

THREE DATA POINTS ON GEORGE PAPADOPOULOS

The frothy right has grabbed ahold of this Chuck Ross story, thinking it helps their case, without realizing that the main finding in it actually confirms something Adam Schiff noted in February (which Ross struggled to understand at the time). So I'd like to point out what Papadopoulos said when.

May 10: "Russians might use material that they have on Hillary Clinton in the lead-up to the election, which may be damaging"

Per Ross' quotes from Alexander Downer's April 28 interview, here's what Papadopoulos told Downer on May 10, 2016.

"During that conversation, [Papadopoulos] mentioned the Russians might use material that they have on Hillary Clinton in the lead-up to the election, which may be damaging," Downer told The Australian.

Downer said he felt the information "seemed quite interesting" and "was worth reporting."

That's mostly consistent with a redacted passage of the Schiff memo, which as I noted at the time must say something to the effect of Russia said it had materials that that it would release to help Trump, though given the public record I suspect there's a dispute about whether hurting Hillary in a two-person race amounts to helping Trump.

George Papadopoulos revealed [redacted] that individuals linked to Russia, who took interest in Papadopoulos as a Trump campaign foreign policy adviser, informed him in late April 2016 that Russia [two lines redacted].

Papadopoulos's disclosure, moreover, occurred against the backdrop of Russia's aggressive covert campaign to influence our elections, which the FBI was already monitoring.

That Papadopoulos had not told Downer in May they were emails was made clear by the next line in the Schiff memo, which made it clear HPSCI (but not the US government) only learned Russians had said the damaging material was email (which, if Papadopoulos can be trusted, he took to be the 30,000 emails that Hillary deleted, which the Russians would only have had if they had previously hacked her) when Papadopoulos' plea was released.

We would later learn in Papadopoulos's plea that the information the Russians could assist by anonymously releasing were thousands of Hillary Clinton emails.

In any case, Downer's public statements, as summarized by Ross, confirm what Schiff claimed back in February: Papadopoulos told a virtual stranger in May 2016 that someone had recently approached him, a newly-minuted Trump advisor, and told him Russia had damaging material on Hillary that they were thinking of releasing closer to the election.

Downer makes it clear he reported the Papadopoulos within 48 hours because it "seemed quite interesting" and "was worth reporting." The Australians didn't tell the US, however, until July, after the DNC release made it look like Papadopoulos had predicted that event several months earlier. In response, the FBI opened a CI investigation, and Peter Strzok got on a plane and interviewed Downer. It's possible he checked in with Stefan Halper, who had been chatting up Carter Page, about whom the FBI had had enough concern to interview him back in March, for a few weeks. It's also possible Strzok asked the Brits what they knew about

Joseph Mifsud (or it's possible NSA started targeting Mifsud and captured his communications with the Russians). It's also possible that the anonymous "Trump campaign policy adviser [who] testified [to SJC] that Mr. Papadopoulos informed him that he had information on Hillary Clinton from the Russians," went to the FBI in the wake of the DNC release, so before the FBI (presumably) asked Halper to ask Papadopoulos more questions.

Whatever happened, in September, Halper met with Sam Clovis and from that basically created a reason to invite Papadopoulos to London to do research.

Mid-September: "Hacking emails would be treason"

In mid-September, after his assistant Azra Turk had already broached the subject (I'm not aware that Ross has ever revealed how Papadopoulos responded to her) Halper asked Papadopoulos whether he was involved in the release of the emails. According to one version among several, Ross reports that Papadopoulos said that "hacking" the emails would be treason.

Sources familiar with Papadopoulos' version of events say that during one conversation, Halper asked Papadopoulos whether he was involved in the release of DNC emails. Papadopoulos denied it, telling Halper that hacking emails would be treason.

Of course, that answer is nonsensical. *Hacking* emails is a CFAA violation, among other things. Absent knowing cooperation with Russian spies, it's not treason. Moreover, as Ross depicts the question, Halper asked if he "was involved in the release of DNC emails," which is different than hacking them. Did Papadopoulos instead suggest that being "involved in the release of DNC emails" hacked by Russia would be treason?

