

FISA WARRANTS

https://en.wikipedia.org/wiki/Foreign_Intelligence_Surveillance_Act

The Foreign Intelligence Surveillance Act of 1978 ("FISA" Pub.L. 95-511, 92 Stat. 1783, 50 U.S.C. ch. 36) is a United States federal law which establishes procedures for the physical and electronic surveillance and collection of "foreign intelligence information" between "foreign powers" and "agents of foreign powers" suspected of espionage or terrorism... Depending on the type of surveillance, approved orders or extensions of orders may be active for 90 days, 120 days, or a year.

FISA warrant process (application - collection of information) must be closely investigated. Congressman Trey Gowdy, Senator Charles Grassley, and Senator Lindsey Graham indicate a Special Counsel is in order. What was the rationale for the warrant presented to the FISA judges? Who signed off on the extensions of the FISA warrants every 90 days? What was the rationale for the extensions?

JUDGES NOT TO BLAME - WHAT IS THE FISA JUDGE'S RESPONSIBILITY? Did inherent problems exist in the evidence presented by the DOJ and FBI to get the FISA warrant:

Dossier = from Fusion GPS was *used as evidence* to obtain FISA Warrant

Dossier - Paid for by DNC and Hillary Clinton Campaign - not clearly delineated (spelled out) in the FISA warrant

Perkins Cole law firm for DNC & Clinton Campaign paid (168k) to Steele for the Dossier - not spelled out in FISA warrant

Dossier - Christopher Steele - MI-6 (Russian Specialist): credibility

Dossier - Christopher Steele - leaked information to the national media 9/16 (New Yorker, WP, Yahoo News & CNN) that he worked for the FBI (broke cardinal rule) Steele was "suspended then terminated" by the FBI. Lying to an FBI officer is a felony bringing up to 5 years in prison.

Yahoo article was used *as evidence* to obtain the FISA Warrant

Dossier - Christopher Steele - Sources not clearly identified by Christopher Steele in how the information was harvested.

FBI AGENTS FISA PROBLEM (CONFLICT OF INTEREST)

Two FBI Agents: Peter Storz & FBI Lawyer Lisa Page (Politically biased?)

Liaison relationship (affair between Storz & Page):

The Storz & Page text messages revealed they both:

- Did not want Hillary Clinton charged
- Did not want Donald Trump to win

FBI Agent Peter Storz & FBI Lawyer Lisa Page friends with FISA Judge Rudolph Contreras (who recused himself). Lisa Page also had an affair (relationship) with FISA judge: Judge Rudolph Contreras

Additional Key Information: FBI Agent Peter Storz interviewed Michael Flynn in the Russian collusion case. FBI Agent Peter Storz was also part of the Hillary Clinton email investigation --- found on Anthony Weiner's computer (sent by Huma Abedin) - which was addressed right before the November 7, 2016 Presidential elections - emails (Zero-hedge) determined not to be a National Security problem - no probable cause - little or no action.

<https://thedailycoin.org/2018/01/31/andrew-mccabe-active-doj-investigation-sitting-weiner-laptop-emails/>

Deputy FBI Director Andrew McCabe's recommended termination by: 1) the Justice Department Inspector General Michael Horwitz's internal review and the 2) the FBI's Office Of Professional Responsibility (OPR) - which was forwarded such detailed information (allegations of misconduct) from Inspector General Horwitz. McCabe leaked Information (unauthorized disclosure) to the Wall Street Journal regarding an on-going FBI public corruption investigation of the Clinton Foundation.

---Required by Statute (50 U.S.C.) a FISA order (warrant) on an American citizen must be renewed every 90 days and each renewal requires a separate finding of probable cause---

Deputy FBI Director Andrew McCabe signed off on one FISA warrants. FBI Director Comey signed off on three FISA warrants.

Acting Attorney General (AAG) Sally Yates, AAG Dana Boente, and Deputy Attorney General Rod Rosenstein signed off on one or more FISA warrants.

<http://dailycaller.com/2018/02/02/comey-yates-mccabe-rosenstein-fisa/>

<https://www.nytimes.com/2017/10/25/us/politics/steele-dossier-trump-explained.html>

<http://thehill.com/homenews/campaign/357213-clinton-dnc-connections-to-trump-dossier-funding-could-create-election-law>

<https://www.judiciary.senate.gov/imo/media/doc/2018-02-02%20CEG%20LG%20to%20DOJ%20FBI%20%28Unclassified%20Steele%20Referral%29.pdf>

<https://www.theatlantic.com/politics/archive/2018/02/read-the-full-text-of-the-nunes-memo/552191/>

<https://www.usatoday.com/story/news/politics/2018/02/24/democratic-memo-here-key-points-schiffs-document/370388002/>

“And most conspicuously, Schiff’s response is silent on one of the most damning allegations from the Nunes memo: That acting FBI Deputy Director Andrew McCabe told the House Intelligence Committee in December that “no surveillance warrant would have been sought from the FISC (Foreign Intelligence Surveillance Court) without the Steele dossier information.”

