



END OF AN ERA, PART III:

THE GAME

BY NATHAN WALKER



THE REPORT

THE GAME

END OF AN ERA, PART III

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Numbered source notes accompany the article. Full source details and links appear in the source register.

SECTION 1

THE GAME

In American football, jet motion starts before the snap: a receiver races laterally across the formation behind the quarterback. He may take the handoff. Or the motion may exist only to force the defense to reveal itself.

Russiagate was not an accident. It was a power play built to outlast the voters' verdict. The playbook was not new.

The September 2016 assessment described possible Russian disruption, made no Trump-preference judgment and recorded low confidence from the Federal Bureau of Investigation (FBI) and National Security Agency (NSA) in attributing the disclosures to Russia. A

NSA Director Admiral Michael Rogers warned that his analysts lacked access and time; Clapper called the deadline "not negotiable." A former deputy national intelligence officer said he was denied the supposedly decisive reporting and pressured to concur. CIA's 2025 review found that the "aspired" judgment was produced under excessive agency-head involvement, complete exclusion of the Defense Intelligence Agency (DIA) and the State Department's Bureau of Intelligence and Research (INR), unequal source access, omitted

December 5 briefing still made no claim Putin sought Trump's election. After the December 9 White House meeting, Director of National Intelligence James Clapper's staff transmitted the presidential tasking for a new assessment. The declassified House Permanent Select Committee on Intelligence majority-staff review found Central Intelligence Agency (CIA) Director John Brennan ordered publication of fifteen previously withheld reports; three had failed ordinary publication standards and became foundational to the new judgment. That review found one "scant, unclear, and unverifiable fragment" behind "aspired" and reliable contrary intelligence omitted or selectively quoted. CIA's own review confirms senior officers objected to inserting Steele material.¹

alternatives and a confidence level the evidence did not merit.²

The declassified appendix to Special Counsel John Durham's report shows that CIA briefed Obama, Biden, Clapper and FBI Director James Comey on intelligence alleging a Clinton-campaign plan to create a Trump-Russia scandal, then referred it to the FBI. Durham found no meaningful FBI attempt to test it while campaign-funded and campaign-linked allegations against Trump were pursued.³

NOTES

¹ declassified pre- and post-election intelligence record

² declassified Rogers-Clapper email

³ declassified appendix

Why This Study?

The conclusions of the Intelligence Community Assessment (ICA), *"Russian Influence Campaign Targeting the 2016 US Presidential Election,"* raised concerns about Russian attempts to undermine confidence in the US election system, prompting a comprehensive examination of the ICA's analysis.

Investigators compared the ICA analytic tradecraft against the standards prescribed in *Intelligence Community Directive (ICD) 203, "Analytic Standards,"* the primary guiding document for evaluation of analytic products for the Intelligence Community (IC).¹ Investigators spent over 2,300 hours reviewing the ICA and its source reports, mostly at CIA Headquarters in the compartmented reports vault, and on outside related research. In addition, 20 interviews were conducted of intelligence officers or FBI agents who were associated with managing or drafting the ICA or the production of raw reporting cited as ICA sources.

Recommendations

1. Improve peer review of controversial assessments involving limited-access intelligence.
2. Require political appointees to recuse themselves from managing such assessments during a presidential transition.
3. Mandate that finished analysis citing substandard raw intelligence reports include a context footnote explaining all factors that reduce confidence in the information.

What the Majority Found

Most ICA judgments on Russia's activities in the US election employed proper analytic tradecraft and were consistent with observed Russian behavior. The key judgments found to be credible include: 1) President Putin ordered conventional and cyber influence operations, notably by leaking politically sensitive emails obtained from computer intrusions; 2) Putin's principal motivations in these operations were to undermine faith in the US democratic process and to weaken what the Russians considered to be an inevitable Clinton presidency; and 3) Putin held back leaking some compromising material for post-election use against the expected Clinton administration.

