

THE FLYNN PREDICATION

I'm really just starting a deep dive into the DOJ IG FISA Report. But as background for another post, I just want to look at the predication for the investigation into Mike Flynn.

The report describes how the entire investigation came after Australia passed on the tip regarding George Papadopoulos blabbing his mouth to Alexander Downer. As passed on, the tip did not provide details we've now come to grow familiar with. Not only was there no mention of Joseph Mifsud, but there was no indication at all where Papadopoulos learned this information.

The FBI opened Crossfire Hurricane in July 2016 following the receipt of certain information from a Friendly Foreign Government (FFG). According to the information provided by the FFG, in May 2016, a Trump campaign foreign policy advisor, George Papadopoulos, "suggested" to an FFG official that the Trump campaign had received "some kind of suggestion" from Russia that it could assist with the anonymous release of information that would be damaging to Hillary Clinton (Trump's opponent in the presidential election) and President Barack Obama. At the time the FBI received the FFG information, the U.S. Intelligence Community (USIC), which includes the FBI, was aware of Russian efforts to interfere with the 2016 U.S. elections, including efforts to infiltrate servers and steal emails belonging to the Democratic National Committee (DNC) and the Democratic Congressional Campaign Committee. The FFG shared this information with the State Department on July 26, 2016, after the internet site Wikileaks began releasing emails hacked from computers

belonging to the DNC and Clinton's campaign manager. The State Department advised the FBI of the information the next day.

FBI opened the investigation to find out whether anyone was wittingly or unwittingly part of the Russian election year operation (the unwitting part is important, because FBI did not assume at the time anyone was knowingly "colluding" with Russia.

Two of the subjects – Carter Page and Paul Manafort – were already under investigation. Papadopolous was a clear subject since he's the one who blabbed his mouth.

Which means Mike Flynn is the only one who for whom the investigation happened because of his Russian ties and affiliation with the campaign, which is probably why his attorney is making batshit arguments about being trapped and demanding "Brady" information that has nothing to do with his case.

The report explains that Flynn was a subject because of his December 2015 trip to Russia and his "various ties to state-affiliated entities of Russia."

The opening EC for the Flynn investigation stated that there was an articulable factual basis that Flynn "may wittingly or unwittingly be involved in activity on behalf of the Russian Federation which may constitute a federal crime or threat to the national security." The EC cross-referenced the predication for Crossfire Hurricane and stated that Flynn was an advisor to the Trump campaign, had various ties to state-affiliated entities of Russia, and traveled to Russia in December 2015.

On top of some speeches to Russian companies, those ties would have involved a fairly warm

relationship with the head of GRU (which had already been IDed as responsible for the hack-and-leak operation) and ongoing conversations with Sergei Kislyak.

But ultimately, Flynn became a subject because he might have been the source for Papadopoulos of advance notice of the hack-and-leak operation, and seemed to be the focus of a whole lot of Russian attention.

The early investigation would have shown that Flynn alerted DIA of those ties (though the government currently claims some of that reporting was actually inculpatory). Which is probably why the FBI didn't think Flynn was a *witting* recruit of Russia.

But then, even as FBI was deciding he was not a witting recruit, FBI discovered his December conversations with Sergey Kislyak (that they didn't focus on them in real time is a testament that they were not working very aggressively against Flynn). Flynn then got the entire Trump transition to lie about that call, something that Sally Yates has credibly explained would raise concerns that he might be vulnerable to further recruitment.

On January 24, 2017, Flynn not only lied to the FBI about his sanctions discussion with Kislyak, but lied about two other conversations with Kislyak (the first being the Israeli settlement conversation, another being at least one conversation during the campaign). At that point, the question was whether those were material lies designed to obstruct the investigation.

Still, on January 27, the FBI would have gotten an answer to the question that kicked off the entire investigation: how had Papadopoulos learned – in advance – that Russia planned to dump information harming Hillary? In his first interview with the FBI, Papadopoulos made it clear he had interacted closely with Mifsud, whom FBI already suspected was a Russian asset.

Having answered that question, the FBI then

wrote up a memo that concluded Flynn was not a Russian agent – not a witting Russian recruit – on January 30. That didn't answer the question about whether he was an unwitting recruit. Indeed, according to Robert Mueller, that question was still being pursued in May.

But from that point forward, Flynn (and Trump) did one after another thing – including Flynn's attempts to avoid registering his Turkish lobbying – that merited ongoing investigation.

That's probably not going to be enough to sustain Sidney Powell's claims he was entrapped.

As I disclosed last year, I provided information to the FBI on issues related to the Mueller investigation, so I'm going to include disclosure statements on Mueller investigation posts from here on out. I will include the disclosure whether or not the stuff I shared with the FBI pertains to the subject of the post.