

# THE IMPLICATIONS OF THE COMPETING FLYNN-BILLINGSLEA STORIES

In advance of Sally Yates' testimony Monday, the WaPo and AP have released stories on concerns about Mike Flynn's ties with Russia during the transition period.

The stories themselves are interesting enough. But *that* and how they differ make them all the more interesting.

The WaPo story makes the Trump White House – and very specifically Marshall Billingslea, whom Trump recently nominated to be Treasury's terrorist finance Assistant Secretary – look the hero of a story about warnings Trump's people gave Mike Flynn about Russia. In this version, after growing concerned that Flynn had showed more interest in meeting Sergey Kislyak than any of the other ambassadors who were pestering him for meetings, Billingslea intervened to obtain CIA's profile of Kislyak in time for a November 28 meeting Flynn and (though this receives far less emphasis) Jared Kushner attended.

Billingslea warned Flynn that Kislyak was likely a target of U.S. surveillance and that his communications – whether with U.S. persons or superiors in Moscow – were undoubtedly being monitored by the FBI and National Security Agency, according to officials familiar with the exchange. Flynn, a retired Army lieutenant general who led the Defense Intelligence Agency, would presumably have been aware of such surveillance.

Billingslea then said that he would obtain a copy of the profile of Kislyak, officials said, a document that Billingslea urged Flynn to read if he were going to communicate with the Russian envoy. Flynn's reaction was noncommittal, officials said, neither

objecting to the feedback nor signaling agreement.

Shortly thereafter, during the week of Nov. 28, Billingslea and other transition officials met with lower-level Obama administration officials in the Situation Room at the White House.

At the end of the meeting, which covered a range of subjects, Billingslea asked for the CIA profile. "Can we get material on Kislyak?" one recalled Billingslea asking.

Days later, Flynn took part in a meeting with Kislyak at Trump Tower. White House spokeswoman Hope Hicks has confirmed that both Flynn and Jared Kushner, Trump's adviser and son-in-law, took part in that session, which was not publicly disclosed at the time.

In that story of the Trump Administration's effort to warn off someone who (unlike the barely mentioned Kushner) had spent a lifetime working with spies of spying, the CIA dossier, which reportedly doesn't say Kislyak is a spy (though other outlets have claimed he is this year) gets *placed in the transition SCIF*.

The CIA bio on Kislyak was placed in a room in the Trump transition offices set up to handle classified material. Officials familiar with the document said that even if Flynn had read it, there was little in it that would have triggered alarms.

The file spanned three or four pages, describing Kislyak's diplomatic career, extensive involvement in arms negotiations, and reputation as a determined proponent of Russian interests. It noted that he routinely reported information back to Moscow and that any information he gathered would be shared with Russia's intelligence

services. But the file did not say Kislyak was a spy.

Compare that key detail to something that appears in the AP version, which is told from the perspective of Obama officials. That story reveals that documents (they're not described as the CIA dossier) were copied and removed from the SCIF.

After learning that highly sensitive documents from a secure room at the transition's Washington headquarters were being copied and removed from the facility, Obama's national security team decided to only allow the transition officials to view some information at the White House, including documents on the government's contingency plans for crises.

In the AP story, Billingslea's request was seen as a warning sign about Flynn's preparation (who, again, had a lifetime of working with spies) to deal with America's adversarial relationship with Russia.

In late November, a member of Donald Trump's transition team approached national security officials in the Obama White House with a curious request: Could the incoming team get a copy of the classified CIA profile on Sergey Kislyak, Russia's ambassador to the United States?

Marshall Billingslea, a former Pentagon and NATO official, wanted the information for his boss, Michael Flynn, who had been tapped by Trump to serve as White House national security adviser. Billingslea knew Flynn would be speaking to Kislyak, according to two former Obama administration officials, and seemed concerned Flynn did not fully understand he was dealing with a man

rumored to have ties to Russian intelligence agencies.

To the Obama White House, Billingslea's concerns were startling: a member of Trump's own team suggesting the incoming Trump administration might be in over its head in dealing with an adversary.

But later in the AP story, it describes the Obama's team's concern that the Kislyak dossier was the only one requested.

Leading up to the revelation that Trump officials copied classified documents from the SCIF (which is how it ends), the AP first warns that some of this story will come out in Sally Yates' testimony next Monday. It also reveals that the Obama Administration withheld information from Trump's team, worried they'd share it with Russia.

In late December, as the White House prepared to levy sanctions and oust Russians living in the in the U.S. in retaliation for the hacks, Obama officials did not brief the Trump team on the decision until shortly before it was announced publicly. The timing was chosen in part because they feared the transition team might give Moscow lead time to clear information out of two compounds the U.S. was shuttering, one official said.

While it's not inappropriate for someone in Flynn's position to have contact with a diplomat, Obama officials said the frequency of his discussions raised enough red flags that aides discussed the possibility Trump was trying to establish a one-to-one line of communication – a so-called back channel – with Russian President Vladimir Putin. Obama aides say they never determined why Flynn was in close contact with the ambassador.

Viewed in comparison, the stories seem like competing efforts to get ahead of what both sides know will come out on Monday. The Trump team, knowing some of what Yates will say (in testimony they tried to prevent), is now making the remaining White House officials look good, and providing a somewhat plausible explanation for obtaining just the Kislyak dossier. But AP's revelation that Trump's people were copying documents from the SCIF that held the dossier raise questions about whether the reason it was obtained was to share the dossier. Neither story mentions what Adam Schiff has, which is that one really interesting detail will be the delay in ousting Flynn after Yates first told the White House of her concerns.

Both the stories leave out a detail the NYT previously reported that seems important, however: that Kislyak meeting, which the spook-savvy Flynn and the young Kushner attended, led to a second and a third, ultimately leading Kushner to meet the FSB-trained head of a sanctioned bank.

Until now, the White House had acknowledged only an early December meeting between Mr. Kislyak and Mr. Kushner, which occurred at Trump Tower and was also attended by Michael T. Flynn, who would briefly serve as the national security adviser.

Later that month, though, Mr. Kislyak requested a second meeting, which Mr. Kushner asked a deputy to attend in his stead, officials said. At Mr. Kislyak's request, Mr. Kushner later met with Sergey N. Gorkov, the chief of Vnesheconombank, which drew sanctions from the Obama administration after President Vladimir V. Putin of Russia annexed Crimea and began meddling in Ukraine.

The subtext of taking the two Billingslea stories and the Sergey Gorkov one together is

that Flynn – or even the President’s son-in-law – may have provided intelligence to the Russians, in events that led up to the closest thing we’ve seen to a possible quid pro quo.

In any case, the dossier seems either better suited to warning Kushner, not Flynn, of the dangers he was navigating, or a document that, if copied and handed to its subject, would be interesting though not devastating intelligence to share.

One final point: this story helps to explain why both the December 28 sanctions and the early January hack report were so awful; remember, too, when first announced, the press had the wrong location of the Long Island compound in question. At the time, I thought both were designed to be a document, any document, ones that didn’t reveal what the intelligence community actually knew (aside from the identities of the 35 expelled diplomats), particularly regarding who actually conducted the DNC hack. The AP story reveals Obama’s team was particularly worried Trump’s team would warn the Russians in time to dismantle some of the communications equipment at the two compounds. The crummy documents, plus the delay in informing Congress of the scope of the investigation until Flynn had been ousted, are both best explained by a concern that the National Security Advisor would share the information directly with Russia.

So will we learn that Flynn – or Kushner – did share such information?