In contrast to the rest of the ICA, the judgment that Putin developed "a clear preference" for candidate Trump and "aspired to help his chances of victory" did not adhere to the tenets of the ICD, *Analytic Standards*:

- The Director of CIA (DCIA) ordered the post-election publication of 15 reports containing previously collected but unpublished intelligence, three of which were substandard—containing information that was unclear, of uncertain origin, potentially biased, or implausible—and those became foundational sources for the ICA judgments that Putin preferred Trump over Clinton. The ICA misrepresented these reports as reliable, without mentioning their significant underlying flaws.
- One scant, unclear, and unverifiable fragment of a sentence from one of the substandard reports constitutes the only classified information cited to suggest Putin "aspired" to help Trump win.
- The ICA ignored or selectively quoted reliable intelligence reports that challenged—and in some cases undermined—judgments that Putin sought to elect Trump.
- The ICA failed to consider plausible alternative explanations of Putin's intentions indicated by reliable intelligence and observed Russian actions.
- DCIA picked five CIA analysts to write the ICA, and rushed its production in order to publish two weeks before President-elect Trump was sworn-in. Hurried coordination and limited access to the draft reduced opportunities for the IC to discover misquoting of sources and other tradecraft errors.

i

House intelligence majority-staff review, PDF page 4 (printed p. i). ¹

The 2020 files released in July 2026 are explicit. In an exchange over a pending President's Daily Brief (PDB), an NSA analyst wrote: "We have deliberately massaged our one pending PDB to avoid any direct links to the

election." The National Intelligence Officer (NIO) for Cyber called it part of a broader Intelligence Community pattern of "deliberately avoiding mentioning a connection to elections for non-substantive reasons."

NOTES

¹ declassified pre- and post-election intelligence record

GRAPHIC 01

THE ASSESSMENT WAS REBUILT

A

PRE-TASKING RECORD

NO TRUMP-PREFERENCE JUDGMENT

- **September 2016:** possible Russian disruption; no Trump-preference judgment.
- **December 5 briefing:** still no claim Putin sought Trump's election.

B

HOUSE REVIEW

15 REPORTS ENTER THE PROCESS

- After the **December 9 tasking**, CIA Director John Brennan ordered publication of 15 previously withheld reports.
- **Three** had failed ordinary publication standards.

C

HOUSE REVIEW

THE RUSHED JUDGMENT

- A "scant, unclear, and unverifiable fragment."
- Contrary intelligence omitted or selectively quoted; a rushed **five-analyst** process.

D

SEPARATE FINAL RECORDS

CIA REVIEW + DURHAM APPENDIX

- CIA review: excessive agency-head involvement; DIA and INR excluded; unequal source access; alternatives omitted.
- Durham appendix: CIA briefed senior officials on alleged Clinton-plan intelligence and referred it to the FBI.

LETTERS OF MARQUE / END OF AN ERA, PART III

SOURCES / 1 • 2 • 3

9 SEPTEMBER 2026

The assessment record reconstructed from the 2025 declassifications. 1 2 3

The reporting concerned China’s acquisition of American voter data; the exchange records officials stripping the election nexus from a pending presidential briefing.⁴

The August 2026 Round River release showed an FBI Foreign Influence Task Force team gathering “any/all derogatory information” on Biden and Ukraine. Analysts

added products to source files; a defensive-briefing matrix applied the label “conduit” to Cabinet officials, lawmakers and journalists. The FBI says 14 of 53 potentially compromised sources reported derogatory Biden information; tens of thousands of pages remain under review.⁵

NOTES

- 1 declassified pre- and post-election intelligence record
- 2 declassified Rogers-Clapper email
- 3 declassified appendix
- 4 China’s Acquisition and Exploitation of American Voter Data document archive
- 5 Round River document archive

The Office of the Director of National Intelligence (ODNI) says its Election Threats Executive coordinated with Twitter, Facebook and Google on their responses to the Hunter Biden laptop story shortly before Twitter restricted it. A contemporaneous NSA memo records a foreign-election report blocked after sixteen months’ delay and a proposal for a different product that would summarize and amalgamate the unreported data because release might damage NSA’s standing with the administration.⁶

GRAPHIC 02

THE ELECTION FILTER

A

FBI / ROUND RIVER

DEROGATORY INFORMATION

- Foreign Influence Task Force records: gathering **“any/all derogatory information”** on Biden and Ukraine.
- Analysts added products to source files.

B

FBI / SEPARATE MATRIX

THE “CONDUIT” LABEL

- A defensive-briefing matrix labeled named officials, lawmakers and journalists as **“conduits.”**
- This matrix is separate from the collection record.

C

ODNI

ELECTION THREATS EXECUTIVE

- ODNI says the record concerned coordination with Twitter, Facebook and Google.
- The coordination addressed their responses to the Hunter Biden laptop story.

D

NSA / SEPARATE MEMO

SIXTEEN-MONTH REPORTING DELAY

- A foreign-election report was blocked after a **sixteen-month delay.**
- A different product was proposed to summarize and amalgamate the unreported data.

