond Mr. Weiner) were identified and if so, to then compare such information with known subjects of the EDAR investigation for an assessment as to whether the device potentially contains relevant evidence. Apparently this was also done by the NYO that executed the first search warrant.

- d. Describe and provide information related to record keeping process of specific steps taken to review all relevant metadata information sets and how such information was cataloged/described so as to determine whether this process resulted in describing evidence relevant to investigation in EDAR.
 - e. Describe and provide information related to process used to "rapidly de-duplicate" the emails
4. Whether PRESERVATION REQUESTS were made for Ms. Abedin's email accounts at yahoo.com, Clinton.com, Clinton.gov, Clintonfoundation.org, @AW.com, Clintonemail.com, hillaryclinton.com, presidentclinton.com. And if so, access to information concerning any preserved data and whether additional search warrants were obtained. If additional search warrants were obtained, then access to basic information related to the execution of such search warrants that might also contain evidence relevant to the EDAR investigation.
5. WEINER'S ICLOUD account Information that was voluntarily turned over by his attorney (but not communications between Ms. Abedin and Mr. Weiner that may be protected by marital privilege) See OIG Report page 279.

The U.S. Attorney's office for the Eastern District of Arkansas is also requesting that the FBI provide the following items relevant to the investigation here:

1. A copy of any IMMUNITY AGREEMENT given to Ms. Abedin, so as to determine whether the EDAR is bound by such an agreement.

Furthermore, regarding the anticipated task of evaluating a search warrant for the Weiner device, WHERE IS IT PHYSICALLY LOCATED? A search warrant must be sought and issued in the place where the device is physically located.

Also, it has been disclosed to me that Huma Abedin turned over a number of devices to her attorney so that they could be picked up by the FBI, but according to my information, those devices have never been retrieved. Do you have any information about this?

As we gain access to the above described materials for consideration as to a search warrant application for the Weiner device, it is becoming clear that we should simultaneously apply for search warrants of the Clinton Foundation servers for communications between Mr. Band and others at the Clinton Foundation that were coordinating meetings with State Department employees and Foundation donors after apparent gifts/donations to the Clinton Foundation.

Also, after reading through the New York Times article concerning Chagoury, I was led to the Judicial Watch website (noted above). While on that site, I found a deposition transcript that Ms. Abedin gave on June 28, 2016 in which she made several statements about her usage of her Huma@Clintonemail.com to conduct official business for the State Department during her time there and also to conduct personal business for the Clinton Family. That deposition transcript is attached, and based upon my initial review, several portions are material to any search warrant affidavit for a device known to contain emails of Ms. Abedin, such as the Weiner devices and the Foundation servers.

I will be in town all next week if you'd like to meet in person to discuss these tasks.

Thanks,

Jonathan Ross

If you have any questions concerning this request, please contact me at any time.

-----Original Message-----

From: [REDACTED] (LR) (FBI) [REDACTED]
Sent: Wednesday, August 15, 2018 2:28 PM
To: Ross, Jonathan D. (USAARE) <JRoss@[REDACTED].doj>; Hiland, Cody (USAARE) <chiland@[REDACTED].doj>
Cc: [REDACTED] (LR) (FBI) [REDACTED] (LR) (FBI) [REDACTED] (LR) (FBI) [REDACTED] (LR) (FBI) [REDACTED] (LR) (FBI)
Subject: Request for lead information

Jonathan

Good afternoon, per our conversation on Monday, August 13, 2018, you stated you had approximately nine questions/tasks you would like the FBI to address regarding an ongoing corruption investigation. Please provide this list to me as soon as possible so we can begin collecting the necessary information to address those questions/tasks. I look forward to hearing from you in the near future. Thank you and have a good afternoon, [REDACTED]

SSA [REDACTED]
Little Rock FBI
[REDACTED] - Office
[REDACTED] - Cell

[REDACTED]

CLINTON FOUNDATION
Midyear Exam Electronic Evidence

Discovery of HRC's Personal Email Accounts

- January 2009-February 2013 = HRC served as Secretary of State.
- June 2013-August 2014 = State Dept's initial search efforts/responses to congressional inquiries regarding Benghazi.
- Fall 2014 = State Dept request to HRC and other former Secretaries of State (Powell, Rice, Albright) regarding use of personal email accounts while serving as Secretary of State.
- December 2014 – HRC production to State Dept. of 30,490 emails (approx. 55,000 printed pages).
- February/March 2015 – disclosures of HRC's use of personal email account for official government business.
- Summer 2015 – Court orders issued in FOIA litigation initiated by Judicial Watch.

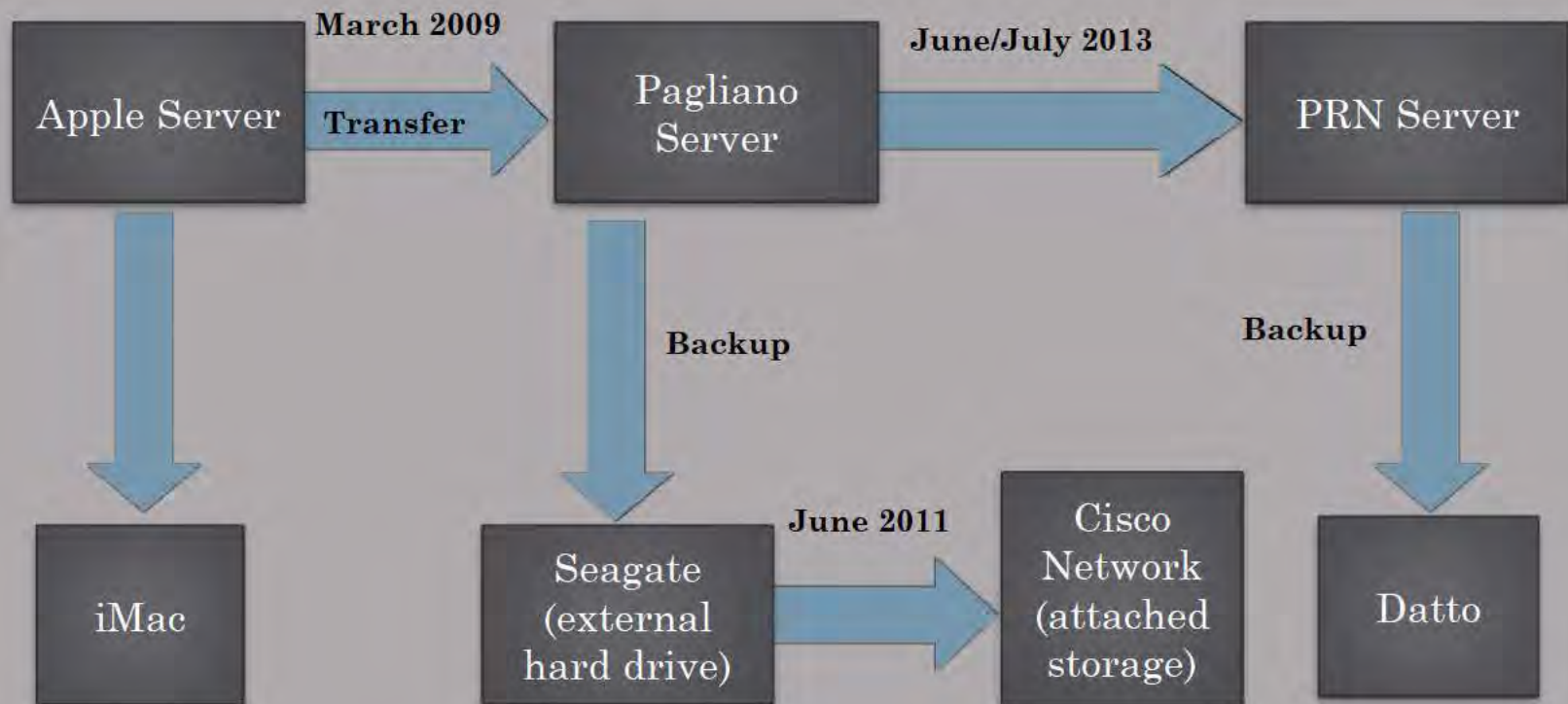
HRC's Non-State Email Accounts

- Prior to January 2009
 - [REDACTED]
 - [REDACTED]
- January 2009-December 2014
 - [REDACTED]
- December 2014-?
 - [REDACTED]

Initiation of MYE Investigation

- March 2015 – Members of Congress request State IG to conduct review of State employees' use of personal email to conduct official business.
 - Coordination with Intel Community (IC) IG.
 - Review of December 2014 production by HRC. At least two emails contained classified info.
- July 2015 – FBI opened a criminal investigation based upon referral from IC IG
 - Whether classified information was transmitted/stored on unclassified systems.
 - IG determined that 81 email chains were transmitted/stored on HRC's unclassified personal server systems.
- August 2015 – HRC's personal attorney (David Kendall) provided to FBI a thumb-drive containing .pst file that included the approx. 30,000 emails produced to State Dept in December 2014.

