

Statement for the Record

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Chairman Graham, Ranking Member Feinstein and distinguished Members of the Committee, thank you for the opportunity to testify today.

I had the privilege to serve as an FBI agent for over 21 years. From my first assignment working Russian organized crime in New York City, to the last years I spent as deputy director at FBI Headquarters, I worked with the greatest people on earth: men and women who have dedicated their lives to protecting their country as agents, analysts and professional staff members of the FBI. I know FBI people as hardworking, dedicated patriots who are committed to the rule of law above all else. Their jobs are hard, sometimes dangerous, and often they are pushed beyond the limits of their experience into volatile, unpredictable situations. FBI personnel are not perfect -- but when they make mistakes, they submit to the rigors of oversight, and remain committed to learning and getting it right the next time. I was honored to be one of them, I was honored to lead them, and I am honored to discuss our work today.

I have agreed to testify today about my knowledge of events related to the US. Department of Justice Office of the Inspector General (OIG) report entitled "Review of Four FISA Applications and Other Aspects of the FBI's Crossfire Hurricane Investigation," and the investigation into Russian interference in the 2016 presidential election. Because I was not permitted to consult the documents that may have refreshed my memory, to include my personal notes and calendar, I may not be as precise and accurate as I would otherwise be.

I appreciate the committee's flexibility in conducting this hearing virtually rather than in person. While I continue to believe an in-person appearance is a better vehicle for a fair and vigorous oversight hearing, the current status of the COVID-19 pandemic compels me to be extremely cautious about where I go and what I do. My wife is a front line first responder who takes care of children and their families in our local emergency room. I try to avoid any unnecessary chance of potential exposure that might put her at risk, and possibly endanger her ability to continue caring for our community.

In July 2016, the FBI initiated an investigation, codenamed Crossfire Hurricane, to determine whether an individual, or individuals, from the Trump presidential campaign might be coordinating with the Russian government to interfere with our 2016 presidential election. The concerns that led to our initiation of this case are well known. In the fall of 2014, the FBI had begun tracking cyber actors affiliated with Russia who were targeting U.S. political institutions, academic institutions, think tanks, and other entities. In the spring of 2016, this activity intensified as new Russian cyber actors invaded computer networks at the Democratic National

Committee (DNC). At the time, we didn't know what they planned to do with the information they were stealing from the DNC systems, but we soon found out.

In July 2016, Russian intelligence agents, acting through the online alias "Guccifer 2.0", published hundreds of thousands of emails and other information stolen from the DNC with the intent of damaging Hillary Clinton on the eve of the Democratic National Convention. This malicious use of stolen information signaled a new level of Russian hostility directed at the heart of American democracy.

Several months before this release, and unknown to the FBI at the time, a foreign policy advisor to the Trump campaign, George Papadopoulos, informed a diplomat from a friendly foreign government that the Trump campaign, "had received indications from the Russian government that it could assist the Campaign through the anonymous release of information that would be damaging to Hilary Clinton."¹ It was only after the DNC information was publicly released in July that the diplomat communicated the content of his conversation with Papadopoulos to the U.S. government.

So what did we know in July 2016? We had known for almost two years that the Russians were targeting our political institutions in cyberspace. By the spring of 2016 we knew the Russians had stolen information from the DNC. By July we knew the Russians had used that information in a manner designed to hurt Hilary Clinton's chances in the election. And then we learned that before the Russians attacked us, an individual from the Trump campaign may have known the attack was coming.

FBI policy sets the threshold for opening a full field investigation as the moment when you have information that indicates a threat to national security might exist, or that a federal crime might have been committed. In July 2016 we had both: Russian intelligence services attacking our democratic process, possibly in coordination with a Presidential campaign. We opened a case to investigate and try to mitigate that threat and to find out what the Russians might have done.

Let me be very clear. We didn't open a case because we liked one candidate or didn't like the other one. We didn't open a case because we intended to stage a coup or overthrow the government. We didn't open a case because we thought it might be interesting or because we wanted to drag the FBI into a heated political contest. We opened a case to find out how the Russians might be undermining our elections. We opened a case because it was our obligation -- our duty -- to do so. We did our job.

The OIG's "Review of Four FISA Applications and Other Aspects of the FBI's Crossfire Hurricane Investigation" details a significant number of errors and failures related to the FISA applications in the case. I agreed to be interviewed in connection with the OIG's investigation and have reviewed the report. I was shocked and disappointed at the errors and mistakes that

¹ *Report On The Investigation Into Russian Interference In The 2016 Presidential Election* (Mueller Report), Volume I, Chapter 5, Section A(2)(e), p. 89.

the OIG found. To me, any material misrepresentation or error in a FISA application is unacceptable. Period. The FBI should be held to the standard of “scrupulous accuracy” that the court demands. FISA remains one of the most important tools in our country’s efforts to protect national security. The FBI is the custodian of that tool. I fully support every effort to ensure that the FBI’s use of FISA maintains the high standards the court, and the American people, demand and deserve.

This commitment to the rule of law, acknowledging our mistakes, and doing everything possible to ensure they are corrected, are the reasons I am here today. They are the same reasons I have cooperated fully with every interview, hearing and oversight effort requested of me, both while I served and since I left the FBI. I have provided testimony to four different congressional committees on these and related matters. I have been interviewed in connection with the special counsel’s investigation as well as three separate DOJ OIG investigations, submitting to questioning and reviewing documents over the equivalent of seven full business days. In an effort to provide this committee with the most complete, accurate testimony possible, I requested the FBI allow me to review some of my former materials - including my calendars and personal notes. That request was denied. Unfortunately, the broad scope of these matters and the passage of time makes many of the details of our work hard to remember. I will do my best to answer your questions today, but I will not speculate or guess about details and facts that now remain beyond my reach without the benefit of refreshing my recollection.

Based on the recent testimony of the current FBI Director and other intelligence officials, it seems that many of the same signs of malevolent Russian targeting that we were concerned about in 2016 were seen in the run up to the election we just completed. As both a former career law enforcement officer and a senior intelligence officer, I cannot stress enough the importance of focusing your efforts, and the attention of this nation, on the dangers of foreign influence on our elections.

We are a country today partly because our forefathers wanted to be able to choose their leadership without the influence of foreign actors. The Russians were successful beyond their wildest imagination in accomplishing their goals in 2016. Their successes serve as encouragement to other hostile nations intent on undermining our security, safety and stability. Simply put, the Russians, and others, will be back. Do not let the recent calm of the 2020 election lure the nation into a false sense of security. It is up to you to ensure the nation recognizes the magnitude of the threat posed by foreign actors and takes sufficiently aggressive steps to address it.

With that I am happy to take your questions.