LETTERS OF MARQUE / END OF AN ERA, PART III

SOURCES / 5 • 6

9 SEPTEMBER 2026

Distinct FBI, election-threat response and National Security Agency records. 5 6

NOTES

- 5 Round River document archive
- 6 contemporaneous memorandum concerning delayed election-threat reporting

DECLASSIFIED BY COUNSEL TO THE PRESIDENT WARRINGTON ON 4 AUGUST 2026



Office of the Director of National Intelligence
DELTA Project

Background

Scope: Around December 2019, the FBI's Foreign Influence Task Force – Russia (FITF-R) unofficially formed a group of analysts who utilized internal systems to **gather any/all derogatory information** previously reported by confidential human sources (CHSs) on **Joseph Biden** corruption and other Ukraine related-topics (known as, the "Ukraine Narrative") including, **Burisma, Hunter Biden, Mykola Zlochevsky, Ukraine Interference in 2016 US Presidential election** to **red flag** the reporting as **Russian disinformation**.

- The **Round River** team **operated leading up to and through the 2020 US Presidential election**. The team of analysts had administrative accesses to all reporting and drafted intelligence products that were later added to each CHS file to show the reporting was deemed Russian disinformation. The FITF-R team also provided **defensive briefings to any Congressional member** who obtained reporting related to any aspect of the "Ukraine narrative."
- The following is an illustrated example of some of the statements made by the aforementioned CHSs with respect to the "**Ukraine narrative**."
- The Round River team did not corroborate any of the allegations of the "Ukraine Narrative."

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DECLASSIFIED BY COUNSEL TO THE PRESIDENT WARRINGTON ON 4 AUGUST 2026

DELTA Project slide deck, PDF page 2. 5

NOTES

5 Round River document archive

DECLASSIFIED BY COUNSEL TO THE PRESIDENT WARRINGTON ON 12 AUGUST 2026

From: [REDACTED] NSA
To: [REDACTED] NSA
Subject: RE: (U) memo to me
Date: Friday, March 13, 2020 [REDACTED]

I was also asked, at one point, what the mood in [REDACTED] was, in light of all of this. ([REDACTED] point about getting questioned/accused of politicization by the other side if we failed to publish anything included a reference to analysts who had worked hard on the report and who might be disappointed/frustrated that their work had gone for nothing.) I stated plainly that, in light of our experience with the [REDACTED] we would consider ourselves lucky if the new report, concerning 2020, was actually released before the election in November. I said that we did not know why we were here, trying to defend the election and identify threats to it, if we were unable to actually report what those threats were because of issues like this.

From: [REDACTED] NSA [REDACTED]@nsa.ic.gov>
Sent: Friday, March 13, 2020 [REDACTED]
To: [REDACTED] NSA [REDACTED]@nsa.ic.gov>
Subject: (U) memo to me

Today I attended a meeting regarding what to do about the [REDACTED] that we proposed releasing in December 2018, which was intended to invite recipients to request [REDACTED] underlying the report. The [REDACTED] in question was a [REDACTED] the [REDACTED] efforts targeting the U.S., starting in 2014 and including [REDACTED] regarding the 2016 election. We had already published an [REDACTED] report covering most [REDACTED], but we were unable to include all [REDACTED] in the [REDACTED] for two reasons: 1) members of Congress would have been unavoidably contextually identified, even if we removed their names, and thus we would need to get pre-approval under the Gates Procedures, and 2) it was judged that some of the details regarding the 2016 election were "sensational" and so required a limited distribution [REDACTED]. Although we [REDACTED] have consistently pushed for the last 16 months to get this [REDACTED] published, people higher in the chain than us – including but not limited to people at ODNI – time and again failed to make real decisions in a timely manner. We recently (in February) were told that ODNI had approved the distribution list for the report, and so we pushed the report to [REDACTED] for release, pending DIR approval. Then, DDIR objected to releasing the report as-is at this time.

The meeting was attended by: DDIR [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

DDIR had proposed several options for how we might release or not release information from the [REDACTED]

DECLASSIFIED BY COUNSEL TO THE PRESIDENT WARRINGTON ON 12 AUGUST 2026

National Security Agency memorandum, page 1. 6

NOTES

6 contemporaneous memorandum concerning delayed election-threat reporting

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██████████ explained that some of the options he had proposed were non-starters because the key original problem – that of unavoidably contextually identifying members of Congress and thus creating issues under the Gates Procedures – would not be solved by those options. ██████████ conveyed that ██████████ preferred course was to release the report using the ODNI-approved distribution (i.e., continuing with the process we had begun 16 months ago).