Storage Devices - @clintonemail.com



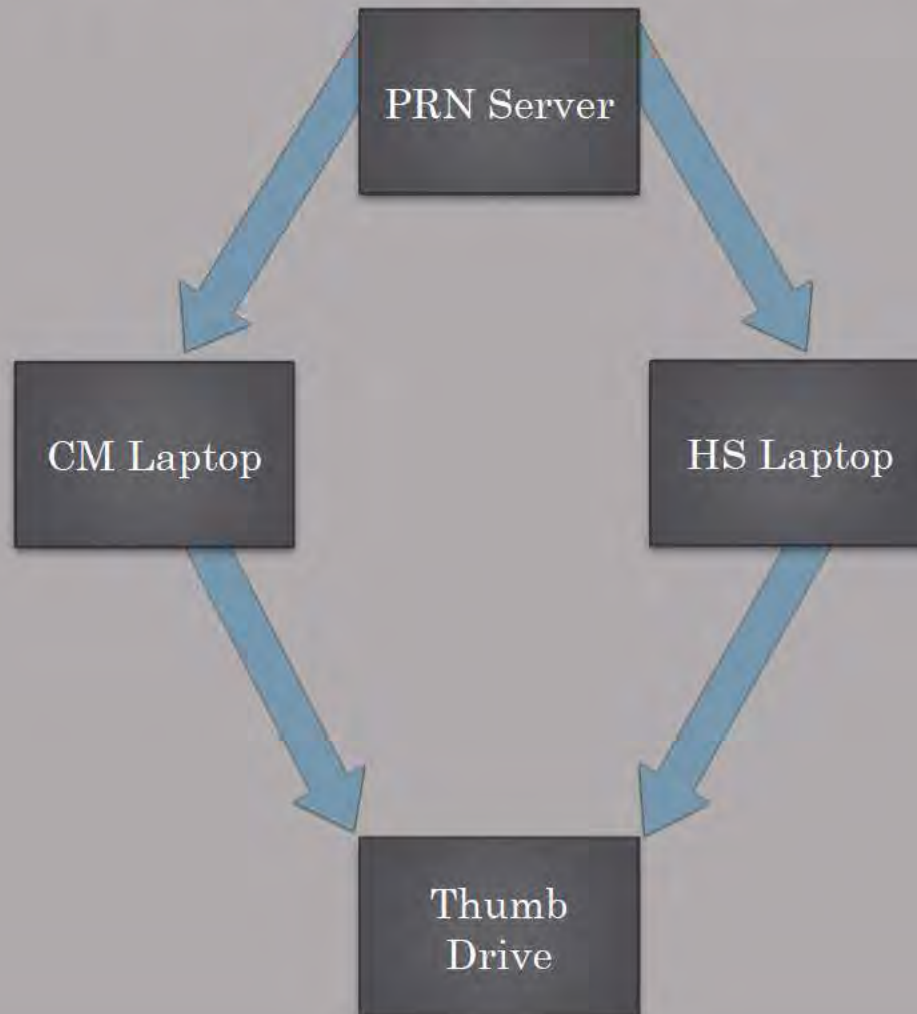
Email Domains on Personal Servers

- @presidentclinton.com
 - Beginning June 2008.
 - Custodians – Doug Band, Hannah Richert, Justin Cooper, Oscar Flores, etc.
- @wjcoffice.com
 - Beginning June 2008.
 - Custodians – Hannah Richert, Justin Cooper, etc.
- @clintonemail.com
 - Beginning January 2009.
 - Custodians – HRC, Huma Abedin, Chelsea Clinton (a/k/a “Diane Reynolds”)
- @hrcoffice.com
 - Beginning December 2014.
 - Custodians – HRC, Huma Abedin, Nick Merrill, Phillippe Reines, etc.

Transfer of Archived HRC Emails



Culling of HRC Emails



Deletion of Emails

- Apple MacBook (1Q 2014) – [REDACTED]
 - Deleted after uploading to [REDACTED] Gmail account.
- [REDACTED] Equipment Gmail (1Q 2014) – [REDACTED]
 - Deleted after transferring archived emails to PRN server.
- CM and HS Laptops (Dec 2014/Jan 2015) – [REDACTED]
 - Use of BleachBit
- PRN Server/Datto Backups – [REDACTED]
 - Dec 2014 – HRC wanted change to retention policy for clintonemail.com domain (not greater than 60 days).
 - [REDACTED] instructed [REDACTED] to make change. Nothing done.
 - March 2015 – [REDACTED] claims he realized that he had not modified retention policy.
 - 3/03/15 preservation orders issued by House Benghazi Committee.
 - 3/25/15 and 3/31/15 conference calls.
 - Deleted email archive using BleachBit.
 - Manually deleted Datto backup.

FBI Search of Storage Devices

- Apple Server
 - Unable to search.
 - In March 2009, was re-purposed for use as personal computer for Chappaqua staff. Hard-drive was discarded.
- iMac
 - Some data from Apple server was transferred to this computer.
 - Search revealed no HRC emails for 2009-2013 period.
- Pagliano Server & Backup Devices (Seagate, Cisco)
 - August 2015 consent – limited to HRC's account.
 - August 2015 search warrant (EDVA)
- PRN Server
 - September 2015 – first notice to DOJ of existence of “successor server,” that it may contain relevant info, and was available for review.
 - October 2015 consent – “evidence relevant to security inquiry”
- Datto Devices
 - September 2015 consent – “evidence relevant to security inquiry”

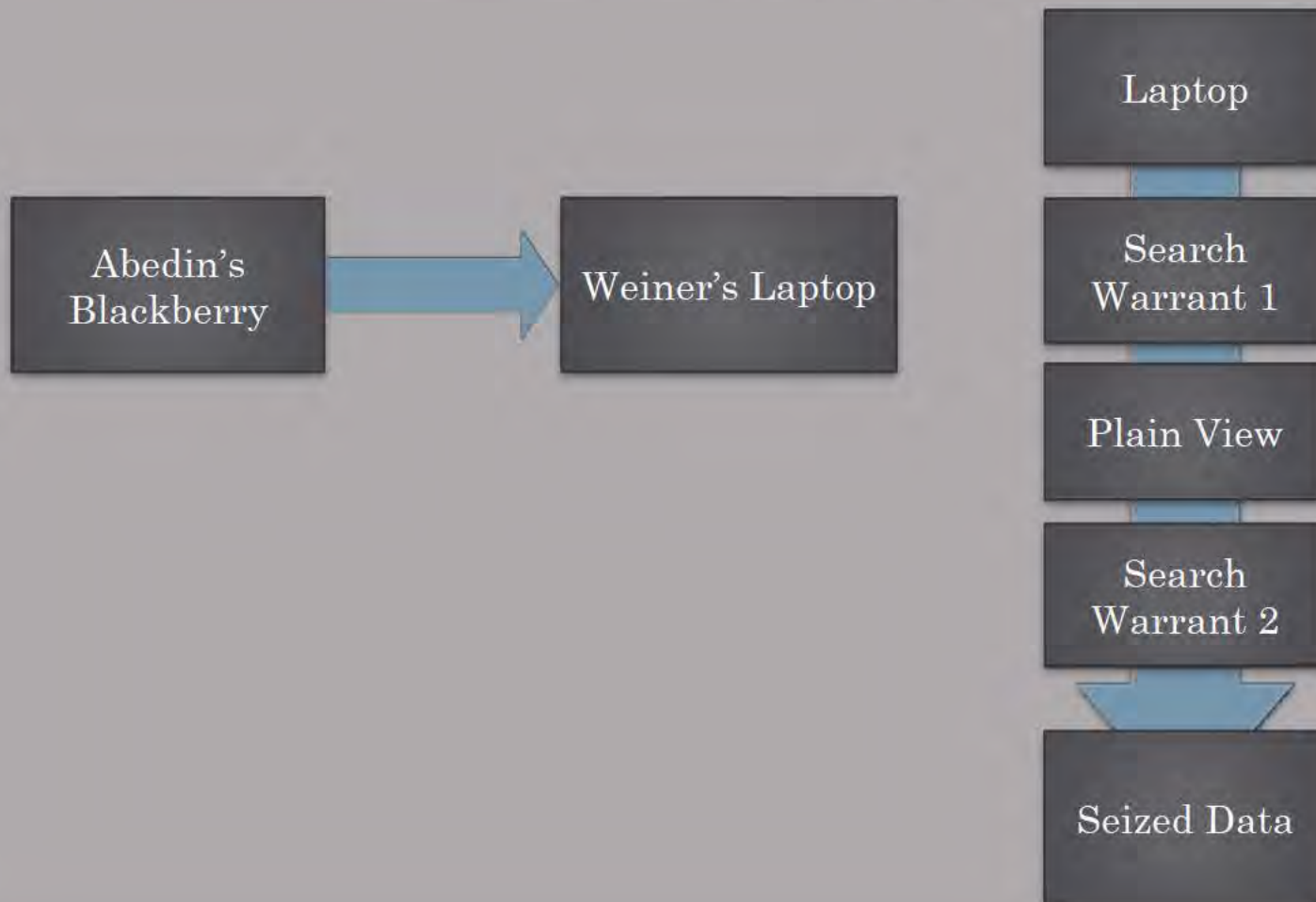
FBI Search of Laptops

- Apple MacBook
 - In early 2014, [REDACTED] discovered the laptop at her residence.
 - During MYE investigation, HRC unable to locate.
- [REDACTED] and [REDACTED] laptops ([REDACTED] Laptops)
 - June 2016 consent
 - Act-of-production immunity agreements.

