

THE ONGOING INVESTIGATION INTO PAUL MANAFORT'S HANDLERS

In this post, I noted that 22 months after Andrew Weissmann's team wrote a 37-page report, plus a classified supplement, describing what they had learned about Paul Manafort's role in the 2016 election operation, SSCI dedicated 142 pages of their 966 page report on the counterintelligence threat posed by Trump's former campaign manager. The latter report, which had fewer investigative tools and relied heavily on the earlier effort, just stuck classified information right into the text and then redacted great swaths of it.

Among the things known to but redacted by SSCI in 2020 but not included in the unclassified parts of the Team M Report in 2018 are:

- Two sections on (one, two) Konstantin Kilimnik's potential role in the hack-and-leak campaign
- An apparent March 2016 trip by Kilimnik to the US
- Activities of both Kilimnik and Oleg Deripaska in April 2016
- Kilimnik's apparent real-time knowledge of the Steele dossier
- Later efforts (through 2020) to undermine the investigation into Russia's 2016 operation
- Continued efforts to carve

up Ukraine, going through
2020

- A long, largely redacted section describing ties to Russian intelligence services of Kilimnik, Deripaska, and a number of Deripaska's deputies that met with Manafort

In other words, by 2020, investigators working with derivative investigative tools found a great deal of evidence to suggest that Deripaska and Kilimnik were not only centrally involved in Russia's intelligence operation targeting the US in 2016, but also a concerted plan to undermine in the investigation into it after the fact.

Around about the time SSCI finished their report, the FBI offered a \$250,000 reward leading to Kilimnik's arrest.

All that is why I'm interested that the Team M Report, released in 2022, after the statute of limitations has expired on most crimes tied to the 2016 election (though not a conspiracy that continued after it), was released with so many b7A redactions reflecting an ongoing investigation.

I've put a list of them all below.

There are three redactions I find particularly remarkable.

Pericles

The treatment of Pericles, the investment fund that Manafort set up and Deripaska funded in 2007, is uneven among the four stories that tell Manafort's story (it is mentioned in passing in the breach litigation). A paragraph introducing it in the Mueller Report serves to set up Rick Gates' explanation that Manafort's outreach to Deripaska during the campaign was an effort to

settle Deripaska's lawsuit relating to the fund. There's a bit more in the SSCI Report, including the detail that while Kilimnik initially served as Manafort's point of contact for the deal, Manafort later tried to hide aspects of it from him so as to hide it from the other Oligarchs. There's a redacted paragraph as well, perhaps tied to the funding.

Pericles may be the one topic which the Team M Report dedicates more space to than the SSCI Report. After introducing the fund, a heavily-redacted paragraph, including a b7A exemption, describes the dispute that arose between Manafort and Deripaska. Then two of the lettered footnotes the Team M Report used to describe context are also redacted under a b7A redaction. There's also a paragraph redacted using only a b5 (deliberative process) exemption describing the dispute.

Remember: That dispute was a key part of Deripaska's double game in 2016, a way to make Manafort more insecure even as squeezing him to get cooperation on the campaign. Christopher Steele played a (as far as is known, unwitting) role in that double game, so if Deripaska injected the dossier with disinformation, that's likely how he did so. But it's the 13-year old business arrangement itself, and not the 6-year old exploitation of it, that remains redacted in the Team M Report as part of an ongoing investigation.

The August 2 Meeting

Then consider how the passage on the August 2, 2016 meeting between Manafort and Kilimnik appears in the Team M Report (as released under FOIA).

The story of the Havana Bar meeting is one that got told in depth by the Breach Litigation, the Mueller Report, and the SSCI Report – indeed, it was a central focus of the Breach Litigation, one that particularly impressed Judge Amy Berman Jackson. The Mueller Report provided a 3-page

description that is, with just two exceptions, redacted only with grand jury redactions. The Mueller Report version describes the three topics discussed at the meeting this way:

As to the contents of the meeting itself, the accounts of Manafort and Gates—who arrived late to the dinner—differ in certain respects. But their version of events, when assessed alongside available documentary evidence and what Kilimnik told business associate Sam Patten, indicate that at least three principal topics were discussed.

In addition to redacting, under a b7A redaction, *what else*, besides campaign headquarters, was across the street from the Havana Club (possibly in Trump Tower), the Team M Report redacts much of the discussion about the differences between the three stories. Even the description of the three versions are structured differently.

The bulk of Manafort's story – four and a half pages – focuses on the plan to carve up Ukraine, including the follow-up efforts made over the following two years. There's an explicit reference – the only unredacted such reference within the body of the report – to more of the story appearing in the classified appendix. And just a short paragraph, partially redacted under a b7A exemption, discusses Manafort explaining to Kilimnik how he planned to win swing states.

Gates' version focuses more on Manafort's attempts to get paid (which may not appear in Manafort's version at all). Whatever discussion Gates provided of the Ukraine plan is redacted under b7A; the most recent release of Gates' 302s also redacts a lot about the August 2 meeting, including the cover story he told before he started cooperating.

Patten's version of the meeting – which reflects what Kilimnik told Patten after the fact – is even more redacted than the Gates version in the

Team M report. Those redacted passages may redact discussions that appear redacted in the most recent release of Patten's 302s but which were cited in unredacted form in the SSCI Report. According to that, Manafort told Kilimnik that the way to win was to focus on increasing Hillary's negatives.