DDIR explained that he was concerned that releasing the ██████████ at this time – in the current political climate, with an acting ODNI who had been tasked (according to DDIR) to “clean house” in the intelligence community, and with an administration that is suspicious of the IC and aggressive in removing anyone who stands in their way – would damage NSA’s credibility. He believed that questions would be asked as to why NSA was choosing to release this information, most obviously pertinent to the 2016 election, now, more than a year after ██████████ and that NSA would be accused of releasing it for political purposes. (I lacked the courage to point out that we, ██████████, had processed the information in a timely manner, and the delay in releasing it was due in part to decisions and inaction on the part of people in the room.) DDIR perceived that ODNI, CIA, and FBI to an extent had been tarred as hosting or being part of the “deep state”, but that NSA thus far had not been associated with the deep state and was trusted; he felt that publishing this ██████████ report would destroy that trust. He felt that the questioning of NSA that would ensue would have ramifications on the credibility of NSA reporting overall and would result in morale problems among the broader NSA workforce, a la when the ██████████. He repeatedly said that he wanted to protect our ability to be who we are at NSA: nonpartisan, objective, speaking truth to power. (At one point he mentioned something about it would be a shame if the boss – meaning DIRNSA – lost his job. Both ██████████ and I got the impression, as we discussed afterward, that DDIR was concerned about losing his job and DIRNSA’s job.) He also said, at one point, that if we had released the report last April, for instance, then he would not have these concerns about the timing. (Again, I lacked the courage to rhetorically ask why it was that we hadn’t released the report by last April.)

DDIR suggested releasing a different product, where we would summarize and amalgamate the data not-yet-reported from the ██████████, rather than inviting recipients to request ██████████. I pointed out that while we could conceivably do that regarding the ██████████ assessment of and comments regarding the Republican field from 2016, it would not be possible to do so regarding the Democratic field from 2016, because ██████████ analysis of that field concerned only two people: Hillary Clinton and Bernie Sanders, who is of course a senator, and who would have been contextually identifiable no matter what we did. ██████████ pointed out that releasing information about ██████████ analysis of the Republican field only would look even more political. ██████████ also pointed out that there was specific FI in the ██████████ assessments of the Republican candidates that we believed could carry forward (for instance, ██████████ opinion on policies that happened to be supported by those candidates likely remained the same, and thus insight into those opinions on policies could be relevant moving forward), but that we would still contextually identify members of Congress, who were candidates at the time, if we included the information on those policy preferences; and we would be omitting foreign intelligence from the report if we amalgamated the ██████████ assessments and left out those policy preferences. I also reiterated that we believed that there was foreign intelligence value in seeing exactly what the ██████████ said, how they thought, what they assessed in their own words.

DECLASSIFIED BY COUNSEL TO THE PRESIDENT WARRINGTON ON 12 AUGUST 2026

National Security Agency memorandum, page 2. 6

NOTES

6 contemporaneous memorandum concerning delayed election-threat reporting

SECTION 2

THE FUNNEL



The Department of Energy (DOE) counterintelligence apparatus—the predecessor to today’s Office of Intelligence and Counterintelligence, one of the Community’s eighteen elements—produced the inquiry Part II left at the courthouse. The Department of Justice’s Bellows Report on its origins named the mechanism.⁷

DOE’s inquiry “should have been a sieve.” Instead, it “ended up as a funnel.”⁷

The Kindred Spirit Analytical Group produced a concise, limited scientific assessment of what China may have obtained from American nuclear-weapons programs. The FBI never saw it. What the Bureau received instead was a DOE inquiry whose edits converted a broad suspect list into a “virtual indictment” of Wen Ho and Sylvia Lee.⁷

The FBI embraced the product, never tested its assumptions and ignored surviving leads.⁷ The then-General Accounting Office (GAO) later found Assistant Director Neil Gallagher’s sworn confidence in the DOE inquiry “inaccurate and misleading”: the contrary field-office warning had been in his briefing book.⁸

Meanwhile, DOE auditors had repeatedly found weak separation of classified and unclassified networks. A 1995 inspector-general review documented stale contractor accounts, shared user IDs, poor media inventories and inadequate activity monitoring at a headquarters facility where contractors were about 45 percent of 3,600 users. Classified information appeared on an unclassified network at Los Alamos National Laboratory (LANL) in 1998.⁹

SECTION 3

WHAT THE FUNNEL CLOSED

Bellows showed what vanished. DOE’s original plan was to identify People’s Republic of China (PRC) visitors and assignees at Los Alamos and Lawrence Livermore national laboratories and other facilities, then map their relationships with laboratory personnel. Other venues—and other people with access and China travel—fell away as the inquiry became the “virtual indictment.”⁷