FBI Search of Email Accounts

- State Department Email Accounts (@state.gov)
 - Cheryl Mills – 2,231 emails
 - Huma Abedin – 8,053 emails
 - Jake Sullivan – 3,547 emails
- Jake Sullivan Gmail
 - Personal email account included on 496 of 30,490 produced by HRC in December 2014.
 - EDVA search warrant (September 2015) – 1,007 emails.
- [REDACTED] Equipment Gmail
 - Discovered in metadata from electronic copies of HRC production made in December 2014.
 - EDVA search warrant (June 2016) – 940 emails.
- Huma Abedin Yahoo
 - 2703(d) order
- Cheryl Mills Gmail
 - 2703(d) order

Weiner Laptop



Recovery of Deleted Emails

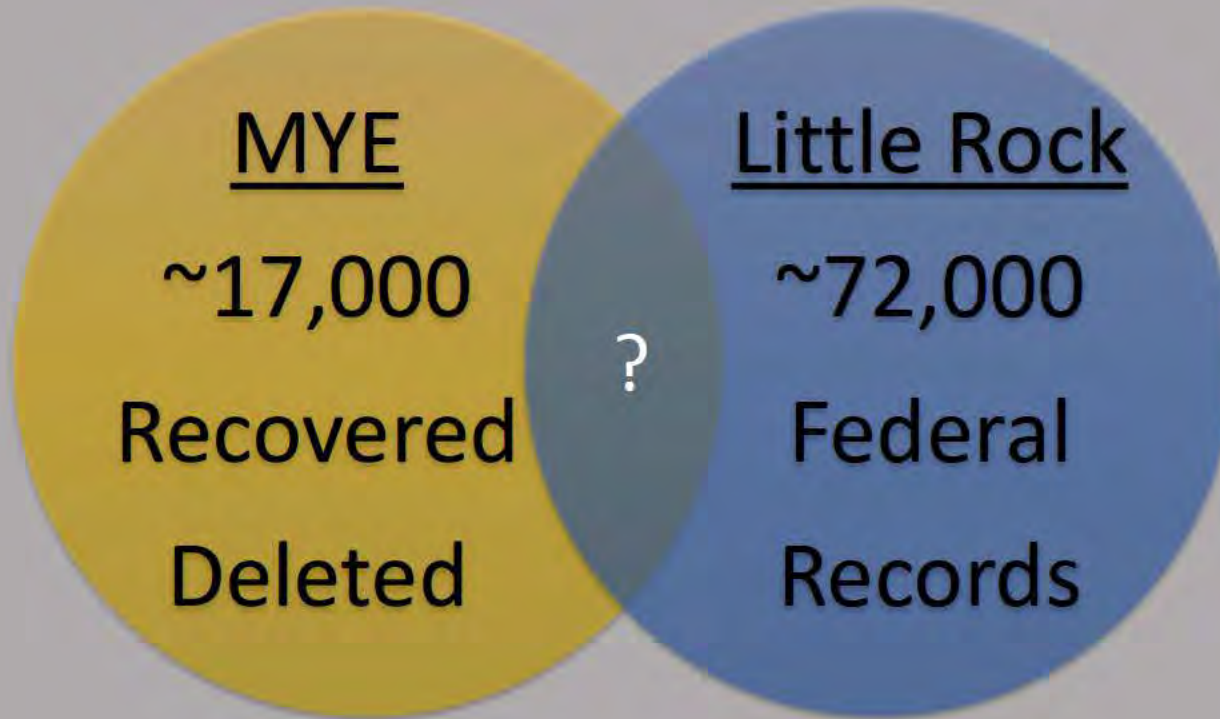
DATASET	TOTAL EMAILS	UNIQUE FROM 30K*
PRN Server	4,801	4,650
Datto	16,276	13,914
CM DoS OpenNet	2,231	377
HA DoS OpenNet	8,053	1,877
JS DoS OpenNet	3,547	958
Carter Heavy Equipment	940	302
Pagliano Server	78	Cannot determine
JC Backups	10,613	Cannot determine
AW Laptop	48,982	Cannot determine
TOTAL		

*Production by HRC (December 2014)

Federal Records

- May-August 2015 – Developments in FOIA case.
 - Litigation reopened due to discovery of HRC's use of personal email account. Need for search of those records for responsive info.
 - State requested electronic versions of emails from HRC. Kendall agreed. However, FBI had taken possession of devices in Aug/Sept 2015. Kendall informed State.
 - State ordered to request that FBI inform it of any info recovered from HRC server that is potentially relevant to FOIA request and not already in State's possession.
- September 2015 – Letter request from State to FBI.
 - Electronic version of December 2014 production by HRC.
 - Any potential federal records recovered from server by FBI.
- July 2016 – FBI transfers MYE emails to State for review under Federal Records Act and FOIA.
 - December 2014 production by HRC.
 - July/August 2016 emails from FBI (MYE emails).
- June 2017 – FBI transfers emails from Weiner laptop to State for review.
- Winter 2018-Spring 2019 – Review of federal records
 - State completes review; FBI requests results.
 - State provides "federal records" to FBI-LR. Approximately 70,000 emails.
 - Reviewed by CF investigative team.

“Confirmation Project”



[REDACTED]

From: [REDACTED] (CRM) [REDACTED]@usdoj.gov>
Sent: Wednesday, May 6, 2020 10:48 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Search Warrant -- Weiner Computer

[REDACTED]: As you know, I had two conversations with Judge Harvey about our application for a search warrant for the image of the Weiner computer containing emails to/from Huma Abedin. During those conversations, Judge Harvey never expressed concern—nor did he ask questions—about the probable cause supporting the application. The sole concern expressed by Judge Harvey related to the government's continued possession of the data on the image that was not "seized" pursuant to the prior search warrants, and its ability to then seek a search warrant now to review that unseized data. His concerns stem from the Second Circuit case, *United States v. Ganius*, 824 F.3d 199, 215-16 (2d Cir. 2016) (en banc), which has no relation to the probable cause supporting a search warrant, but solely to the government's possessory interest in the device it sought to search. In the first telephone call, Judge Harvey specifically stated that he believed the government was acting in good faith in seeking the search warrant.

Thanks.

[REDACTED]
Trial Attorney
Public Integrity Section
Criminal Division
[REDACTED]
[\[REDACTED\]@usdoj.gov](mailto:[REDACTED]@usdoj.gov)

[REDACTED]

From: [REDACTED] (CRM) [REDACTED]@usdoj.gov>
Sent: Wednesday, May 6, 2020 9:36 AM
To: [REDACTED]
Cc: [REDACTED] (CRM)
Subject: Search Warrant -- Withdrawal
Attachments: Withdrawal.Filed.pdf

All: The Judge requested another hearing this morning despite the withdrawal of our application for search warrant. Though I made clear in my email to the Court last night and on the call this morning that if we re-presented the application, we would present it to Judge Harvey, he is going to issue an order in that regard as well. Attached is the Notice of Withdrawal I filed. Note, Judge Harvey was pondering ways to bind the government to submit all future warrants for this device—in any investigation—to him. I explained that I could not bind the Department of Justice writ large in that regard, nor could I be aware of other applications submitted for the device, but this is something you should just be aware of. And, I will share the order when it is received.

Thanks.

[REDACTED]
Trial Attorney
Public Integrity Section
Criminal Division

[REDACTED]
[@usdoj.gov](#)

UNCLASSIFIED//FOUO



FEDERAL BUREAU OF INVESTIGATION
Electronic Communication

Title: (U) Withdrawn Search Warrant - Western
Digital Hard Disk Drive, MODEL WD2003FZEX,
S/N WMC6N0D5ZNA9

Date: 05/20/2020

CC: [REDACTED]

From: WASHINGTON FIELD

WF-[REDACTED]

Contact: [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: 56D-WF-[REDACTED] (U//FOUO) OPERATION BARROOM QUEEN;
Election Law Matters
SENSITIVE INVESTIGATIVE MATTER

Synopsis: (U) Withdrawn Search Warrant - Western Digital Hard Disk
Drive, MODEL WD2003FZEX, S/N WMC6N0D5ZNA9 (Anthony Wiener's Laptop Seized
in 2016)

Reference: 305G-NY-[REDACTED] Serial [REDACTED]

Administrative Notes: (U) 305G-NY-[REDACTED] associated case when the
original laptop was seized. An imaged copy of the laptop is maintained in
evidence as part of the FBI's Mid-Year Exam Investigation 65X-WF-[REDACTED]
(prohibited Case File).

