The Inspector General's Report on 2016 FBI Spying Reveals a Scandal of Historic Magnitude: Not Only for the FBI but Also the U.S. Media

Glenn Greenwald

Just as was true when the Mueller investigation closed without *a single American* being charged with criminally conspiring with Russia over the 2016 election, Wednesday's issuance of the long-waited report from the Department of Justice's Inspector General reveals that years of major claims and narratives from the U.S. media were utter frauds.

Before evaluating the media component of this scandal, the FBI's gross abuse of its power – its serial deceit – is so grave and manifest that it requires little effort to demonstrate it. In sum, the IG Report documents multiple instances in which the FBI – in order to convince a FISA court to allow it spy on former Trump campaign operative Carter Page during the 2016 election – manipulated documents, concealed crucial exonerating evidence, and touted what it knew were unreliable if not outright false claims.

If you don't consider FBI lying, concealment of evidence, and manipulation of documents in order to spy on a U.S. citizen in the middle of a presidential campaign to be a major scandal, what is? But none of this is aberrational: the FBI still has its headquarters in a building named after J. Edgar Hoover – who constantly blackmailed elected officials with dossiers and tried to blackmail Martin Luther King into killing himself – because that's what these security state agencies are. They are out-of-control, virtually unlimited police state factions that lie, abuse their spying and law enforcement powers, and subvert democracy and civic and political freedoms as a matter of course.

In this case, no rational person should allow standard partisan bickering to distort or hide this severe FBI corruption. The IG Report leaves no doubt about it. It's brimming with proof of FBI subterfuge and deceit, all in service of persuading a FISA court of something that was not true: that U.S. citizen and former Trump campaign official Carter Page was an agent of the Russian government and therefore needed to have his communications surveilled.

Just a few excerpts from the report should suffice to end any debate for rational persons about how damning it is. The focus of the first part of the IG Report was on the warrants obtained by the DOJ, at the behest of the FBI, to spy on Carter Page on the grounds that there was probable cause to believe he was an agent of the Russian government. That Page was a Kremlin agent was a widely disseminated media claim – typically asserted as fact even though it had no evidence. As a result of this media narrative, the Mueller investigation examined these widespread accusations yet concluded that "the investigation did not establish that Page coordinated with the Russian government in its efforts to interfere with the 2016 presidential election."

The IG Report went much further, documenting a multitude of lies and misrepresentations by the FBI to deceive the FISA court into believing that probable cause existed to believe Page was a Kremlin agent. The first FISA warrant to spy on Page was obtained during the 2016 election, after Page had left the Trump campaign but weeks before the election was to be held.

About the warrant application submitted regarding Page, the IG Report, in its own words, "found that FBI personnel fell far short of the requirement in FBI policy that they ensure that all factual statements in a FISA application are 'scrupulously accurate.'" Specifically, "we identified multiple instances in which factual assertions relied upon in the first FISA application were inaccurate, incomplete, or unsupported by appropriate documentation, based upon information the FBI had in its possession at the time the application was filed."

It's vital to reiterate this because of its gravity: *we identified multiple instances in which factual assertions relied upon in the first FISA application were inaccurate, incomplete, or unsupported by appropriate documentation, based upon information the FBI had in its possession at the time the application was filed.*

The specifics cited by the IG Report are even more damning. Specifically, "based upon the information known to the FBI in October 2016, the first application contained [] seven significant inaccuracies and omissions." Among those "significant inaccuracies and omissions": the FBI concealed that Page had been *working with the CIA* in connection with his dealings with Russia and had notified CIA case managers of at least some of those contacts after he was "approved as an 'operational contact'" with Russia; the FBI lied about both the timing and substance of Page's relationship with the CIA; vastly overstated the value and corroboration of Steele's prior work for the U.S. Government to make him appear more credible than he was; and concealed from the court serious reasons to doubt the reliability of Steele's key source.

Moreover, the FBI's heavy reliance on the Steele Dossier to obtain the FISA warrant – a fact that many leading national security reporters spent two years denying occurred – was particularly concerning because, as the IG Report put it, "we found that the FBI did not have information corroborating the specific allegations against Carter Page in Steele's reporting when it relied upon his reports in the first FISA application or subsequent renewal applications."

To spy on a U.S. citizen in the middle of an election, one who had just been working with one of the two major presidential campaigns, the FBI touted a gossipy, unverified, unreliable rag that it had no reason to believe and every reason to distrust, but it hid all of that from the FISA court, which it knew needed to believe that the Steele Dossier was something it was not if it were to give the FBI the spying authorization it wanted.