Lee told the FBI that meeting Institute of Applied Physics and Computational Mathematics (IAPCM) mathematician Li De Yuan at a mid-1980s Hilton Head conference led to invitations for China trips in 1986 and 1988; the Senate record says LANL and DOE approved both in advance. A defense memorandum in that record, citing the FBI case agent’s grand-jury testimony, identifies Sylvia Lee as an FBI “Information Asset” from 1985 to 1991 and says Wen attended at least two meetings with her FBI contact. A 1987 IAPCM note

NOTES

⁷ Department of Energy Office of Intelligence and Counterintelligence

⁸ Review of FBI Congressional Testimony

⁹ Review of the U.S. Department of Energy’s Information Management Systems

requested three LANL reports. Lee's 1988 foreign-trip report omitted Hu Side, identified in the FBI affidavit as head of China's nuclear-weapons program by 1994. The 1997 draft Foreign Intelligence Surveillance Act (FISA) application said Wen had offered help but was not used. Contemporaneous FBI files said his assistance produced results "far better than had been anticipated."¹⁰

After reviewing FBI, CIA and DOE records, Judge James Parker found exculpatory material involving the Lees' cooperation, reliability and motives. The congressional review said a trial "certainly had the potential to embarrass the government." The plea followed Parker's ruling that Lee had to be released pending trial.¹⁰

The Committee of 100 (C100) was not a spectator. Its co-founder Henry Tang later said Lee "came to us through" defense lawyer Brian Sun and that C100 had "many people affiliated" with Los Alamos. After its legal

That narrowing unfolded inside an intelligence and technology conflict with China. Three days before the May 1999 strike on China's Belgrade embassy, a CIA officer challenged the target's location; the concern did not trigger a halt or revalidation. The bombs killed three. Beijing suspended high-level military exchanges and postponed arms-control and international-security talks; Chinese hackers defaced U.S. government sites. On August 19, CIA and FBI sent Congress a classified report; its public version described Chinese collection through students, scientists, research institutes,

team questioned Lee's lawyers, it deemed the case "worthy of backing." C100's history records contacting President Bill Clinton over the case in 1999, bringing Energy Secretary Bill Richardson before its annual conference and leading sixteen Asian-American organizations in a due-process campaign for Lee in 2000. Sun joined C100 after the case.¹¹

The bridge to the Council on American-Islamic Relations (CAIR) predates 9/11. In March 2000, *The Minaret* credited Lee's daughter Alberta as a contributor to an article using her father's case to warn Muslims about FBI interviews, cited a CAIR alert, and directed readers to obtain counsel through—and report FBI contacts to—CAIR. In 2004, Alberta attended CAIR-Sacramento's banquet and compared James Yee's collapsed prosecution to her father's; in 2018, C100 and CAIR signed the same letter to FBI Director Christopher Wray.¹¹

companies and technical exchanges—including U.S. national laboratories.¹²¹³

The Michigan State University (MSU) cluster maps the access layer. Lionel Ni and his doctoral student Vibhavas Vuppala developed scalable-router and virtual-network-port prototypes. Ni, Matt W. Mutka and Abdol-Hossein Esfahanian shared the National Science Foundation (NSF) *Emulate the Performance of Wide Area Networks* (EMPOWER) grant; Ni and Pei Zheng's EMPOWER paper described an emulator that imposed bandwidth, delay, loss and topology on live packet traffic. Ni co-founded Michigan-based Computer

NOTES

¹⁰ Reports on the Cases of Dr. Wen Ho Lee and Dr. Peter Lee

¹¹ economic-espionage seminar transcript

¹² Report to Congress on Chinese Espionage Activities Against the United States

¹³ statement to the House Intelligence Committee on the bombing of the Chinese embassy in Belgrade

GRAPHIC 03

THE NETWORK AROUND THE CASE

A

CONGRESSIONAL MATERIAL

COOPERATION + EXCULPATORY REVIEW

- The record describes the Lees' cooperation.
- Judge James Parker reviewed exculpatory material involving their cooperation, reliability and motives.

B

COMMITTEE OF 100

ENTRY THROUGH BRIAN SUN

- Co-founder Henry Tang said Wen Ho Lee **"came to us through"** Brian Sun and described C100 affiliations with Los Alamos.
- C100 records describe its intervention; Sun later joined.

C

MARCH 2000 / THE MINARET

ALBERTA LEE + CAIR ALERT

- The item credited Alberta Lee and cited a CAIR alert.
- It directed readers to CAIR concerning FBI contacts.

