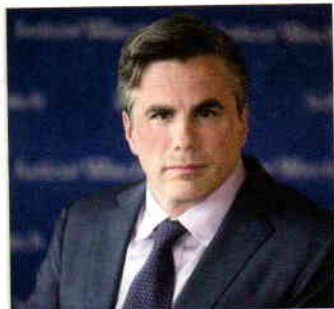


Judicial Watch Digs Into Obama Spying Scandal

By Tom Fitton



JUDICIAL WATCH

The Left and its partisans are blowing lots of smoke about Russia, former FBI Director James Comey and our presidential election. They are hoping citizens will think “fire.” Our position is to let the politicians foam at the mouth — we’ll uncover the facts.

The *New York Times* reported on March 1, 2017 that the Obama administration reportedly spread classified information about alleged Russian efforts to undermine the 2016 presidential election:

“There was also an effort to pass reports and other sensitive materials to Congress. In one instance, the State Department sent a cache of documents marked “secret” to Senator Benjamin Cardin of Maryland days before the Jan. 20 inauguration. The documents, detailing Russian efforts to intervene in elections worldwide, were sent in response to a request from Mr. Cardin, the top Democrat on the Foreign Relations Committee, and were shared with Republicans on the panel.”

As part of our continuing effort to probe these accusations, we have filed four Freedom of Information Act (FOIA) lawsuits seeking to uncover the facts.

Most recently, on May 9, we filed a lawsuit in the U.S. District Court for the District of Columbia



Former FBI Director James Comey

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(*Judicial Watch v. U.S. Department of State* (No. 1:17-cv-00852)) against the U.S. Department of State for all records provided by them to Senator Benjamin Cardin (D-MD) related to alleged Russian interference with the 2016 presidential election. In this suit, the question before us is: Did the Obama State Department improperly share classified information with a Democratic Senator as part of an anti-Trump scheme?

Needless to say, the Senate won't be investigating Senator Cardin's role in any potential violations of law but your Judicial Watch is going to federal court to investigate his role. Hence, we went to court after the State Department failed to respond

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to our March 2, 2017 FOIA request seeking:

“All records provided by any official, employee, or representative of the Department of State to Senator Ben Cardin, any member of his staff, the Senate Foreign Relations Committee, and/or any Senate Foreign Relations Committee staff member regarding, concerning, or related to efforts by the Russian Government to affect, manipulate, or influence any election in the United States or any foreign country from November 8, 2016 to present.”

The illegal secrecy on the Obama administration's anti-Trump Russia “investigations” must end. The report about Russia's influence operations in Europe must not be helpful to the Obama anti-Trump Russia narrative — otherwise we wouldn't have to sue in federal court to get it.

Our litigation concerning alleged Russian interference in the 2016 presidential election followed an earlier Judicial Watch lawsuit aimed

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at prying loose information about alleged Russian interference in the elections of other countries. On December 13, 2016, the Wall Street Journal reported that Representative Mike Turner (R., Ohio) “has been pushing for the unclassified version of a report assessing Moscow’s interference in foreign elections, particularly across Europe.” *The Wall Street Journal* further reported:

“The White House already released a classified version of the assessment but Mr. Turner has been pushing for the unclassified version, which would be releasable to the public, he said. Mr. Turner sent the White House a letter ... demanding for the unclassified version of the report.

“The fact that the administration is picking and choosing the information it releases and who they release it to ought to give everybody concern that the administration is manipulating this,” he said.

“The report is critical for a better understanding of what Moscow is up to in elections overseas, he said. Mr. Turner said the Obama administration is cherry picking what it releases.”

The day after the *Wall Street*

Journal report, Judicial Watch filed a FOIA request with the Central Intelligence Agency (CIA) seeking the production of that unclassified assessment. On March 8, 2017, after the CIA failed to respond by the FOIA deadline, Judicial Watch filed a lawsuit to obtain the report (*Judicial Watch v. Central Intelligence Agency* (No. 1:17-cv-00414)).

Judicial Watch also filed two FOIA requests and subsequent lawsuits related to the surveillance, unmasking and illegal leaking and targeting of President Trump and his associates. The lawsuits seek documents about the Obama administration’s surveillance and related leaks of top Trump associate and former national security adviser Gen. Michael Flynn.

The first lawsuit was filed against the CIA, the United States Department of Justice and the Department of the Treasury regarding records related to the investigation of retired United States Army Lieutenant General Michael Flynn’s communications with Russian Ambassador Sergey Kislyak (*Judicial Watch v. Central Intelligence Agency et al.* (No.1:17-cv-00397)). The National Security Agency refused to confirm or deny the existence of intelligence records about communications with Gen. Flynn and Amb Kislyak.

The original Judicial Watch FOIA request, ignored by the agencies, was prompted by a January 23, 2017



Russian President Vladimir Putin

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CNN report that the government was investigating Flynn, former national security adviser to President Trump:

“The calls were captured by routine US eavesdropping targeting the Russian diplomats, according to the intelligence and law enforcement officials. But the officials said some of the content of the conversation raised enough potential concerns that investigators are still looking into the discussions, amid a broader concern about Russian intelligence-gathering activities in the United States.