<https://www.wsj.com/articles/who-is-christopher-steele-1518135346>

“The FBI also had reason to view his research with skepticism—on grounds of its tabloid-like allegations, and also on the near-fantastical claim of skill that underlay it. To wit, that a man who had been out of official spy rings for seven years was nonetheless able, in a matter of weeks and with just a few calls from London, where he lives, to unravel an international conspiracy that had eluded the CIA, FBI, MI6 and every other Western intelligence agency, all of which have access to the globe’s most sophisticated surveillance tools.”

“But rather than proceed with caution, the FBI swallowed the whole package. According to Sen. Chuck Grassley’s declassified criminal referral, former Director James Comey testified that the bureau couldn’t meaningfully corroborate the dossier, but used it in Foreign Intelligence Surveillance Court proceedings anyway because Mr. Steele had previously provided “reliable” information.”

Questions: What working relationship did FBI Director Comey have with British Agent Steele? Did previous associations require obtaining FISA warrants?

The Brennan Center Report On FISA (2015):
What Went Wrong With The FISA COURT

https://www.brennancenter.org/sites/default/files/analysis/What_Went_Wrong_With_The_FISA_Court.pdf

Excerpts Brennan Center Report Pages 4-5:

Fundamental changes are needed to fix these flaws. Following Snowden's disclosures, several bills were introduced to try to ensure that the court would hear the other side of the argument, generally from some type of public advocate. Other bills addressed the court's secrecy by requiring the executive branch to declassify significant opinions or release summaries. These proposals would make important improvements, but they do not address the full range of constitutional deficiencies resulting from the changes in law and technology detailed in this report. The problem with the FISA Court is far broader than a particular procedure or rule. The problem with the FISA Court is FISA.

The report proposes a set of key changes to FISA to help restore the court's legitimacy.

- Congress should end programmatic surveillance and require the government to obtain judicial approval whenever it seeks to obtain communications or information involving Americans. This would resolve many constitutional concerns.*
- Congress should shore up the Article III soundness of the FISA Court by ensuring that the interests of those affected by surveillance are represented in court proceedings, increasing transparency, and facilitating the ability of affected individuals to challenge surveillance programs in regular federal courts.*
- Finally, Congress should address additional Fourth Amendment concerns by ensuring that the collection of information under the rubric of "foreign intelligence" actually relates to our national security and does not constitute an end-run around the constitutional standards for criminal investigations.*

Under today's foreign intelligence surveillance system, the government's ability to collect information about ordinary Americans' lives has increased exponentially while judicial oversight has been reduced to near-nothingness. Nothing less than a

fundamental overhaul of the type proposed here is needed to restore the system to its constitutional moorings.

-----END BRENNAN CENTER FISA REPORT-----

Final Questions:

- U.S. NATIONAL SECURITY RISKS: How has National Security been compromised or put at risk ? If so, how so?
- CONSTITUTIONAL MOORINGS: How has the U.S. Constitution been usurped, undermined or circumvented? Do certain actions create a constitutional crisis?
- COVERT OPERATIONS: How have covert operations (sources & methods) been sacrificed, exposed or put at risk? [Loose Lips And Loose USG Cybersecurity (Defensive/Offensive Weapons) Sink Ships)?
- POLITICAL INTERESTS & NATIONAL SECURITY: How have political interests manipulated or sacrificed National Security?
- U.S. DEPARTMENTS & AGENCIES – RESPONSIBILITY & ACCOUNTABILITY: How have USG departments or agencies over stepped their bounds?
- U.S. DEPARTMENTS & AGENCIES – MANDATES: How have USG departments or agencies fulfilled or not fulfilled their mandates?
- INFLUENCE OF POLITICAL OR SPECIAL INTERESTS: Have or have not political or special interests held sway over National Security?
- U.S. DOMESTIC & FOREIGN INTELLIGENCE: Has the U.S. intelligence community suffered because of political and special interests?
- CONSTITUTIONAL CONCERNS: As the U.S. Supreme Court has jurisdiction over all federal courts (judicial oversight), what role can the Supreme Court play to ensure the U.S. Constitution has been adhered to (not violated) and ensure the FISA judges (robust peer review every 2 years) and the Executive Branch have acted in accord with the U.S. Constitution (Fourth Amendment concerns)?