D

SEPARATE DATED LINKS

2004 / 2018

- 2004:** Alberta Lee appeared at CAIR-Sacramento.
- 2018:** Committee of 100 and CAIR co-signed a letter to FBI Director Christopher Wray.

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The documented network around the Wen Ho Lee case. 10 11

Communication & Telecommunication Technologies, Inc. (CC&T), which by August 1999 sold EMIP-1, a Linux wide-area-network emulator displaying packet statistics.¹⁴¹⁵¹⁶

A 1998 *Huaqiao Bao* report reproduced on 3JET's own site says China Sanjiang Aerospace Group and CC&T jointly funded Zhuhai Siruijie Network Engineering

Service and identifies Sanjiang's deputy general manager as Siruijie's chairman; an archived 1999 company page presents 3JET as Siruijie's brand. Sanjiang belonged to China's state aerospace system later reorganized under what became the China Aerospace Science and Industry Corporation (CASIC); the State-owned Assets Supervision and Administration Commission of the State

NOTES

- 10 Reports on the Cases of Dr. Wen Ho Lee and Dr. Peter Lee
- 11 economic-espionage seminar transcript
- 14 "Design of a Scalable IP Router"
- 15 curriculum vitae
- 16 Award 9911074, EMPower

COMMITTEE OF 100 SEMINAR TRANSCRIPT | PDF P. 12

HENRY TANG: Thank you very much and you know about the history of the Committee of 100 as the result of being a part of what we do so I won't talk too much about our Committee. What we like to say is, it's just a group of ordinary Chinese Americans who have achieved extraordinary things in their lifetime. We call upon all 160 to participate and add their personal resources and expertise into issues like this. We cover many other issues besides Wen Ho Lee sort of cases. We also, some of you may know, go to events like next week in Seattle we'll be seeing President Xi when he comes in, we go to Beijing, Taiwan, and Hong Kong to talk to leadership quite often. So it's a really interesting group of people who have the capacity to get engaged in a lot of controversial issues. **In the case of Wen Ho Lee, he came to us through Brian, we also had many people affiliated with the National Laboratory where Wen Ho Lee was working. In this particular case all I can say is that there's American baseball player named Yogi Berra and he was very famous for his saying, "It's déjà vu all over again," meaning here we are 16, 17 years later. The Wen Ho Lee case was in 1999 and here we are in the year 2015, 16 years after. The Wen Ho Lee case began about a year before it actually came to the surface, so it's about 16 years or 17 years later, and we're sitting here in this same position. Let's all sit back**

THE MINARET | MARCH 2000 | P. 21

you answer one question, other questions will follow, and it becomes progressively more difficult not to answer. For example, in Dr. Lee's case, the FBI first approached him by asking him for help to solve some issues. According to Alberta Lee, Dr. Lee's daughter, "My father, being very trusting and willing, invited the FBI agents into our home, prepared tea and fruit for them, and began the first meeting of many sessions, stretching to 4-5 hours at a time. It wasn't until they pressured him into taking a polygraph that he realized he himself was being investigated." If you are considering talking to the FBI:

- 1) Of course, it is a crime to lie or provide false information to the FBI.
- 2) Do not, under any circumstances, impulsively invite them inside your home or office to do so at that moment. Instead, ask them for identification and a business card. Tell the agent that your lawyer will contact the FBI office to schedule an appointment for you at which he or she can be present.
- 3) Keep a written record of all contact with the FBI, the date and time of the visit, what was said, how they approached you, who they contacted besides you, and anything else that is pertinent. Report the contact to the AMC and CAIR offices immediately so that they can document the visit and advise you further on how to proceed.
- 4) Any interviews with the FBI should take place at the local FBI headquarters, not your home, office or at a public place. Allowing the FBI in your home or office might provide them with information about you which you might not want to share with federal agents, by way of books or papers which might be on display. It

case, the FBI first approached him by asking him for help to solve some issues. According to Alberta Lee, Dr. Lee's daughter, "My father, being very trusting and willing, invited the FBI agents into our home, prepared tea and fruit for them, and began the first meeting of many sessions, stretching 4-5 hours at a time. It wasn't until they pressured him into taking a polygraph that he realized he himself was being investigated."

small, unrelated offenses, such as infringements of copyright laws, for instance, if you happened to have duplicated audiocassette tapes.

5) Meeting in a public place is not advisable because it is impossible to know who might be listening in, and because it may be difficult to have the conversation tape-recorded for your protection. Instead, you and the agent will be forced to take notes, and notes are not always accurate. Any interview with the FBI should be tape-recorded for your protection.