“The officials all stressed that so far there has been no determination of any wrongdoing.

“FBI and intelligence officials briefed members of the Obama White House team before President Barack Obama left office about the Flynn calls to the Russian ambassador, sources said.”

Judicial Watch filed the lawsuit after the agencies failed to respond to our FOIA request, submitted two days after the CNN report, seeking:

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“Any and all records regarding, concerning, or related to the investigation of retired Gen. Michael Flynn’s communications with Russian Ambassador to the United States Sergey Kislyak between October 1, 2016 and the present.

“This request includes, but is not limited to, any and all related warrants, affidavits, declarations, or similar records regarding the aforementioned investigation.

“For purposes of clarification, please find enclosed a CNN report regarding the investigation, which cites information that was provided to CNN by members of the Intelligence Community.”

In its complaint, Judicial Watch asks the court to order the agencies to search for all records responsive to its FOIA requests and demonstrate that they employed reasonable search methods; order the agencies to produce by a specific date all non-exempt records and a *Vaughn* index of all withheld records; and instruct the agencies to cease withholding all

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Between her involvement in the Russian surveillance scandal and her lawless effort to thwart President Trump’s immigration executive order, Sally Yates’ short tenure as the acting Attorney General was remarkably troubling.

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non-exempt records.

The second FOIA lawsuit concerning the unmasking and leaks of surveillance intercepts of President Trump and his associates was filed against the U.S. Department of Justice for emails of former Acting Attorney General Sally Yates from her government account. The lawsuit was filed in the U.S. District Court for the District of Columbia (*Judicial Watch v. U.S. Department of Justice* (No. 1:17-cv-00832)).

The suit was filed after the Justice Department failed to respond to a February 1, 2017 FOIA request seeking access to Yates’ emails between January 21, 2017 and

January 31, 2017.

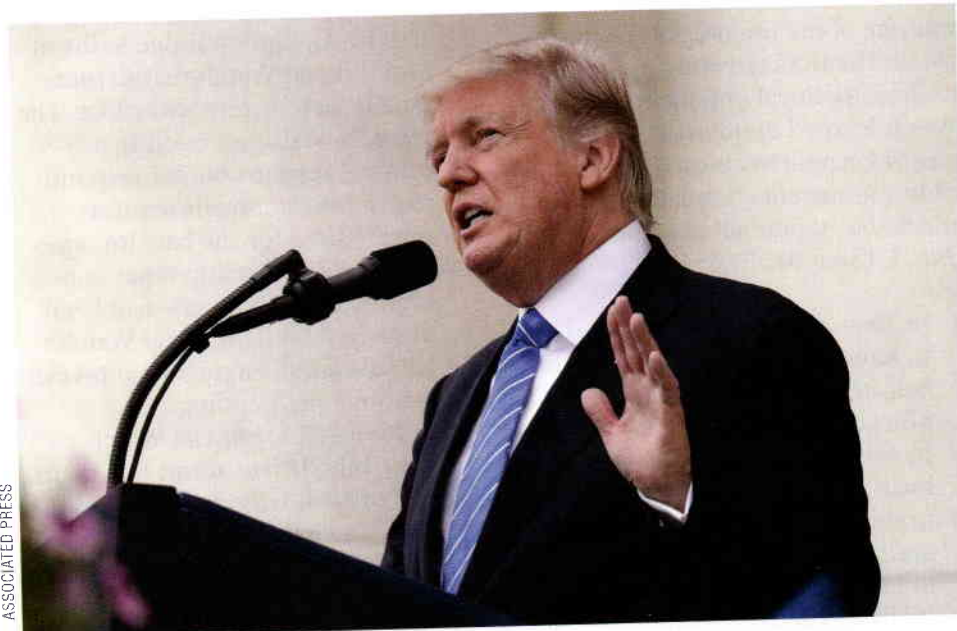
Yates was appointed by President Obama as U.S. Attorney in northern Georgia and was later confirmed as Deputy Attorney General. In January 2017, she became acting Attorney General for President Trump.

Ms. Yates was involved in the controversy concerning Gen. Michael Flynn, allegedly warning the Trump White House in early January about General Flynn’s contacts with the Russian ambassador, Sergei Kislyak. On January 30, Yates ordered the Justice Department not to defend President Trump’s January 27 executive order seeking a travel ban from seven Middle Eastern countries. That same day, President Trump fired her for refusing to defend the action.

Between her involvement in the Russian surveillance scandal and her lawless effort to thwart President Trump’s immigration executive order, Sally Yates’ short tenure as the acting Attorney General was remarkably troubling. Her email traffic might provide a window into how the anti-Trump ‘deep state’ abused the Justice Department.

President Trump is definitely on to something. The Obama-connected wiretapping and illegal leaks of classified material concerning President Trump and his associates are a scandal. Judicial Watch aims to get to the truth about these crimes, and we hope the Trump administration stands with us in the fight for transparency. **JW**

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President Donald J. Trump

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