Patten's debriefing with the SCO provides the most granular account of what information Kilimnik obtained at the August 2, 2016 meeting:

Kilimnik told Patten that at the New York cigar bar meeting, Manafort stated that they have a plan to beat Hillary Clinton which included Manafort bringing discipline and an organized strategy to the campaign. Moreover, because Clinton's negatives were so low [sic]-if they could focus on her negatives they could win the election. Manafort discussed the Fabrizio internal Trump polling data with Kilimnik, and explained that Fabrizio 's polling numbers showed that the Clinton negatives, referred to as a 'therm poll, ' were high. Thus, based on this polling there was a chance Trump could win. 458

If that's what does appear in the Team M Report, it remains redacted, in part under an ongoing investigation exemption. It focuses on the election, not the effort to carve up Ukraine.

Incidentally, the SSCI Report reveals one detail no other source I know did: Manafort met with Rudy and Trump before he went to meet Kilimnik. As the SSCI Report notes, this also happens to be the day before Stone started pitching Manafort on a way to save the candidate.

March, April, and May 2016

As noted above, the SSCI Report has heavily redacted passages discussing activities involving Kilimnik and Deripaska in March and April 2016. They don't show up in the unclassified part of the Team M Report or the Mueller Report at all.

The May 2016 meeting between Manafort and Kilimnik does appear in the Mueller Report, though.

Manafort twice met with Kilimnik in person during the campaign period—once in May and again in August 2016. The first meeting took place on May 7, 2016, in New York City.⁹⁰⁵ In the days leading to the meeting, Kilimnik had been working to gather information about the political situation in Ukraine. That included information gleaned from a trip that former Party of Regions official Yuriy Boyko had recently taken to Moscow—a trip that likely included meetings between Boyko and high-ranking Russian officials.⁹⁰⁶ Kilimnik then traveled to Washington, D.C. on or about May 5, 2016; while in Washington, Kilimnik had pre-arranged meetings with State Department employees.⁹⁰⁷

Late on the evening of May 6, Gates arranged for Kilimnik to take a 3:00 a.m. train to meet Manafort in New York for breakfast on May 7.⁹⁰⁸ According to Manafort, during the meeting, he and Kilimnik talked about events in Ukraine, and Manafort briefed Kilimnik on the Trump Campaign, expecting Kilimnik to pass the information back to individuals in Ukraine and elsewhere.⁹⁰⁹ Manafort stated that Opposition Bloc members recognized Manafort's position on the Campaign was an opportunity, but

Kilimnik did not ask for anything.⁹¹⁰
Kilimnik spoke about a plan of Boyko to boost election participation in the eastern zone of Ukraine, which was the base for the Opposition Bloc.⁹¹¹
Kilimnik returned to Washington, D.C. right after the meeting with Manafort.

There are two passages that reference the May meeting in the Team M Report, albeit in less detail than appears in the Mueller Report (notably leaving out Yuriy Boyko's trip to Moscow, as well as Gates' arrangements for the trip).

During the late spring of 2016, Kilimnik continued to collect information on the political situation in Ukraine.

[4 line b5 redaction]

Kilimnik further explained that he planned to be in Washington, D.C., between May 5 and May 8, 2016.⁸

[snip]

On May 7, 2016, Kilimnik met with Manafort in New York City.⁹⁷ Gates arranged the meeting and purchased Kilimnik's Amtrak tickets from Washington, D.C. to New York.⁹⁸ According to Manafort, he briefed Kilimnik on the Trump campaign, expecting Kilimnik to pass the information back to individuals in Ukraine and elsewhere.⁹⁹ Manafort stated that Kilimnik did not ask for anything based upon Manafort's position with the campaign.¹⁰⁰ Kilimnik spoke about Boyko's plan for election participation in the occupied zone of Ukraine.

But this discussion has some big b7A redactions, including some redacting personal information and others redacting law enforcement techniques. In other words, whereas Mueller was able to

include at least some discussion of the May meeting in the report, parts of it remain sensitive, three years later, even as Russia attempts to implement a plan to carve up Ukraine, now using force, pitched to Manafort at that Havana Bar meeting.

There seems to be increased investigative interest in those spring 2016 events as time has passed, so much so that DOJ may be sharing less than Mueller did in his initial release.

To be clear: none of these redactions mean that Manafort is at legal risk from these ongoing investigations. As noted, the statutes of limitation have expired for most criminal exposure (unless as part of a continuing conspiracy). More likely, all these b7A redactions indicate counterintelligence investigations, not criminal ones.

But what's interesting about the release of this report, 40 months after it was written, is that it hasn't gotten any less sensitive over time.

b7A redactions

- Possible reference to Rick Gates' role on the Inauguration Committee
- Manafort's consulting work for Deripaska
- Pericles fund
- Kilimnik's ties to Russian intelligence services and IRI
- Jonathan Hawker and Alex Van der Zwaan on Kilimnik's ties to RIS
- Kilimnik's ties to Viktor Boyarkin
- Kilimnik's May 2016 trip to the US

- The August 2 meeting with Kilimnik in the Havana Club
- A reference to Kilimnik's reference to black caviar
- The plan to carve up Ukraine
- Manafort's plan to win the election
- Gates' version of the August 2 meeting
- Sam Patten's version of the August 2 meeting
- Manafort's sharing of polling data
- The purpose behind Manafort's trip to Spain
- The second meeting in Spain