Enclosure(s): Enclosed are the following items:

1. (U) Search Warrant Package
2. (U) Judge G. Michael Harvey (DC Court) Order regarding search of an
image of Anthony Wiener's laptop
3. (U//FOUO) [REDACTED]
4. (U//FOUO) [REDACTED]
5. (U) Relevant Emails between Attorney Mann, SA [REDACTED] regarding this
matter; including Motion to Withdraw

UNCLASSIFIED//FOUO

[REDACTED]

UNCLASSIFIED//FOUO

Title: (U) Withdrawn Search Warrant - Western Digital Hard Disk Drive,
MODEL WD2003FZEX, S/N WMC6N0D5ZNA9

Re: 56D-WF- [REDACTED] 05/20/2020

6. (U) Relevant Emails between Attorney Mann, SA [REDACTED] regarding this
matter; including Motion to Withdraw

7. (U) Relevant Emails between Attorney Mann, SA [REDACTED] regarding this
matter; including Motion to Withdraw

Details:

On May 04, 2020 PIN Trial Attorney filed a search warrant package [REDACTED]

[REDACTED]

The warrant would authorize the examination of the image of Anthony's Weiner laptop which contain emails to/from Huma Abedin, and to seize certain evidence as described in detail in the affidavit.

The package was filed with U.S. Magistrate Judge G. Michael Harvey (District of Columbia). On May 04, 2020 at approximately 3:20 p.m. Judge Harvey's Court contacted SA [REDACTED] and requested if SA [REDACTED] could call the Judge and swear out the warrant earlier than the previously scheduled 4:00 p.m. appointment. SA [REDACTED] spoke with Judge Harvey at approximately 3:25 p.m. whereby Judge Harvey explained he was just looking at the application and requested to speak with the Prosecuting Attorney prior to signing the warrant.

On May 05, 2020 and May 06, 2020 Trial Attorney [REDACTED] spoke with Judge Harvey. During those conversations, Judge Harvey never expressed

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UNCLASSIFIED//FOUO

Title: (U) Withdrawn Search Warrant - Western Digital Hard Disk Drive,
MODEL WD2003FZEX, S/N WMC6N0D5ZNA9
Re: 56D-WF-[REDACTED], 05/20/2020

concern—nor did he ask questions—about the probable cause supporting the application. The sole concern expressed by Judge Harvey related to the government's continued possession of the data on the image that was not "seized" pursuant to the prior search warrants, and its ability to then seek a search warrant now to review that unseized data. His concerns stem from the Second Circuit case, *United States v. Ganas*, 824 F.3d 199, 215-16 (2d Cir. 2016) (en banc), which has no relation to the probable cause supporting a search warrant, but solely to the government's possessory interest in the device it sought to search. In the first telephone call, Judge Harvey specifically stated that he believed the government was acting in good faith in seeking the search warrant. Ultimately the Government decided to withdraw its application (Motion to Withdraw maintained with this EC). The application was not denied.

It was explained to the writer that Judge Harvey would require ex-parte briefs and invite amicus curiae briefs in open court regarding this warrant application. In order to accomplish this the Judge would require the Government to anonymize the application and affidavit so it could be debated in open court. The Judge would assign an Attorney to argue the amicus briefs and invite third-parties to participate. The writer was told the Judge insisted on these briefs prior to him making a decision on signing the warrant. At the time of this writing it was decided by DOJ-PIN (Corey Amundson and John Keller) and FBI WFO management ([REDACTED] and Kevin Vorndran) to not move forward with this litigation. DOJ-PIN and FBI WFO agreed it could potentially be re-visited if more facts concerning the Hard Disk Drive were collected.

[REDACTED]

UNCLASSIFIED//FOUO

UNCLASSIFIED//FOUO

Title: (U) Withdrawn Search Warrant - Western Digital Hard Disk Drive,
MODEL WD2003FZEX, S/N WMC6N0D5ZNA9

Re: 56D-WF-[REDACTED], 05/20/2020

[REDACTED]

◆◆

UNCLASSIFIED//FOUO

[REDACTED]

UNCLASSIFIED



FEDERAL BUREAU OF INVESTIGATION

Collected Item Log

Event Title: (U) Creation of CART Derivative
Evidence NYC021202

Date: 10/30/2016

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: 305G-NY [REDACTED] (U) ANTHONY WEINER;
PRODUCERS OF CHILD PORNOGRAPHY
SENSITIVE INVESTIGATIVE MATTER

Full Investigation Initiated: 09/27/2016

Collected From: CART

Receipt Given?: No

Holding Office: NEW YORK

Details:

Creation of CART DE NYC021202

Item Type	Description
1B Digital	(U) One Western Digital 2TB HDD S/N WMC6N0D5ZNA9 labeled NYC021202 containing Archive copy of NYC020805, 1TB HDD from Dell Inspiron laptop NYC020804
	Collected On: 10/30/2016 05:30 AM EDT
	Seizing Individual: [REDACTED]
	Collected By: [REDACTED]
	Location Area: CART
	Specific Location: 26 Federal Plaza
	Device Type: Hard Drive
	Make: Western Digital
	Model: WD2003FZEX
	Serial Number: WMC6N0D5ZNA9
	Data Capacity: 2TB
	Designation: Derivative
	Number of Devices Collected: 1

UNCLASSIFIED

65X-WF-

 Freeze List

Evidence Item: 65X-WF-
Evidence Type: Digital
Description: (U) One Western Digital 2TB HDD S/N WMC6N0D5ZNA9 labeled NYC021202 containing Archive copy of NYC020805, 1TB HDD from Dell Inspiron laptop NYC020804
Location: - VECR MAIN EVIDENCE CONTROL CENTER (V.ST.)
- VECR DIGITAL (V.ST.)
- VECR, DIG 4, SE
Barcode:

Digital Information

Type:	Hard Drive	Batteries Charged:	No
Make:	Western Digital	Number Collected:	1
Model:	WD2003FZEX	Collected by CART:	Yes
Serial #:	WMC6N0D5ZNA9		
Data Capacity:	2TB		
Designation:	Derivative		

Details

Collected On:	10/30/2016 05:30 AM	FBI Seizure #:	None
	Unknown Time Zone	Abandonment #:	None
CATS ID #:	None		
CATS Abandonment #:	None		

Storage Location

Holding Office: WF - WASHINGTON FIELD
Finalized By:
Last Inventory: 09/23/2024 12:37 PM EDT

Discovery Location

Area: CART
Specific: 26 Federal Plaza
Seizing Individual:
Collected By:

Retention

Retention: Missing

Legal Caveats

None

Linked Entities

Manage Linked Entities in the Evidence Actions Menu

No Linked Entities

Chain of Custody

Relinquished By: [REDACTED] Date: 04/20/2017 04:38 PM
 Accepted By: [REDACTED] Unknown Time Zone
 Reason: Charged In
 Comments: (U) TO WFO ECC/STORAGE.

Relinquished By: [REDACTED] Date: 02/16/2017 01:35 PM
 [REDACTED] Unknown Time Zone
 Reason: Transfer
 Comments: (U) ITEM IS BEING ADMINISTRATIVELY CHARGED IN TO BE ADMINISTRATIVELY TRANSFERRED TO WFO. ITEM WAS FINALIZED BY NY ECU, BUT ITEM WAS NEVER PHYSICALLY SUBMITTED INTO NY ECU. ITEM IS GOING TO BE ADMINISTRATIVELY TRANSFERRED TO WFO ON BEHALF OF [REDACTED]
 [REDACTED]

Relinquished By: [REDACTED] Date: 02/16/2017 01:32 PM
 Accepted By: [REDACTED] Unknown Time Zone
 Reason: Charged In
 Comments: (U) ITEM IS BEING ADMINISTRATIVELY CHARGED IN TO BE ADMINISTRATIVELY TRANSFERRED TO WFO. ITEM WAS FINALIZED BY NY ECU, BUT ITEM WAS NEVER PHYSICALLY SUBMITTED INTO NY ECU. ITEM IS GOING TO BE ADMINISTRATIVELY TRANSFERRED TO WFO ON BEHALF OF [REDACTED]
 [REDACTED]

Relinquished By: [REDACTED] Date: 12/16/2016 10:29 AM
 Accepted By: [REDACTED] Unknown Time Zone
 Reason: Change Custody
 Comments: (U) FOR RETURN/RETURN.

Relinquished By: [REDACTED] Date: 12/13/2016 10:30 AM
 Accepted By: [REDACTED] Unknown Time Zone
 Reason: Received Transfer
 Comments: (U) RETURN/TEMP STORAGE/ACCEPT FROM OTD.