In 2017, the FBI decided to seek reauthorization of the FISA warrant to continue to spy on Page, and sought and obtained it three times: in January, April and June, 2017. Not only, according to the IG Report, did the FBI repeat all of those "seven significant inaccuracies and omission," but added ten additional major inaccuracies. As the Report put it: "In addition to repeating the seven significant errors contained in the first FISA application and outlined above, we identified 10 additional significant errors in the three renewal applications, based upon information known to the FBI after the first application and before one or more of the renewals."

Among the most significant new acts of deceit was that the FBI "omitted the fact that Steele's Primary Subsource, who the FBI found credible, had made statements in January 2017 raising significant questions about the reliability of allegations included in the FISA applications, including, for example, that he/she did not recall any discussion with Person 1 concerning Wikileaks and there was 'nothing bad' about the communications between the Kremlin and the Trump team, and that he/she did not report to Steele in July 2016 that Page had met with Sechin."

In other words, Steele's own key source told the FBI that Steele was lying about what the source said: an obviously critical fact that the FBI *simply concealed from the FISA court because it knew how devastating that would be to being able to continue to spy on Page.* As the Report put it, "among the most serious of the 10 additional errors we found in the renewal applications was the FBI's failure to advise [DOJ] or the court of the inconsistences, described in detail in Chapter Six, between Steele and his Primary Sub-source on the reporting relied upon in the FISA applications."

The IG Report also found that the FBI hid key information from the court about Steele's motives: for instance, it "omitted information obtained from [Bruce] Ohr about Steele and his election reporting, including that (1) Steele's reporting was going to Clinton's presidential campaign and others, (2) [Fusion GPS's Glenn] Simpson was paying Steele to discuss his reporting with the media, and (3) Steele was "desperate that Donald Trump not get elected and was passionate about him not being the U.S. President."

If it does not bother you to learn that the FBI repeatedly and deliberately deceived the FISA court into granting it permission to spy on a U.S. citizen in the middle of a presidential campaign, then it is virtually certain that you are either someone with no principles, someone who cares only about partisan advantage and nothing about basic civil liberties and the rule of law, or both. There is simply no way for anyone of good faith to read this IG Report and reach any conclusion other than that this is yet another instance of the FBI abusing its power in severe ways to subvert and undermine U.S. democracy. If you don't care about that, what do you care about?

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But the revelations of the IG Report are not merely a massive FBI scandal. They are also a massive media scandal, because they reveal that so much of what the U.S. media has authoritatively claimed about all of these matters for more than two years is completely false.

Ever since Trump's inauguration, a handful of commentators and journalists – I'm included among them – have been sounding the alarm about the highly dangerous trend of news outlets not merely repeating the mistake of the Iraq War by blindly relying on the claims of security state agents but, far worse, now employing them in their newsrooms to shape the news. As Politico's media writer Jack Shafer wrote in 2018, in an article entitled "The Spies Who Came Into the TV Studio":

> In the old days, America's top spies would complete their tenures at the CIA or one of the other Washington puzzle palaces and segue to more ordinary pursuits.
> Some wrote their memoirs. One ran for president. Another died a few months after surrendering his post. But today's national-security establishment retiree has a different game plan. After so many years of brawling in the shadows, he yearns for a second, lucrative career in the public eye. He takes a crash course in speaking in soundbites, refreshes his wardrobe and signs a TV news contract. Then, several times a week, waits for a network

> limousine to shuttle him to the broadcast news studios where, after a light dusting of foundation and a spritz of hairspray, he takes a supporting role in the anchors' nighttime shows. . . .
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> [T]he downside of outsourcing national security coverage to the TV spies is obvious. They aren't in the business of breaking news or uncovering secrets. Their first loyalty—and this is no slam—is to the agency from which they hail. Imagine a TV network covering the auto industry through the eyes of dozens of paid former auto executives and you begin to appreciate the current peculiarities.
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> In a perfect television world, the networks would retire the retired spooks from their payrolls and reallocate those sums to the hiring of independent reporters to cover the national security beat. Let the TV spies become unpaid anonymous sources because when you get down to it, TV spies don't want to make news—they just want to talk about it.

It's long been the case that CIA, FBI and NSA operatives tried to infiltrate and shape domestic news, but they at least had the decency to do it clandestinely. In 2008, the New York Times' David Barstow won the Pulitzer Prize for exposing a secret Pentagon program in which retired Generals and other security state agents would get hired as commentators and analysts and then – unbeknownst to their networks – coordinate their messaging to ensure that domestic news was being shaped by the propaganda of the military and intelligence communities.