6) Do not, under any circumstances, attend an FBI interview without a lawyer present. Your lawyer is there to advise you and protect your rights. The very presence of a lawyer will moderate the behavior of the interviewers, otherwise you may feel intimidated by the process. You might also want to ask your lawyer to write a letter to the FBI requesting, in advance, a written copy of the questions, which are to be asked by the FBI interviewers.

7) Do not answer any questions concerning the beliefs, activities, or personal lives of your friends or associates. To do so would be a violation of their privacy, and it could also lead to an FBI decision to

As a member of Lt. Governor Cruz Bustamante's "Commission for One California," and recipient of numerous civil rights leadership awards and commendations from human relations organizations and local government, Maha El-Gemali is also Executive Director of Islamic Networks Group isgwaning.org, a non profit educational organization based in San Jose, CA, which provides educational seminars relating to Islam and the Muslim world to public institutions. Contributing to this article were Alberta Lee, daughter of Wen Ho Lee, and Victor Hwang, Managing Attorney of the Asian Law Caucus. For more information on the case of Dr. Wen Ho Lee or to learn how you

Committee of 100 and Minaret excerpts shown as separate records. ¹¹

Council (SASAC) lists CASIC as a central state-owned enterprise whose approved core business includes military production. ¹⁷

The untested access question extended beyond file custody: who could reach the people, vendors, code and routing devices through which laboratory traffic moved? Presidential Decision Directive 63 (PDD-63) treated telecommunications and energy as interdependent infrastructure, drew universities and industry into the federal protection system and placed the FBI's National

Vuppala later coauthored the DOE-supported Facility for Rare Isotope Beams (FRIB) software architecture. Xipeng Xiao, another Ni student, coauthored the account of GlobalCenter's Multiprotocol Label Switching (MPLS) network before working at Huawei Europe. ¹⁶¹⁸

Infrastructure Protection Center at the public-private junction. By January 2001, InfraGard covered all 56 FBI field offices. ¹⁹²⁰

The funnel reduced a system-level inquiry to one scientist. The case ended in one plea before the discarded access paths—or the government's own place inside them—were tested in public.

NOTES

¹¹ economic-espionage seminar transcript

¹⁶ Award 9911074, EMPower

¹⁷ archived reproduction of Huaqiao Bao report

¹⁸ former doctoral students

¹⁹ Presidential Decision Directive 63

²⁰ introduction of the national InfraGard program

GRAPHIC 04

THE RESEARCH ACCESS LAYER

A

PUBLISHED RESEARCH

SCALABLE ROUTER + VIRTUAL PORTS

Lionel Ni and doctoral student Vibhavasu Vuppala published scalable-router work.

They also published virtual-network-port work.

B

NATIONAL SCIENCE FOUNDATION

AWARD 9911074 / EMPOWER

Principal investigator: Matt W. Mutka.

Co-principal investigators: Lionel Ni and Abdol-Hossein Esfahanian.

C

EMPOWER PAPER

LIVE TRAFFIC, CONTROLLED CONDITIONS

The network emulator applied bandwidth, delay, loss and topology to live packet traffic.

D

LATER / SEPARATE TRACK

FRIB SOFTWARE ARCHITECTURE

The later paper names Vuppala and states Department of Energy Office of Science support.

The NSF award is not described as DOE funding.

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The separately sourced network-research, EMPOWER and FRIB tracks. 14 15 16 18

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- 14 “Design of a Scalable IP Router”
- 15 curriculum vitae
- 16 Award 9911074, EMPOWER
- 18 former doctoral students

NATIONAL SCIENCE FOUNDATION | AWARD 9911074 | EXCERPTS

Award Abstract # 9911074

CISE Research Instrumentation: Emulate the Performance of Wide Area Networks

NSF Org: EIA
DIVISION OF EXPERIMENTAL & INTEG ACTIVIT

Recipient: MICHIGAN STATE UNIVERSITY

Initial Amendment Date: March 17, 2000

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Award Number: 9911074

Award Instrument: Standard Grant

Total Awarded Amount to Date: \$65,968.00

Funds Obligated to Date: FY 2000 - \$65,968.00

History of Investigator: Lionel M Ni (Co-Principal Investigator) ni@cse.msu.edu
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Recipient Sponsored: Michigan State University