Relinquished By: [REDACTED] Date: 10/30/2016 02:45 PM
 Accepted By: [REDACTED] Unknown Time Zone
 Reason: Change Custody
 Comments: (U) CART EXAM

Relinquished By: [REDACTED] Date: 10/30/2016 01:41 PM
 Accepted By: [REDACTED] Unknown Time Zone
 Reason: Change Custody
 Comments: (U) TRANSPORT

Relinquished By: [REDACTED] Date: 10/30/2016 09:30 AM
 Accepted By: [REDACTED] Unknown Time Zone
 Reason: Change Custody
 Comments: (U) TRANSPORT

FD-1087

Seizing Individual: [REDACTED] **Date:** 10/30/2016 05:30 AM
 Unknown Time Zone
Reason: Initial Collection
Comments: None

Shipping Log

Transferred To: WASHINGTON FIELD by [REDACTED] **Received By:** [REDACTED] on
 [REDACTED] on 02/16/2017
 01:35 PM EST
Shipped Via: FedEx with Tracking #
 XXXX XXXX XXXX

History

Type	Logged By	Serial Reference	Change Date
Moved	[REDACTED]		11/19/2020 11:21 AM EST
[REDACTED]	[REDACTED]		04/21/2017 12:05 PM EDT
Updated	[REDACTED]		04/21/2017 11:50 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:47 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:47 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:47 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:47 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:47 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:47 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:47 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:47 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:47 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:45 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:45 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:45 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:45 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:45 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:45 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:45 AM EDT
Added Chain of Custody	[REDACTED]		04/21/2017 11:45 AM EDT
Added Chain of Custody	[REDACTED]		04/21/2017 11:41 AM EDT

Type	Logged By	Serial Reference	Change Date
Updated Chain of Custody	[REDACTED]		04/21/2017 11:41 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:41 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:41 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:41 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:41 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:41 AM EDT
Updated Chain of Custody	[REDACTED]		04/21/2017 11:41 AM EDT
Received Transfer	[REDACTED]		04/21/2017 11:36 AM EDT
Transfer	[REDACTED]		02/16/2017 01:38 PM EST
Charged In	[REDACTED]		02/16/2017 01:36 PM EST
Added Chain of Custody	[REDACTED]		11/21/2016 09:24 AM EST
Updated Chain of Custody	[REDACTED]		11/21/2016 09:24 AM EST
Updated Chain of Custody	[REDACTED]		11/21/2016 09:24 AM EST
Added Chain of Custody	[REDACTED]		11/21/2016 09:24 AM EST
Charged Out	[REDACTED]		11/21/2016 09:19 AM EST
Finalized	[REDACTED]		11/21/2016 08:55 AM EST
Created	[REDACTED]		10/30/2016 09:15 AM EDT

Acquisition Event

Acquisition Event: (U) Creation of CART Derivative Evidence [REDACTED]
Collected From: (U) CART
Receipt Given: No
Holding Office: NY - NEW YORK
Evidence Log: 305G-NY [REDACTED] - Serial [REDACTED]



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The Clinton Foundation Meeting Timeline

October 17, 2017

2015



In July or August of 2015, WFO SSA [REDACTED] had a brief discussion with Criminal Chief John Malis, U.S. Attorney's Office for the District of Columbia (USAO-DC) regarding the Clinton Foundation (CF) allegations that were the focus of the book "Clinton Cash." Chief Malis was advised SSA [REDACTED] was in the process of attempting to predicate an investigation based on the allegations. Chief Malis in turn expressed interest in the matter and requested they meet to review supporting information sometime in the future. SSA [REDACTED] never met with Chief Malis to discuss further.

During Fall 2015, SSA [REDACTED] may have had one or two brief discussions with the Public Corruption and Financial Crimes Chief/Assistant U.S. Attorney (AUSA) Michael Atkinson, USAO-DC and Ray Hulser, the then Chief of the Public Integrity (PIN) Section at DOJ. These conversations did not focus significantly on the CF matter and any mention was likely ancillary to other discussions, with the intention of informing them SSA [REDACTED] was continuing to study the matter to possibly predicate an investigation.

2016



1/21 ▶ A meeting was hosted by then CCRSB EAD Randall Coleman. The following personnel participated in the meeting: CID - former AD Joseph Campbell, former DAD Timothy Delaney, former DAD Timothy Gallagher, and Acting SC [REDACTED]; CD - AD William Priestap, SC [REDACTED], and SC [REDACTED]; OGC - NSLB Attorney [REDACTED] and ILU Attorney [REDACTED]; WFO - former ADIC Paul Abbate, former SAC David LeValley, former ASAC [REDACTED], SSA [REDACTED], and SA [REDACTED]; NYO - former ADIC Diego Rodriguez, ASAC [REDACTED], and SSA [REDACTED]; LR - former SAC David Resch, and SSA [REDACTED]. The meeting was held to discuss the opening of the Clinton Foundation (CF) investigation. EAD Coleman authorized all three field offices to open investigations but to not take any investigative steps until the matter was discussed with DOJ. CF investigative team access to e-mails from CD's Hillary Clinton server investigation was discussed and requested. CD advised the search/access parameters for their investigation were limited in scope and specific to the server investigation. Therefore, CD advised they would not be able to share any server e-mail information with the CF investigative team.

1/22 ▶ NYO initiated a Preliminary Investigation.

1/27 ▶ LR initiated Full Field Investigation.

1/29 ▶ WFO initiated a Preliminary Investigation. Prior to the opening, unknown exact date, former WFO SAC David LeValley briefed this matter to Criminal Chief Malis, USAO-DC. Malis was aware NYO and LR were also looking into the matter and provided a non-committal response, implying he would wait until the FBI had made a decision on which office would be taking the lead on this investigation. WFO SSA Thibault also contacted AUSA Atkinson, USAO-DC and DOJ's PIN Chief Hulser. The USAO-DC expressed interest in the case, but was not prepared to offer a prosecutorial opinion. DOJ-PIN would not offer a prosecutorial opinion until the case was presented to DOJ leadership (no specific names provided) by FBIHQ.

2/1 ▶ EAD Coleman and CID personnel (AD Joseph Campbell and DAD Timothy Delaney) met with DOJ Criminal Division AAG Leslie Caldwell and PIN Chief Hulser regarding the CF investigation. DOJ indicated they would not be supportive of a FBI investigation. No further information was available.

Shortly after the 2/1 CID meeting with DOJ (unknown exact date), LR personnel (former SAC David Resch, possibly former ASAC David Shepard, SSA James Adams and SA Richard McLain), who did not know about the DOJ position mentioned above, briefed the Eastern District of Arkansas (EDAR) U.S. Attorney (USA) Chris Thyer, First Assistant Patrick Harris, (U//FOUO) FBI DOJ-OIG ELEC 041551



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The Clinton Foundation Meeting Timeline

2016



and Criminal Chief John Ray White on the CF matter. USA Thyer was told by LR personnel (either by former SAC Resch or SSA [REDACTED]) he may not want to be a party to the briefing because of conflicts of interest. LR expressed these concerns due to the possibility that USA Thyer was believed to be a supporter of the Democratic Party and possibly the Clintons. Thyer advised he was fine and participated in the briefing. After the briefing, USA Thyer stated he wished he could "unhear" the briefing, but agreed to move forward. EDAR USAO advised they were fully committed.

2/1 to 2/22

Between 2/1 and 2/22, former SAC Resch learned from former EAD Coleman and/or former CID AD Campbell that DOJ was implying this case was just based on open source reporting and fishing through a book. SAC Resch advised CID LR's case was opened based on Suspicious Activity Report (SAR) reporting and investigative work, in addition to open source reporting – a source often used to open PC cases, as appropriate.

2/17

NYO former SAC Michael Harpster, ASAC [REDACTED] and SSA [REDACTED] discussed NYO's investigative plan. Later in the same day, former NYO ADIC Diego Rodriguez, SAC Harpster and ASAC [REDACTED] met to discuss the plan.

2/17

A SVTC meeting was then held between NYO ADIC Rodriguez, NYO SAC Harpster, WFO ADIC Abbate, and Deputy Director (DD) McCabe, who led the meeting. Former CID AD Campbell also participated in the SVTC. It is unknown if LR personnel participated in this meeting. DD McCabe was advised by NYO of a NYO CHS who possibly had information on the matter. DD McCabe directed that no overt investigative steps were to be taken on the CF investigation without his approval. He authorized the debriefing of open CHS(s) and analysis of information pertaining to the CF found in FBI databases. DD McCabe had been briefed on the CF matter previously, possibly by EAD Coleman or AD Campbell but it is unknown to what extent.

2/22

CID hosted a SVTC with WFO, NYO, and LR, led by former CID AD Campbell. CID advised all overt investigative steps related to the CF investigation would require DD approval with the exception of speaking to open CHSs. FBI Divisions were directed not to open or recruit any new CHSs, and no additional overt investigative steps were authorized.

3/1

LR SSA [REDACTED], at the direction of former SAC Resch, sent an email to CID (SSA [REDACTED]) requesting concurrence for LR to obtain supporting documents of the SAR, if the POC would be willing to provide them voluntarily, thereby following DD McCabe's directives. LR never received permission to seek the documents.

Possibly March, unknown exact date, EDAR Criminal Chief White informed LR SSA [REDACTED] that Deputy Attorney General (DAG) Sally Yates, DOJ, ordered EDAR USAO to "shut it down." SSA [REDACTED] notified former LR SAC Resch and ASAC [REDACTED]. SAC Resch and ASAC [REDACTED] did not have any follow-up conversations with the EDAR USAO regarding DAG Yates' order to "shut it down."

3/2

AUSA Nicole Argentieri, the Chief of Eastern District of New York's (EDNYs) Public Integrity Unit advised NYO ASAC [REDACTED] that EDNY Criminal Chief James McGovern spoke with the DAG's office and was told to move forward and meet with a Cooperating Witness (CW). The purpose of the meeting with the CW was for the CW to review transcripts of the recording between the CW and an individual associated with the CF. ASAC [REDACTED] and SSA [REDACTED] discussed meeting with the CW to occur on or about March 10, 2016.