But now it's all out in the open. It's virtually impossible to turn on MSNBC or CNN without being bombarded with former Generals, CIA operatives, FBI agents and NSA officials who now work for those networks as commentators and, increasingly, as *reporters.*

> Congrats to my friend @joshscampbell, CNN's newest national Correspondent. His passion for going where the news is and covering important stories will continue to benefit viewers. pic.twitter.com/j49k0KOzNj
>
> — Sam Vinograd (@sam_vinograd) November 19, 2019

The past three years of "Russiagate" reporting – for which U.S. journalists have lavished themselves with Pulitzers and other prizes despite a multitude of embarrassing and dangerous errors about the Grave Russian Threat – has relied almost exclusively on anonymous, uncorroborated claims from Deep State operatives (and yes, that's a term that fully applies to the U.S.). The few exceptions are when these networks feature former high-level security state operatives on camera to spread their false propaganda, as in this enduringly humiliating instance:

> John Brennan has a lot to answer for—going before the American public for months, cloaked with CIA authority and openly suggesting he's got secret info, and repeatedly turning in performances like this. pic.twitter.com/EziCxy9FVQ
>
> — Terry Moran (@TerryMoran) March 25, 2019

All of this has meant that U.S. discourse on these national security questions is shaped almost entirely by the very agencies that are trained to lie: the CIA, the NSA, the Pentagon, the FBI. And their lying has been highly effective.

For years, we were told by the nation's leading national security reporters something that was blatantly false: that the FBI's warrants to spy on Carter Page were not based on the Steele Dossier. GOP Congressman Devin Nunes was widely vilified and mocked by the super-smart DC national security reporters for issuing a report claiming that this was the case. The Nunes memo in essence claimed what the IG Report has corroborated: that embedded within the FBI's efforts to obtain FISA court authorization to spy on Carter Page was a series of misrepresentations, falsehoods and concealment of key evidence:

As the Rolling Stone's Matt Taibbi – one of the few left/liberal journalists with the courage and integrity to dissent from the DNC/MSNBC script on these issues – put it in a detailed article: "Democrats are not going to want to hear this, since conventional wisdom says former House Intelligence chief Devin Nunes is a conspiratorial evildoer, but the Horowitz report ratifies the major claims of the infamous 'Nunes memo.'"

That the Page warrant was based on the Steele Dossier was something that the media servants of the FBI and CIA rushed to deny. Did they have any evidence for those denials? That would be hard to believe, given that the FISA warrant applications are highly classified. It seems far more likely that – as usual – they were just repeating what the FBI and CIA (and the pathologically dishonest Rep. Adam Schiff) told them to say, like the good and loyal puppets that they are. But either way, what they kept telling the public – in highly definitive tones – was completely false, as we now know from the IG Report:

> Yes. I am telling you the dossier was not used as the basis for a FISA warrant on Carter Page.
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> — Shane Harris (@shaneharris) January 12, 2018
>
> New: Two Democratic members of House Intel tell me McCabe did not say dossier was basis of FISA warrant, disputing central claim of #NunesMemo
>
> — Jim Sciutto (@jimsciutto) February 2, 2018

Over and over, the IG Report makes clear that, contrary to these denials, the Steele Dossier was indeed crucial to the Page eavesdropping warrant. "We determined that the Crossfire Hurricane team's receipt of Steele's election reporting on September 19, 2016 played a central and essential role in the FBI's and Department's decision to seek the FISA order," the IG Report explained. *A central and essential role*.

It added: "in support of the fourth element in the FISA application-Carter Page's alleged coordination with the Russian government on 2016 U.S. presidential election activities, the application *relied entirely* on the following information from Steele Reports 80, 94, 95, and 102."

Just compare the pompous denials from so many U.S. national security reporters at the nation's leading news outlets – that the Page warrant was not based on the Steele Dossier – to the actual truth that we now know: "in support of the fourth element in the FISA application-Carter Page's alleged coordination with the Russian government on 2016 U.S. presidential election activities, the application *relied entirely* on the following information from Steele Reports 80, 94, 95, and 102" (emphasis added).

