

THE SIMPSON TRANSCRIPT: THE DOSSIER AS PREDICATE

I'm working towards a big post (or a series of small ones) on the Glenn Simpson transcript. I address some of my impressions in this Real News Network video with Aaron Maté from the other day.

Before I do that larger post, however, I want to address something Maté asked me about: whether the Simpson transcript – in which he says that Christopher Steele learned from the FBI about (what independent reporting confirms) the Papadopoulos tip from the Australians – supports or refutes the sharply contested arguments about whether the Steele dossier started the counterintelligence investigation or served as a key source for a FISA warrant against either Carter Page or Paul Manafort. Skeptics of the report that the investigation actually arose from the George Papadopoulos tip have argued that the latest PR effort around the dossier is an attempt to paper over the dossier as the true source of either the investigation or the FISA orders.

As I noted on RNN, the dossier doesn't actually help the anti-Trump narrative as much as people have made out. Simpson testified that Steele decided to reach out to the FBI towards the end of June or beginning of July (after only the first dossier report had been done), and the conversation actually happened the first week of July (a questioner later refers to it as occurring July 5).

Q. And do you recall when you – when you and Mr. Steele decided kind of that he could or should take this to the FBI, approximately the time frame of that?

A. I believe it was sometime around the turn of the month. It would have been in late June or at latest early July.

That's my recollection.

[snip]

Q. Do you have any knowledge of when that first conversation actually then took place?

A. Over the last several months that this has become a public controversy I've learned the general date and I believe it was if first week of July, but I don't believe he told me – if he told me the time, I don't remember when he told me.

Simpson later admits his certainty about these dates comes from Fusion's response to speculation and other reporting.

Q. And that information about that time, that first week of July, where does that come from?

A. It comes from news accounts of these events and conversations between Chris and I and some of my – presumably my business partners too. Generally speaking, we have, as you know, not been eager to discuss any of this in public and there's been a lot of speculation and guessing and stories, many of which are wrong. So when an incorrect story comes out we would, you know, talk about it. So, you know, in the course of those kinds of things I generally obtained a sense of when things occurred that I might otherwise not be able to provide you.

Regardless of how accurate or not this report, it means that Steele spoke with the FBI weeks before the Australian tip is supposed to have come in, which was after Wikileaks started dumping the emails on July 22 (though as I noted with Maté, there are aspects of that story that are sketchy as well). The reference to Steele

learning about what he now believes was the Papadopoulos tip reflects feedback from mid to late September, when the FBI told him his story had been corroborated by a human source, not from that first FBI meeting.

Essentially what he told me was they had other intelligence about this matter from an internal Trump campaign source and that – that they – my understanding was that they believed Chris at this point – that they believed Chris's information might be credible because they had other intelligence that indicated the same thing and one of those pieces of intelligence was a human source from inside the Trump organization.

Later in the transcript Simpson responds in a way that suggests Steele was reading the FBI response rather than learning actual details of the tip; certainly he might have been able to corroborate it back in London.

Q. And did Mr. Steele tell you that the FBI had relayed this information to him?

A. He didn't specifically say that.

Q. I'm going to have you take a look at one of the filings –

MR. FOSTER: I thought you said earlier that he did say the FBI told him.

MR. SIMPSON: I think I was saying we did not have the detailed conversations where he would debrief me on his discussions with the FBI. He would say very generic things like I saw them, they asked me a lot of questions, sounds like they have another source or they have another source. He wouldn't put words in their mouth.

In other words, the record shows that (unless the public story about the Australian tip is

really inaccurate) the pee tape report came in first, and then the Oz tip did.

That said, both of these tips came in before late July, which is when Jim Comey testified the CI investigation started.

Which is where this predicate debate has always gone wrong. It imagines that the FBI opened an investigation into one and only one thing. In addition to those two things, there were the actual hack and the Guccifer 2.0 persona – already perceived to be a Russian operation before the first Steele report came in – along with clear indications Wikileaks was involved with it. There was Carter Page's publicly reported trip and speech in Russia, and the beginnings of the reawakening Paul Manafort scandal. And there were the concerns raised about the change in the GOP platform (though I think that got more press than the evidence justified).

So there were a whole bunch of things leading up to the opening of the investigation. And there's no reason to believe just one predicated the investigation.

Similarly, the case on the FISA orders is mixed (though this is an area, in particular, where the FBI would have an incentive to release partial stories). One of the first reports on Carter Page's FISA order dates it to late summer, when the Trump campaign was distancing itself from him. But later reporting said he had been tapped even before he joined the campaign, in conjunction with his earlier recruitment by Russian spies.

Manafort, too, was reportedly targeted under FISA because of his earlier dalliances with Russia. In his case, the wiretap had lapsed, but was restarted after new details of his corruption forced him off the campaign in August.

As I'll write in my larger post on the Simpson transcript, I don't think all this means the tie between the dossier and the FBI investigation is

above reproach. But it does seem clear that, even if the dossier is one thing that justified the investigation, it was neither the earliest thing nor the only thing.