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The Clinton Foundation Meeting Timeline

2016

- 7/19 ▶ DD McCabe was briefed on the CF investigation by CID. It is unknown if he was fully briefed on this previously as he requested a comprehensive briefing. CID provided a full detailed briefing concerning predication of the CF investigation involving open source, CHS, and Suspicious Activity Reports (SAR) information.
- 8/1 ▶ CID hosted a SVTC with WFO, NYO, and LR. CID advised this investigation would be consolidated into one case file and worked by the NYO. NYO was determined to have the best opportunity to pursue this investigation proactively using an existing CHS and due to the fact the majority of the CF operations were based out of New York City. Additionally, having three field offices pursuing the same subject/target was inefficient and duplicative. WFO and LR were directed to close their investigations due to the consolidation. NYO was advised no overt investigative action was to take place unless authorized by the Deputy Director. Analysis of ██████████ obtained through a related LA investigation and the debriefing of existing CHSs were authorized. Analysis of Hillary Clinton e-mails obtained through the State Department during the WFO investigation on Governor McAuliffe was also authorized.
- 8/10 ▶ ASAC ██████████ and EDNY First Assistant Bridget Rohde had a telephone conversation in which ASAC ██████████ requested a commitment from the EDNY for moving forward with at least obtaining ██████████ First Assistant Rohde advised she would let ASAC Khouzami know upon review and discussion with her personnel.
- 8/16 ▶ NYO SSA ██████████ contacted EDNY AUSA Argentieri, to request ██████████. This was the only ██████████ request made by FBI NYO to EDNY.
- 8/23 ▶ EDNY AUSA Argentieri and SSA ██████████ met to discuss ██████████. Later in the same day, ASAC ██████████ contacted First Assistant Rohde who advised that she will be meeting with U.S. Attorney (USA) Robert Capers to decide whether or not to move forward with the ██████████.
- 8/24 ▶ ASAC ██████████ met with James Gatta, Chief of the EDNY's Criminal Division and was informed EDNY would not support the investigation. No further explanation was given.
- 8/24 ▶ ASAC ██████████ then contacted the Southern District of New York (SDNY) USAO, First Assistant Joon Kim as to whether or not they would support the investigation. No response was provided to ASAC ██████████ by SDNY at that time.
- 8/25 ▶ SSA ██████████ had a conversation with SDNY PC Chief Andrew Goldstein about the same matter. Goldstein advised more than likely the decision will be not to proceed. No further explanation was given.
- 8/25 ▶ ASAC ██████████ spoke with SDNY First Assistant Joon Kim. Kim advised he spoke with someone at the Office of the Deputy Attorney General (ODAG) who advised Kim that Matthew Axelrod, Principal Deputy Attorney General, DOJ, had a conversation with FBIHQ (specifics not provided) and was under the impression the NYO was not looking for any legal process and simply reviewing documentation internally in the NYO's possession. SDNY advised they would not support the investigation and no further explanation was given.

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The Clinton Foundation Meeting Timeline

2016



- 8/26 ▶ ASAC [REDACTED] requested a declination letter from EDNY Chief James Gatta. Gatta advised it is generally not done but would check with First Assistant Rohde to determine if she would do so.
- 9/1 ▶ Telcal between incoming ADIC Sweeney from DD regarding CF and EDNY with DD directing no overt action; review only, and requesting Sweeney relay the same to NYO SAC Harpster. DD had received call from ODAG asking why NYO was shopping the CF case around. ADIC Sweeney placed call to NYO SAC Michael Harpster relaying DD's direction that there be no overt action; review only.
- 10/24 ▶ Telcal between ADIC Sweeney and EDNY USA Capers on several different matters to include brief discussion on WSJ article about Clinton/McCauliffe.
- 10/25 ▶ SVTC (D, DD, ADIC NYO) which included brief update on Weiner investigation; overt legal process and ability to get federal search warrant for the Weiner laptop. Note: This small group discussion occurred after two separate larger group discussions during the same SVTC session. DD advised need to move forward and request action consistent with DOJ guidelines relative to election. In follow-up telcal between ADIC Sweeney and DD, DD is reminded that EDNY had previously stated not interested in pursuing CF matter, but then changed to no legal process [REDACTED] until after the election.
- 10/25 ▶ Telcals between ADIC Sweeney and EAD Coleman and separately AD Richardson. Both advised of SVTC mtg with D/DD and advised guidance given during that SVTC from DD was to seek legal process if that was deemed needed in accordance with DOJ guidelines. AD CID advised that was contrary to previous guidance which was no overt legal process to be sought.
- 10/26 ▶ Telconf w/Attorney General, DD, EAD Coleman, ADIC Sweeney, EDNY USA Capers, et al re: Garner leaks and AG's displeasure. AG gives specific guidance on warning personnel about leaks.
- 10/26 ▶ In a follow-up call to the one above, the DD advises ADIC NYO and EAD Coleman that he wanted to be on the record recusing himself from the Clinton Foundation case. ADIC NYO advised he would communicate information to EAD Coleman.
- 10/30 ▶ Telcal from DD to ADIC Sweeney regarding WSJ article, concern over leaks and need to advise folks of media policy. Follow-up telcals w/ADIC Abbate; EAD Coleman, and EAD Steinbach on WSJ article and DD's direction.
- 11/1 ▶ DD sent an email recusing himself from the Clinton Foundation investigation.
- 11/1 ▶ ADIC Sweeney request to EAD Coleman to add CF investigative personnel to Weiner review team or to provide CF briefing to the Weiner review team. Anthony Weiner, former U.S. Congressman (New York), and the husband of Huma Abedin, Hillary Clinton's Chief of Staff, was the subject of a federal crimes against children investigation. A search warrant was obtained for his laptop and initial review revealed e-mails related to Abedin and Hillary Clinton. However, due to the limited scope of the search warrant, investigators were not able to fully review e-mails outside the scope of the underlying investigation. In May 2017, Weiner pled guilty to transferring obscene materials to a minor.
- 11/2 ▶ AD Priestap is advised by ADIC Sweeney that the POC for coordinating/handling discussion of potential Clinton Foundation information that may be seen in plain view during Weiner laptop search is NYO SSA [REDACTED]



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The Clinton Foundation Meeting Timeline

2016

11/22

Mtg @ EDNY (SAC McGarrity, ADIC Sweeney, USA Capers, 1st Assistant Rohde, Criminal Chief James Gatta) concerning moving forward on CF investigation now that election is over consistent with previous understanding. Criminal Chief Gatta advised EDNY had some concerns regarding statute of limitations. USA Capers was more direct and advised he looked at the issue in three buckets: (1) he was personally concerned about the depiction of him in recent articles [note WSJ article on 11/2/2016 by ██████████ regarding tension between FBI and DOJ and specifically cites USA Capers] (2) the case could have statute of limitations issues, and (3) USA Capers wanted to close this chapter and move forward. USA Capers advised he did not think DOJ/PIN would have an issue to pursue the case because there was no longer an election reason not to move forward and EDNY could pursue if in fact they decided to do so. EDNY requested additional time to contact DOJ/PIN. USA Capers and Criminal Chief Gatta shortly thereafter notified ADIC Sweeney and SAC McGarrity respectively that EDNY would not proceed with the Clinton Foundation investigation. USA Capers advised ADIC Sweeney that he did not contact DOJ/PIN again on matter.

12/1

NYO SAC McGarrity and ASAC ██████████ met with SDNY First Assistant Kim, Criminal Chief Lisa Zornberg, Public Corruption Chief Goldstein, and AUSA Tatiana Martins to discuss whether SDNY would open a case on the CF and assist NYO with subpoenas. SDNY requested time to speak with EDNY and DOJ/PIN.

12/9

SDNY First Assistant Joon Kim called SAC McGarrity and advised he consulted with EDNY Criminal Chief Gatta and the ODAG. He advised the ODAG left it up to SDNY to make the decision. First Assistant Kim advised he spoke to SDNY USA Preet Bharara, Criminal Chief Zornberg, and the SDNY's Public Corruption Section on the matter and then stated SDNY was not in a position to disagree with EDNY and therefore SDNY declined to pursue the investigation into the Clinton Foundation.

12/20

A SVTC was held with LAFO, NYO, and FBIHQ. Participants included ADD Bowdich, EAD Abbate, NYO ADIC Sweeney, LAFO ADIC Deirdre Fike, General Counsel James Baker, NYO ASAC ██████████ and NYO ASAC ██████████. The purpose of the SVTC was to discuss how to move forward on the investigation. FBIHQ advised there would be guidance from the Director's office soon after the New Year.

12/23

EDNY USA advises ADIC Sweeney that he is not likely to authorize a declination letter because he was burned before on a different case. He agreed to meet after the New Year. ADIC Sweeney advised that a case wasn't presented for prosecution and that it is not a legitimate declination. Separately, ADIC Sweeney advised USA Capers of leaks admitted to by Supervisory Special Agent ██████████ who provided the WSJ information on an insider trading investigation being conducted by SDNY. ██████████ had also been previously assigned to the Garner investigation with EDNY, but ██████████ had stated he was not the source of leaks on Garner.

