

DEVIN NUNES CALLS AN EXPERIENCED ORGANIZED CRIME RESEARCHER FUNDED BY PAUL SINGER A DEMOCRATIC OPERATIVE

There's a key part of Devin Nunes and Mark Meadows' defense of the President yesterday that deserves far more attention, both for the way it distorts the factual record and how it suggests that simply being an expert on Russian and Ukrainian organized crime makes one a Democratic operative.

At issue is their bid to make the impeachment inquiry about Nellie Ohr, whom they've past falsely suggested had a role in mainlining the Steele dossier into DOJ and FBI. They've brought Nellie, the spouse of a key DOJ expert on organized crime, Bruce Ohr, back into their narrative by claiming she testified to Congress that Fusion GPS relied on Ukrainian sources. The idea is that Ohr's testimony would prove that Trump had good reason to think Ukraine had it in for him in 2016, so could rightly ask Ukraine to investigate whether that amounted to tampering in the election.

Here's how Nunes laid it out in his demand that Ohr be called to testify:

Nellie Ohr, former contractor for opposition research firm Fusion GPS. In a 2018 interview with the House Judiciary and Oversight Committees, Ms. Ohr stated that, during her work with Fusion GPS that ultimately assisted in the production of the Steele dossier—comprising false allegations against then-candidate Trump—Fusion GPS used information from sources in Ukraine, including Serhiy Leshchenko who

recently lost his post from the Ukrainian parliament. Given President Trump's documented belief that the Ukrainian government meddled in the 2016 election to oppose his candidacy, which forms the basis for a reasonable desire for Ukraine to investigate the circumstances surrounding the election and any potential Ukrainian involvement, Ms. Ohr is a prime fact witness who can assist Congress and the American public in better understanding the facts and circumstances surrounding Ukrainian involvement in the 2016 election.

In his demand, Nunes helpfully provides a footnote, to make it easy to see how many errors he makes in this paragraph. Here's the passage of Ohr's testimony before Congress that, Nunes falsely claims, backs his insinuations that Ohr tampered in the 2016 campaign.

GOP counsel Ryan Breitenbach is questioning her.

Q Was there indication from [her boss at Fusion GPS, Jake] Berkowitz or [Glenn] Simpson that they had any inside information as to whether there were suspicious connections with any of President Trump's orbit of individuals including his family?

A What do you mean by "inside information"?

Q I would say any information that they specifically gave you, in terms of your employment with Fusion GPS, that would indicate that there were some level of connections with President Trump's family and Russia?

A **They would give me leads based on their open-source research** and, you know, legal documents and other things.

Q Did they ever indicate that any of their leads were based off of sources of

theirs?

A I don't remember get- – regarding the Trump family, no.

Q Regarding any of the research during this year, 10-, 11-month period, was any – was any research based off of sources of theirs that you were aware of?

A Yes.

Q And who were the sources?

A I recall a – **they were mentioning someone named Serhiy Leshchenko, a Ukrainian.**

Q And did they give you any indication as to Leshchenko's connections with them, how they got to know him? Were they doing work for him?

A With Fusion GPS?

Q Correct.

A I am not aware of how they –

Q Were you aware of how they had a connection with him?

A I am not aware.

Q But you were aware that he was a source of information that was leading to information that they had, that they were then presenting to you as reasons for following up on opposition research or what research –

A Yes.

Q – that is, on President Trump or his family?

A My understanding is that some – yes. And – yes, **it was not necessarily on his family that Leshchenko's research was on.**

Q Are you aware of what his research, or

what his source information included?

A **His source information, I am not aware.**

Q You are just aware that he was a source of –

A Yes.

Q – Glenn Simpson? Or was it a source of Mr. Berkowitz? Or both?

A I am not aware of a differentiation between them. Just a source for Fusion GPS.

Q That is one source. Were there any other sources that you were aware of?

A I don't think so. I don't recall that there were.

Q And were you aware of Mr. Leshchenko prior to him being mentioned to you as a potential source of their information?

A Yes.

Q In what way?

A He is very well-known, Ukrainian, anti-corruption activist. So **I had read about him in the press.**

Q Had you studied him before?

A What do you mean by "studied"?

Q Performed independent research for any prior employer.

A No. I followed him in the – you know, if I saw him mentioned in the press, I read – I read about it.

Q And previous to this particular incoming knowledge from Mr. Simpson or just from Fusion GPS, were you aware of any connections between Mr. Leshchenko – am I saying that name, by the way?

A Yes.

Q – Mr. Leshchenko and President Trump, or anyone in President Trump’s familial orbit or even friendly orbit?

A I was unaware of any connections before that. [my emphasis]

Before this colloquy, Ohr had already testified that she had “no reason to believe” that her work was integrated into the Steele dossier at all. Democratic staffers walked her through passage after passage in the Steele dossier and asked her if her work had provided background for it, which she said it did not. She also had already explained (to both Jim Jordan and Mark Meadows in separate interactions directly) that she, “did online open source research using Russian sources, media, social media, government, you know, business registers, legal databases, all kinds of things.” Ohr’s testimony was backed by Glenn Simpson’s earlier appearances before Congress – including an appearance before HPSCI that Nunes attended; Simpson also said his own research was based off open source research.

Moreover, both the reports Nellie did (PDF 216 to 299) and a table she put together on Trump and his flunkies’ ties to suspect Russians show that the bulk of her research for Fusion preceded the time when Christopher Steele was working on the dossier. Significantly, that means much of Nellie Ohr’s work was paid by GOP billionaire Paul Singer, not the DNC.

So in this passage, Nellie Ohr is talking leads she got from her boss at Fusion, Jake Berkowitz, based off open source research he had done, that she would use to do more open source research, for a project mostly paid for by a Republican billionaire interested in the ties between Trump and Russian organized crime.

And what the passage shows is that:

- Ohr said the information from Berkowitz came from

open source reporting

- She described herself getting information on Serhiy Leshchenko's efforts, because he was a very well-known anti-corruption activist who was covered in the press
- She twice said she was not aware of how Berkowitz and Simpson got their information from Leshchenko
- She also said she didn't know where Leshchenko got his information
- Ohr said that Leshchenko's reporting wasn't focused on the Trump family (it almost certainly was focused on Paul Manafort, about whom Ohr wrote a detailed timeline)

In short, the transcript Nunes says supports a demand that Ohr testify does no such thing. Instead, it shows that this side of Fusion's work relied on open source reporting, and that information on Leshchenko's efforts was available via open sources. It also shows that Ohr repeatedly denied knowing whether the Fusion focus on Leshchenko was based on anything but open source reporting.

This transcript also shows that if Republicans really wanted to know about how Leshchenko's work informed Fusion's work, they should ask Simpson or Berkowitz to testify, because Ohr was only ever working from open sources – that is, doing research, mostly paid for by a Republican billionaire.

That background is all critically important for

how Nunes ended yesterday's testimony. In his closing statement at the hearing, Nunes restated his demand that Schiff permit Republicans to call their chosen witnesses, which he listed as:

- The whistleblower
- The folks that he spoke to
- Numerous Democratic operatives who worked with Ukraine to meddle in the election

Obviously, Nellie Ohr – an experienced researcher on Ukrainian and Russian organized crime – must fall into the latter category.

So on top of all the ways Nunes misrepresented the Ohr's testimony (or her ability to testify on the issues he claims to want to hear), there's this. The Ranking Member of the House Intelligence Committee, Devin Nunes, believes that an expert on Ukrainian and Russian organized crime being paid to do open source research by a Republican billionaire must be a Democratic operative.