Indeed, it was the Steele Dossier that led FBI leadership, including Director James Comey and Deputy Diretor Andrew McCabe, to approve the warrant application in the first place *despite concerns raised by other agents that the information was unreliable.* Explains the IG Report:

> FBI leadership supported relying on Steele's reporting to seek a FISA order on Page after being advised of, and giving consideration to, concerns expressed by Stuart Evans, then NSD's Deputy Assistant Attorney General with oversight responsibility over QI, that Steele may have been hired by someone associated with presidential candidate Clinton or the DNC, and that the foreign intelligence to be collected through the FISA order would probably not be worth the 'risk' of being criticized later for collecting communications of someone (Carter Page) who was "politically sensitive."

The narrative manufactured by the security state agencies and laundered by their reliable media servants about these critical matters was a sham, a fraud, a lie. Yet again, U.S. discourse was subsumed by propaganda because the U.S. media and key parts of the security state have decided that subverting the Trump presidency is of such a high priority – that their political judgment outweighs the results of the election – that everything, including outright lying even to courts let alone the public, is justified because the ends are so noble.

As Taibbi put it: "No matter what people think the political meaning of the Horowitz report might be, reporters who read it will know: Anybody who touched this nonsense in print should be embarrassed." No matter how dangerous you believe the Trump presidency to be, this is a grave threat to the pillars of U.S. democracy, a free press, an informed citizenry and the rule of law.

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Underlying all of this is another major lie spun over the last three years by the newly-minted media stars and liberal icons from the security state agencies. Ever since the Snowden reporting – indeed, prior to that, when the New York Times' Eric Lichtblau and Jim Risen (now with the Intercept) revealed in 2005 that the Bush-era NSA was illegally spying on U.S. citizens without the warrants required by law – it was widely understood that the FISA process was a rubber-stamping joke, an illusory safeguard that, in reality, offered no real limits on the ability of the U.S. Government to spy on its own citizens. Back in 2013 at the Guardian, I wrote a long article, based on Snowden documents, revealing what an empty sham this process was.

But over the last three years, the strategy of Democrats and liberals – particularly their cable outlets and news sites – has been to venerate and elevate security state agents as the noble truth-tellers of U.S. democracy. Once-reviled-by-liberal sites such as Lawfare – composed of little more than pro-NSA and pro-FBI apparatchiks – gained mainstream visibility for the first time on the strength of a whole new group of liberals who decided that the salvation of U.S. democracy lies not with the political process but with the dark arts of the NSA, the FBI and the CIA.

Sites like Lawfare – led by Comey-friend Benjamin Wittes and ex-NSA lawyer Susan Hennessey – became Twitter and cable news stars and used their platform to resuscitate what had been a long-discredited lie: namely, that the FISA process is highly rigorous and that the potential for abuse is very low. Liberals, eager to believe that the security state agencies opposed to Trump should be trusted despite their decades of violent lawlessness and systemic lying, came to believe in the sanctity of the NSA and the FISA process.

The IG Report obliterates that carefully cultivated delusion. It lays bare what a sham the whole FISA process is, how easy it is for the NSA and the FBI to obtain from the FISA court whatever authorization it wants to spy on any Americans they want regardless of how flimsy is the justification. The ACLU and other civil libertarians had spent years finally getting people to realize this truth, but it was wiped out by the Trump-era veneration of these security state agencies.

In an excellent article on the fallout from the IG Report, the New York Times' Charlie Savage, long one of the leading journalistic experts on these debates, makes clear how devastating these revelations are to this concocted narrative designed to lead Americans to trust the FBI and NSA's eavesdropping authorities:

> At more than 400 pages, the study amounted to the most searching look ever at the government's secretive system for carrying out national-security surveillance on American soil. And what the report showed was not pretty.
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> The Justice Department's independent inspector general, Michael E. Horowitz, and his team uncovered a staggeringly dysfunctional and error-ridden process in how the F.B.I. went about obtaining and renewing court permission under the Foreign Intelligence Surveillance Act, or FISA, to wiretap Carter Page, a former Trump campaign adviser.
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> "The litany of problems with the Carter Page surveillance applications demonstrates how the secrecy shrouding the government's one-sided FISA approval process breeds abuse," said Hina Shamsi, the director of the American Civil Liberties Union's National Security Project. "The concerns the inspector general identifies apply to intrusive investigations of others, including especially Muslims, and far better safeguards against abuse are necessary."...
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> His exposé left some former officials *who generally defend government surveillance practices aghast.*
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> "These errors are bad," said David Kris, an expert in FISA who oversaw the Justice Department's National Security Division in the Obama administration. "If the broader audit of FISA applications reveals a systematic pattern of errors of this sort that plagued this one, then I would expect very serious consequences and reforms"....
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> Civil libertarians for years have called the surveillance court a rubber stamp because it only rarely rejects wiretap applications. Out of 1,080 requests by the government in 2018, for example, government records showed that the court fully denied only one.
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> Defenders of the system have argued that the low rejection rate stems in part from how well the Justice Department self-polices and avoids presenting the court with requests that fall short of the legal standard. They have also stressed that officials obey a heightened duty to be candid and provide any mitigating evidence that might undercut their request. . . .
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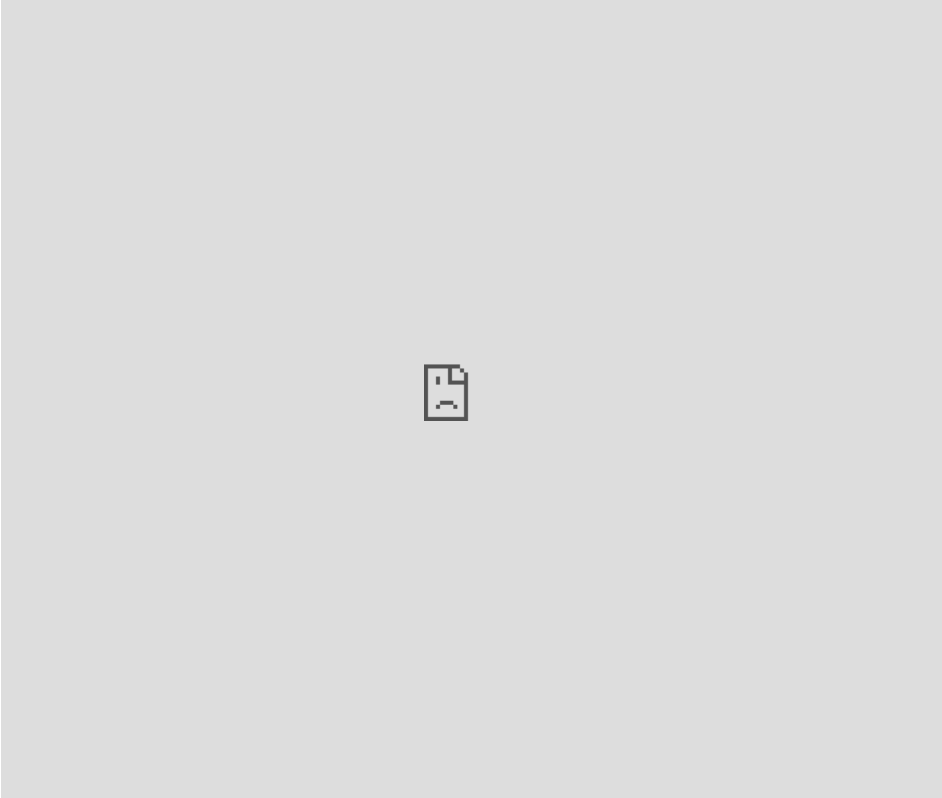
> But the inspector general found major errors, material omissions and unsupported statements about Mr. Page in the materials that went to the court. F.B.I. agents cherry-picked the evidence, telling the Justice Department information that made Mr. Page look suspicious and omitting material that cut the other way, and the department passed that misleading portrait onto the court.

This system of unlimited domestic spying was built by both parties, which only rouse themselves to object when the power lies in the other side's hands. Just last year, the vast majority of the GOP caucus joined with a minority of Democrats *led by Nancy Pelosi and Adam Schiff* to hand President Trump all-new domestic spying powers while blocking crucial reforms and safeguards to prevent abuse. The spying machinery that Edward Snowden risked his life and liberty to expose always has been, and still is, a bipartisan creation.

Perhaps these revelations will finally lead to a realization about how rogue, and dangerous, these police state agencies have become, and how urgently needed is serious reform. But if nothing else, it must serve as a tonic to the three years of unrelenting media propaganda that has deceived and misled millions of Americans into believing things that are simply untrue.

None of these journalists have acknowledged an iota of error in the wake of this report because they know that lying is not just permitted but encouraged as long as it pleases and vindicates the political beliefs of their audiences. Until that stops, credibility and faith in journalism will never be restored, and – despite how toxic it is to have a media that has no claim on credibility – that despised status will be fully deserved.



Contact the author:

Glenn Greenwaldglenn.greenwald@ theintercept.com@ggreenwald