2016

2017

1/11

ADD Bowdich hosted a SVTC with EAD Abbate, CID AD Richardson, DAD Hacker, SC Moon. The NYO, WFO, LAFO, and LR each briefed their respective holdings on case. NYO advised FBI NYO still did not have a USAO willing to work the case and provide ██████████. LR briefed that their USA was willing to work the case.



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The Clinton Foundation Meeting Timeline

2017

- 1/17 → ADD Bowdich sent an email to NYO, WFO, LR, CID advising that following a meeting with Director Comey, a decision had been made to assign FBI Special counsel [REDACTED] to conduct a 30 day in-depth review of the CF investigation.
- 4/10 → Director Comey was briefed on the Clinton Foundation investigation. ADD Bowdich, EAD Abbate, CID, WFO, NYO, and LR participated in the briefing.
- 7/7 → A meeting was hosted by ADD Bowdich to discuss a way forward. EAD Abbate, CID, WFO, NYO, LR, and OGC participated in the briefing.
- 7/24 → LR SAC Diane Upchurch spoke with the Eastern District of Arkansas (EDAR) USAO, Acting USA Patrick Harris. SSA [REDACTED] also separately spoke with EDAR Criminal Chief John Ray White. EDAR was supportive and agreed to [REDACTED], but would require DOJ concurrence before moving forward.
- 8/2 → AD Stephen Richardson and DAD J.C. Hacker met with DOJ-Criminal Division's Acting Assistant Attorney General (AAG) Kenneth Blanco and Deputy AAG (DAAG) Raymond Hulser.
- SC Matthew Moon and UC [REDACTED] from CID and [REDACTED] Special Counsel to the Director met separately with Acting PIN Chief Annalou Tirol and PIN Deputy Chief John Keller to discuss the CF investigation. During both meetings, DOJ personnel indicated USAOs have the autonomy and discretion to pursue any investigation deemed appropriate and EDAR does not require DOJ concurrence to move forward.
- 8/11 → After discussions between LR SAC Upchurch and SC Moon regarding CID's 8/2 meetings with DOJ, SAC Upchurch called EDAR Acting USA Harris to determine if they had heard from DOJ about DOJ's position on the matter -- that EDAR does not need concurrence from DOJ to proceed. Acting USA Harris stated he had not heard from DOJ, but would call them to see if that was true. Acting USA Harris added they continue to fully support LR FBI on this matter and reiterated it was "the right thing to do," since the allegations were like any other PC case that would be worked, albeit this matter was more sensitive than others. However, because DOJ had told them to stand-down last year, Acting USA Harris was going to wait until DOJ gave them concurrence to proceed. It is unknown if Acting USA Harris had contacted DOJ.
- 8/23 → SC Moon, CID received a telephone call from DAAG Hulser who requested follow-up information concerning the 19 CF bank accounts obtained by LAFO during a separate Campaign Finance Fraud investigation. He also requested a copy of the [REDACTED] involving the Clinton Foundation referenced in the Clinton Foundation briefing. SC Moon e-mailed DAAG Hulser a copy of this [REDACTED] dated 7/20/2015).

From: Coleman, Randall C. (CD) (FBI)
Subject: Memorandum for Record
To: Coleman, Randall C. (CD) (FBI)
Sent: November 7, 2016 9:36 AM (UTC-05:00)

Memo For Record: (EAD Coleman was on travel to San Antonio for speaking engagement 09/27 - 10/01) On 09/28/2016, EAD Randall Coleman received for call from AD Bill Sweeney indicating team of Agents investigating Anthony Weiner sexting case had discovered emails relevant to Clinton email investigation. AD Sweeney advised team had halted further review and would be requesting guidance from FBIHQ. EAD Coleman agreed and advised he would notify FBI General Counsel James Baker and DD Andrew McCabe. The call was concluded. On 09/28/2016, immediately after call with AD Sweeney, Coleman telephonically contacted DD McCabe at his office number to advise him of the circumstance described by AD Sweeney. DD McCabe advised he had already been made aware of matter.

On or about 10/03/2016, EAD Coleman verbally advised OGC Baker and Associate Deputy Director David Bowdich of the matter described by AD Sweeney in a "sidebar" meeting after normal DD daily update meeting. OGC Baker advised he was not aware of the matter and would need to look into it further.

It was determined by DD McCabe and EAD Steinbach that any follow on investigative activity concerning the emails located on Anthony Weiner's laptop would be reviewed by the MIDYEAR investigative team.

Randall C. Coleman
Executive Assistant Director



From: [Hiland, Cody \(USAARE\)](#)
To: [Ross, Jonathan D. \(USAARE\)](#)
Subject: RE: timeline
Date: Thursday, December 31, 2020 11:28:13 AM

Sounds good. What a bizarre, unsettling time that was... I'm thankful you and [REDACTED] were there to go through the fire with me...I need to send him a final thank you. [REDACTED] made that comment after I got back from US Attorney orientation. I wonder if that information from the appendices will be turned over to Durham given the recent de-classification authorizations? If not, I'll probably never know what it is. Well, we've done what we can about the interference by DOJ and FBI leadership at the time with the FBI's investigation. Speaking of that, you need a copy of my memo to AG Barr we went up. You need to have all that information to make a call after Durham comes down with whatever's he's bringing.

From: Ross, Jonathan D. (USAARE) <[JRoss@\[REDACTED\].doj](mailto:JRoss@[REDACTED].doj)>
Sent: Thursday, December 31, 2020 10:44 AM
To: Hiland, Cody (USAARE) <[chiland@\[REDACTED\].doj](mailto:chiland@[REDACTED].doj)>
Subject: RE: timeline

Not sure I have the most recent version.

FWIW, I thought we should added:

1. EARS Comment by Diane Upchurch in May of 2019 that we were persisting in an investigation that should have been closed more than a year ago.
2. What appeared to be a leak of the status of the investigation the day after my return from the London interview of G. Chagoury
3. That after our meeting with Huber in January 2018, [REDACTED] showed us a sensitive email from former FBI General Counsel Baker concerning that a certain device would never be reviewed
4. The [REDACTED] comments to you when you first arrived concerning who instructed him to "shut it down"
5. And that despite numerous requests, Main Justice and the FBI refused to grant us access to the sensitive law enforcement appendices to the OIG report that was issued on 6/14/2018 titled " A Review of Various Actions by the FBI and DOJ in Advance of the 2016 Election".

From: Hiland, Cody (USAARE) <[chiland@\[REDACTED\].doj](mailto:chiland@[REDACTED].doj)>
Sent: Thursday, December 31, 2020 10:34 AM
To: Ross, Jonathan D. (USAARE) <[JRoss@\[REDACTED\].doj](mailto:JRoss@[REDACTED].doj)>
Subject: timeline

I made you copies of emails you might need on the cf investigation. Do you have a copy of the final cf timeline? Although, we put it together so quickly we forgot to include 3 critical points so technically there needs to be an amended version adding that information.

Cody Hiland
United States Attorney

[REDACTED] (INSD) (OGA)

From: [REDACTED] (LA) (FBI)
Sent: Monday, April 16, 2018 6:47 PM
To: [REDACTED] (INSD) (OGA)
Subject: Clinton Foundation Info --- UNCLASSIFIED

SentinelCaseId: NON-RECORD

Classification: UNCLASSIFIED
=====

[REDACTED],
Not sure if you are connected to this case but I provided this [REDACTED] ([REDACTED]) as directed by my executive management.

Regards,
[REDACTED]

From: [REDACTED] (LA) (FBI)
Sent: Thursday, January 12, 2017 11:40 AM
To: [REDACTED] (LA) (FBI) [REDACTED]
Subject: FW: Border Health PAC_Financial Innovations --- UNCLASSIFIED

Classification: UNCLASSIFIED
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Sir,

This was the e-mail I received from FBIHQ re: "The Foundation" . I was later told on the phone by SSA [REDACTED] that the direction came from higher, i.e., the DD (McCabe).

Regards,
[REDACTED]

From: [REDACTED] (LA) (FBI)
Sent: Wednesday, July 20, 2016 7:35 AM
To: [REDACTED] (CID) (FBI)
Cc: [REDACTED] (CID) (FBI) [REDACTED] (CID) (FBI)
Subject: RE: Border Health PAC_Financial Innovations --- UNCLASSIFIED

Classification: UNCLASSIFIED
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Good morning! Understood... I appreciate the clarity.

We should be interviewing [REDACTED] soon—perhaps next week. So if he brings up the relationship that [REDACTED] has with the Clintons or the Foundation, then follow-up questions would be a natural progression of the interview. Correct?

At what point can I subpoena records related to CF/Clintons that are case related? I ask this for timing purposes as the F/A s are scheduling out Financial Innovations (Mark S. Weiner's business).

Do we have an expert on nonprofits who is knowledgeable regarding allowable expenses/funding? I ask this because I am curious about "dark money" that appears to be moving from the Foundation and into funding the Clinton's campaign. Has there been any court rulings regarding dark money?

