

THE HATCHET MEN OF FUSION GPS, BLACK CUBE, GIZMODO AND ALL THE OTHER MEDIA ASSASSINS

Glenn Simpson and Peter Fritsch tried to keep the American people in the dark as long as possible. For most of 2017, the founders of Fusion GPS hid the truth about the origins of their now-infamous dossier on President Trump. The real story behind their fight to keep its partisan funding a secret is very different from the version the journalists-for-rent tell in their recent book, *Crime in Progress*. I know, because I was there.

They smear me, and my former boss, Sen. Chuck Grassley, who was chairman of the Senate Judiciary Committee. Then they paint themselves as victims of “ruthlessly partisan” McCarthyite tactics. The irony is rich, given that these former journalists collected a million bucks from one political party to accuse the other of acting as agents of Russia.

The dossier they peddled ignited hysteria about alleged traitors in our government more than anything else has since Joe McCarthy's *Enemies from Within* speech nearly 70 years ago. Unlike traditional opposition research, the dossier relied on anonymous foreign sources to allege an international criminal conspiracy between the Trump campaign and the Russian government. Two independent reviews have since gutted its sensational claims.

The report by the Justice Department's independent inspector general exposed how the FBI improperly used the dossier to justify domestic spying (a Foreign Intelligence Surveillance Act

warrant). The IG made it clear that the dossier was clearly unreliable. Special counsel Robert Mueller was unable to find sufficient evidence to charge a single American with the dossier's collusion conspiracy despite two years, \$32 million, 500 witnesses, and 2,800 subpoenas-worth of additional investigation.

Like the dossier itself, Fusion's attempt to defend its work in *Crime in Progress* cannot withstand scrutiny. It devotes a chapter to denouncing Grassley for asking inconvenient questions about Fusion and the dossier. The essentially fictitious story casts Simpson as "Captain America":

Working to "protect the republic at all costs" from a Manchurian Candidate, with the First Amendment as his only shield, Simpson battles Congressional persecutors who were "trashing the Bill of Rights" by subpoenaing his bank to learn who funded the dossier.

Fusion's founders target me, as then-counsel to Grassley, for supposedly "pulling the strings" that led to outing their secret. They had promised never to reveal who bankrolled the project. Why? Their book concedes a "more strategic reason" to stonewall: They wanted to control the larger political narrative.

As they write in *Crime in Progress*: "If it came out too soon that the dossier had been paid for by the Clinton Campaign, that revelation would allow the Republicans to depict [Christopher] Steele's work as a partisan hit job." It was "a fact that Fusion managed to keep secret" for nearly 11 months after the dossier became public.

During those 11 months, Fusion's clients denied their involvement, and Fusion fought to keep anything from coming to light that would contradict those denials. Grassley tried to learn more about the dossier's claims and Fusion's involvement. Fusion's founders claim they would have been willing "to explain their past work" without a protracted battle if "Grassley had simply approached Fusion in good faith and asked."

Actually, we tried. When I called Simpson, he immediately refused to talk. He lawyered up. He's also one of only two people who refused to cooperate with the inspector general. Without voluntary cooperation, prying any information loose would prove to be a challenge. Absent a full committee vote, no subpoena could be issued without Ranking Member Sen. Dianne Feinstein's agreement. Contrary to Fusion's caricature of our efforts as hyperpartisan, we adopted those new rules in early 2017 to strengthen the committee's hand in what we expected would be bipartisan oversight work during the Trump administration.

Feinstein was initially willing to question Fusion, but bipartisan efforts to look into the dossier and its allegations soon disappeared. In the beginning, she co-signed document requests to Fusion, which its founders misrepresent in their book as ominous partisan threats solely from Grassley. Feinstein also agreed to subpoena Simpson to testify at a public hearing in the summer of 2017, but he refused to appear, citing his Fifth Amendment rights. We later negotiated a limited voluntary interview in private, where he refused to answer questions on many topics, including who funded the dossier.

Feinstein increasingly began to resist any dossier-related line of inquiry. At the time, Grassley and his staff were unaware the Democratic National Convention's law firm had funded the dossier or that a former Feinstein staffer, Daniel Jones, had privately claimed to the FBI that he raised \$50 million from "seven to 10 wealthy donors primarily in New York and California." That money reportedly funds Fusion's ongoing postelection efforts to vindicate the dossier. It's unclear how much Feinstein and her staff knew about this at the time.

Grassley played it straight. He supported the Mueller investigation and bucked his own GOP leadership in the Senate to shepherd a bipartisan bill protecting Mueller's independence through his committee. He worked to conduct vigorous oversight and ask tough questions of everyone, even threatening to subpoena Trump's son to ensure Democrats had an unlimited opportunity to question him on the record. Of course, Fusion's narrative omits this evidence of good faith.

The House Intelligence Committee subpoenaed Fusion's bank records, and in late October 2017, its clients confessed to funding the dossier after it became clear they were going to lose in court. *New York Times* senior White House correspondent Maggie Haberman wrote, "Folks involved in funding this lied about it, and with sanctimony, for a year." A nonpartisan, nonprofit organization complained to the Federal Election Commission that campaign disclosures falsely described payments to Fusion for opposition research as "legal services."

During the court battle, Fusion unleashed "a blizzard of filings" in which it "piled on new allegations" of supposed congressional misconduct. The court rejected all of them.

One of the failed tactics that Fusion considered “central” was to argue that the House Intelligence Committee learned “Fusion had an account at TD Bank from someone in Grassley’s staff” and to imply that was somehow improper. While it is true that we had asked about the bank during Simpson’s voluntary interview on the Senate side, it is false to claim, as Fusion does, that we learned the bank’s name from his “confidential” interview and that the information was unavailable elsewhere.

Anyone reading the transcript (p. 17-18) can see that committee staff already knew the bank’s name and mentioned it first. Fusion’s attorney did not ask how we learned it, and we wouldn’t have answered if he had. The committee protects whistleblowers and confidential sources, just as the press does. Fusion had apparently made little effort to keep its bank’s name confidential up to that point. Not only did Simpson voluntarily confirm it when asked, but we also had reason to believe he listed it on invoices to clients, so it was hardly a state secret.

Casting aspersion on the congressional investigators who forced the truth about the dossier’s funding into the open is no more effective in Fusion’s book than it was in the court proceedings. In the end, it’s merely a distraction from the bigger issues with the dossier’s unreliability, which go far beyond the partisan motives of its sponsors.

Although the special counsel and inspector general reports dealt devastating blows to its credibility, Simpson and Fritsch still maintain in their book that “time will tell” whether the dossier “deserves to take its place among” documents that have “bent the course of history,” such as the Pentagon Papers or the Warren Report. A more apt analogy might be the phony list of

traitors hyped by McCarthy. But, unlike the Americans targeted in the dossier, a few of McCarthy's victims actually were colluding with the Russians.

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