It's a good question because, in spite of that answer and his subsequent lies to FBI, Papadopoulos doesn't believe he "colluded" with

Russia because he, “did not see, handle or disseminate Clinton emails, according to the source with information on the Downer meeting.” Note, he’s pointedly *not* denying that he told the campaign about the damaging material in the context of efforts to set up increasingly senior-level meetings with the Russians.

January 27, 2017: Mifsud “actually told [Papadopoulos] that the Russians had emails of Clinton. That guy told me [the Russians] have dirt on her [and that] they have thousands of emails.”

When the FBI interviewed Papadopoulos on January 27, 2017, he provided a detail he hadn’t to Downer (but which FBI may have already confirmed elsewhere): that Mifsud had specified, even before the Democrats knew about it, that the Russians had thousands of emails.

Now, at least according to the public record, up until this point (and even later), the FBI hadn’t done one of the most basic things they do in investigations, which they can do on a relevance standard (meaning the person in question need not be suspected of any wrongdoing). They had not yet obtained Papadopoulos’ call records, nor had they searched already collected Section 702 data to see if Papadopoulos had had communications with any foreigner already under a full FBI investigation. The latter would have definitely alerted the FBI to something that Papadopoulos hid in his interviews with the FBI (and tried to hide by deleting his Facebook account, something Ross always leaves out of his efforts to spin Papadopoulos’ honesty): in addition to Mifsud and the fake Putin niece, he had been communicating with (and passing communications onto the campaign) Ivan Timofeev, someone Papadopoulos believed to be employed by the Russian government.

DOJ’s public Papadopoulos documents are curiously silent about whether he admitted that Mifsud had told him the Russians planned on releasing the emails to hurt Hillary (though I

guarantee you his case file makes it clear).

Amid the squeals of surveillance, that point is worth noting. Again, at least according to the public record, it was some time *after* Papadopoulos had told Downer that the Russians had damaging material they might release closer to the election to hurt Hillary and *after* Papadopoulos had told the FBI that the damaging material in question was “thousands of emails” before the FBI took one of the most basic investigative steps, figuring out whom Papadopoulos had been talking to during that period. Though FBI put a preservation order on his campaign cell phone in March, it’s even possible, given Papadopoulos’ arrest in the wake of the disclosure of the June 9 meeting earlier in July 2017, that FBI didn’t take that step until after the later Russian offer of dirt on Hillary became known.

Trump may well think this amounts to spying. But given the year of concern about Russian meddling, it looks even more like an effort to bend over backwards to avoid touching materials that might impact campaign issues.

Update: Thanks to Mark S for this link to the Downer piece. Ross did not include this stronger language that the material definitely would be damaging to Clinton. Note the bolded stronger language.

Of the conversation at the upmarket Kensington Wine Bar, Downer recalls: “We had a drink and he (Papadopoulos) talked about what Trump’s foreign policy would be like if Trump won the election.

“He (Trump) hadn’t got the nomination at that stage. During that conversation he (Papadopoulos) mentioned the Russians might use material that they have on Hillary Clinton in the lead-up to the election, which may be damaging.”

Did Downer think, “Oh boy, this is intriguing?”

“Well, it was worth reporting,” he said. “It wasn’t the only thing we reported. We reported (back to Australia) the following day or a day or two after ... it seemed quite interesting.”

Did you realise you were one of the first people to have known about this dirt?

Downer doesn’t hesitate: “He didn’t say dirt, he said material that could be damaging to her. No, he said it would be damaging. He didn’t say what it was.”

[snip]

“For us we were more interested in what Trump would do in Asia. By the way, nothing he (Papadopoulos) said in that conversation indicated Trump himself had been conspiring with the Russians to collect information on Hillary Clinton. It was just that this guy (Papadopoulos) clearly knew that the Russians did have material on Hillary Clinton – but whether Trump knew or not? He didn’t say Trump knew or that Trump was in any way involved in this. He said it was about Russians and Hillary Clinton; it wasn’t about Trump.”

[my emphasis]