Finally, I understand 6e but for my clarification. Are business records kept or stored or retained during the course of normal business operations—are these records not considered [REDACTED] for purposes of disclosure? Also, under [REDACTED]

Regards,

[REDACTED]

From: [REDACTED] (CID) (FBI)
Sent: Wednesday, July 20, 2016 7:08 AM
To: [REDACTED] (LA) (FBI)
Cc: [REDACTED] (CID) (FBI); [REDACTED] (CID) (FBI)
Subject: RE: Border Health PAC_Financial Innovations --- UNCLASSIFIED

Classification: UNCLASSIFIED
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[REDACTED]

WFO will be getting this heads up as well. Based on the sensitivities surrounding the Clinton Foundation, we just received some guidance from Section Chief level and higher. This will likely change, but for now, here it is:

- You guys are clear to review records you have.
- You are clear to continue investigating [REDACTED] and the [REDACTED]
- Don't subpoena additional records related to the Foundation, the Clintons...
- Don't conduct any interviews related to the Foundation or the Clintons. Even if you are interviewing someone related to your 56 matter, you should not bring up the Foundation etc. (i.e. we do not want to create any impression we are investigating the Clinton Foundation or the Clintons)
- You can't share any of the Foundation bank account info with any other offices. So no more pushing info to WFO on the [REDACTED] case. There were potential [REDACTED] issues cited with this. Additionally, Foundation-related issues are being walled off in general Bureau-wide.

Let me know if you have any questions.

Thanks,

[REDACTED]

From [REDACTED] (LA) (FBI)

From: [Ross, Jonathan D. \(USAARE\)](#)
To: [Ross, Jonathan D. \(USAARE\)](#)
Subject: Re: FBI SAC concerned about possible USAO obstruction investigation concerning FBI just asked US Atty to reassign lead AUSA
Date: Thursday, September 13, 2018 8:58:11 PM

Correction: the allegation is not that I actually called [REDACTED] a liar, but that I IMPLIED that he was lying concerning the production of the [REDACTED] 302.

> On Sep 13, 2018, at 7:28 PM, Ross, Jonathan D. (USAARE) <JRoss@[REDACTED].doj> wrote:

>

> I'm writing this email to my work email to make a contemporaneous record that at approximately 5:00pm today, FBI Little Rock SAC Diane Upchurch initiated a phone call with EDAR US Atty Cody Hiland during which she complained to Mr. Hiland about recent meetings I have had at NSD (Main Justice), Justice OIG, and State Department OIG concerning the Clinton Foundation investigation without her knowledge and also about comments I have made to 2 agents in which they believe I have questioned the agents' integrity. She asked what my intent was concerning the kinds of questions I had been asking concerning government investigators and officials that had previously decided under the former administration to not pursue implied tasks related to the investigation or were ordered to not take such actions. She then said that "maybe you should reassign Jonathan"

>

>

> For the record, the 2 instances where FBI agents feel that they had their character impugned are as follows: in a July 2018 meeting with FBI Little Rock, ASAC [REDACTED] made clear that he did not appreciate that I disagreed with his assertion that he had previously notified me about a related CF investigation in Los Angeles regarding Chagoury after I had just announced in the meeting that I had only learned about the existence of the Chagoury case a few days prior when I called to speak with Los Angeles FBI SAC Matt Moon at USA John Huber's suggestion. To be clear, both now and also when I made that statement, I am sure that I first became aware of the Chagoury case on about July 16th when I first spoke with SAC Moon. It should also be noted that on about May 25, 2018, I was given access to what was represented to me to be "all known 302s" concerning the Clinton Foundation. Those records contained no mention of a Los Angeles case concerning the Foundation nor Mr. Chagoury. To verify this assertion, please note a June 1, 2018 email from myself to US Atty Cody Hiland in which I described all the records I had been given access to which contains no references to the LA case.

>

> The second instance was on August 31 during a SVTC meeting at FBI LR along with FBI WFO [REDACTED], SSA [REDACTED] asserted that he had given previously given me a 302 of a July 5 interview of [REDACTED]. I made clear that he had not provided me with such a document and that my first awareness that such an interview had ever taken place was right then and there during the meeting. Which is true. The 302 was first produced to me the following Wednesday, September 5.

>

> My personal opinion about the failure to have previously produced that 302 to me is of little significance. It has now been produced. Why this SSA [REDACTED] has chosen to complain that I called him a liar over this matter is beyond understanding. I suspect that he is annoyed and alienated with me over my continued work on this case and this is the one thing he feels like he can use to say that the working relationship between us is fractured. It is not. There is no reason that SSA [REDACTED] and I cannot clear the air and move beyond this, unless he has other reasons to refuse to work with me.

>

> I hesitate to draw any conclusions from today's events, but I am making this contemporaneous record of the call by SAC Upchurch to US Atty Hiland so that in the future any review of my emails will yield this record that an FBI SAC growing increasingly irritated and concerned about being scrutinized for potential obstruction of justice has just asked the US Atty to remove me from my post.

[REDACTED]

I have also spoken with an IRS Criminal Investigator here in Little Rock on May 25th who stated that he had reviewed the 6000+ page complaint filed by [REDACTED]. He stated that he finished his report with his recommended actions earlier that week and that it had been sent to his supervisors at IRS. The report is for internal review only, so we cannot be provided with a copy, unless his supervisors grant us access.

CONCERNING THE NEED FOR ADDITIONAL RESOURCES:

I spoke with S.A. [REDACTED] at FBI on May 25th regarding this issue and he indicated that his agency has given him all the resources he needs for now with a commitment to add any additional resources as needed. However, I disagree with this assessment for two reasons. First, the 4 career agents that FBI Little Rock have that are currently allowed to work on public corruption investigations are also assigned to a significant ongoing public corruption investigation here in Arkansas. As you know, that investigation involves at least 3 U.S. Attorney's Offices and could demand the full attention of these agents for the indefinite future. Not only do these agents have their hands full with that investigation, they each have several other significant cases that they are working on. Even without the investigation of the Foundation, I believe that the FBI has allocated inadequate investigative resources to the Little Rock field office. But once you include the Foundation Investigation to their duties, I believe they simply don't have the resources here to give adequate attention to all that they are being asked to do. Furthermore, I believe the agents here have a depressed morale issue concerning their confidence in their authority to investigate the matter due to the email sent by former FAUSA Patrick Harris that he sent to the investigative team on January 30, 2018 in which he stated:

"Thursday, February 1 will be five years since Clinton resigned at state. I believe the statute of limitations has expired and the investigation of Uranium One/CFIUS has expired, as we were assuming that the statute would extend until she was no longer Secretary of State.

I think after February 1, 2018 we have no evidence to suggest we have jurisdiction to investigate matters that occurred more than five years ago and we should not be using [REDACTED] If there are interviews to conduct, so be it but i haven't seen the evidence to suggest another crime. I know there may be allegations of pay to play involving the foundation, but i haven't seen the evidence that gets us out of the statute of limitations problem in as much as Clinton resigned on 2/1/13."

As I have described above, [REDACTED] is simply wrong in his assessment concerning how statutes of limitation impact this investigation. I have met with [REDACTED] and asked him if he was aware of 18 U.S.C. 3287 when he drafted that email. His answer was "No. I've never heard of it". I have described this to the agents as well as other legal dynamics (ongoing payments past Feb 1, 2013, acts of concealment post Feb 1, 2013, and last act in furtherance of a conspiracy after Feb 1, 2013 etc.) and they acknowledge that there is no legal barrier in continuing

the present investigation. However, I believe due to their long term relationship with [REDACTED] and their high confidence in his opinions, the agents here in Little Rock continue to have some question in the back of their minds that suppresses their impetus to run this investigation to the ground. For all these reasons, I think that for this investigation to be adequately resourced, the FBI must allocate some additional agent support. Perhaps, even completely reassign this matter to a separate team of investigators. Furthermore, I also believe that we need additional AUSA support from outside our office. The unique dynamics of how this case has been handled here in our office by the previous management team and the significant caseload of our office is such that I don't have confidence in the ability of our existing staff to support this investigation.

Further complicating our need for resources is that the standard "go to" for such support on Public Corruption cases is Public Integrity at Main Justice. But as we have previously discussed, there appear to be conflicts of interest for the leadership there related to the 2016 investigations that undermine any confidence we might normally have in looking to them for assistance.

These resource issues have uniquely coalesced to the point that I'm not sure how we can ever obtain adequate resources to support this investigation. However, I have confidence that [REDACTED] will be able to work with us to identify a way forward.

One last matter: I also think there are some issues that we need an update from FBI WFO regarding the Weiner laptop as well as some possible other sources of Foundation emails.

Thanks,

Jonathan D. Ross
First Assistant United States Attorney
Eastern District of Arkansas
425 West Capitol Avenue
Little Rock, Arkansas 72201

[REDACTED]
[jonathan.d.ross@\[REDACTED\].doj](mailto:jonathan.d.ross@[REDACTED].doj) [REDACTED]

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FROM USABook CONCERNING THE WARTIME SUSPENSION OF LIMITATIONS ACT:

The Wartime Suspension of Limitations Act ("WSLA"), codified at [18 U.S.C.](#)

[REDACTED]