ABSTRACT

EIA-9911074
Matt W. Mulka
Michigan State University

CISE Research Instrumentation: Emulate the Performance of Wide Area Networks

The Department of Computer Science and Engineering at Michigan State University will purchase computing and network equipment. This equipment includes two 24-port rackmount switches, an 8-port router, PCs for network emulation, four web servers, one RAID server, six mobile computing devices with wireless networking components, a wireless access point, and radios, monitors, and other devices to support the rackmounted system. This equipment will be used to implement the EMPower (EMulate the Performance of Wide area networks) environment that will be dedicated to support research in computer science and engineering. EMPower enables the emulation of arbitrary network topologies, including interconnected host machines and routers contains both WAN ports and LAN ports. Beyond emulation of network bandwidths, drop rates and patterns, delay distributions, and background traffic, EMPower provides an excellent environment to implement and evaluate different QoS schemes (such as differentiated services) and label swapping schemes (such as MPLS). Current research includes emulation kernel design, routing table configuration, network statistics visualization, and GUI to configure the network easily.

Please report errors in award information by writing to: awardsearch@nsf.gov.

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NI CV + FRIB PROCEEDINGS | DOCUMENTARY EXCERPTS

[29] Vibhavasu Vuppala (May 2002), Virtual Network Ports, now Vice President of Information Technology, QGS Inc., Michigan.

FRIB HIGH-LEVEL SOFTWARE ARCHITECTURE*

P. Chu[‡], E. Berryman, T. Brown, R. Gaul, S. Peng, V. Vuppala, FRIB, East Lansing, MI 48824, USA

SAME FRIB PAGE | SUPPORT STATEMENT

*Work supported by the U.S. Department of Energy Office of Science under Cooperative Agreement DE-SC0000661.
#chu@frib.msu.edu

| National Science Foundation, curriculum-vitae and FRIB records. 15 16 18

SECTION 4

THE CLUES THAT DID NOT TRAVEL

In January 2000, CIA knew suspected al-Qaeda operative Khalid al-Mihdhar held a multiple-entry U.S. visa; by March it knew Nawaf al-Hazmi had flown to Los Angeles. An FBI detailee drafted a report to FBI headquarters and New York. A CIA officer marked it “hold off” on orders from the Bin Laden Unit’s deputy chief. It remained a draft. The visa and travel facts reached FBI operational channels only in late August. Watchlisting came August 24; the search opened August 29.²¹

Part I traced the CIA’s investment bridge into commercial technology. By 2001, Greater Phoenix already concentrated the technologies such a bridge sought: semiconductors, military electronics and Boeing’s Mesa complex, where military rotorcraft were designed, assembled, tested and produced. Mesa Phantom Works personnel also worked on Defense Advanced Research Projects Agency (DARPA) and Air Force unmanned-aircraft programs, including

NOTES

- 15 curriculum vitae
- 16 Award 9911074, EMPower
- 18 former doctoral students
- 21 9/11 review, Chapter Five

NATHAN WALKER

15

reconnaissance and communications/data-relay concepts.²²

The warning that emerged from Phoenix came through aviation's civilian edge. On July 10, 2001, a Phoenix agent reported an "inordinate number" of persons of interest in aviation training and proposed a nationwide aviation-school inventory, local FBI-school liaison and visa tracking. It was not broadly distributed. After a Minnesota school flagged Zacarias Moussaoui on August 15, a headquarters analyst printed the Phoenix memo but never gave it to Minneapolis agents or the lawyers reviewing their request. Three of those four lawyers later said it would have changed their response. Headquarters declined to send the FISA request to Justice Department intelligence lawyers. Moussaoui's belongings were searched after the attacks.²³

The record was not empty. It was compartmented: CIA had visa and travel; Phoenix had an aviation warning; Minneapolis had Moussaoui in custody. The government did not assemble the picture in time.

The crisis did not create the interfaces; it enlarged them. The Communications Assistance for Law Enforcement Act (CALEA) had already required carriers to build authorized interception into commercial networks. InfraGard opened direct, secure channels between infrastructure owners and local FBI offices.²⁰ After 9/11, Joint Terrorism Task Forces (JTTFs) grew from 35 to 103; 55 percent of their 5,085 members came

from outside the FBI, including law-enforcement, intelligence and military agencies.²⁴

Section 314 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act turned the financial system into another search layer. By 2005, a single Financial Crimes Enforcement Network (FinCEN) request could reach roughly 20,000 institutions. By 2018, automated FBI searches of Bank Secrecy Act filings generated about 2,000 alerts a month; those filings were directly linked to the principal subject in roughly one-quarter of pending FBI investigations.²⁵

Contractors supplied the people, machines and oversight. At Leon Panetta's 2009 confirmation hearing, Dianne Feinstein said intelligence contractors had doubled from 2001 to 2006, most hired after 9/11, at an estimated \$80,000 annual premium over government employees. Sentinel made the structure literal: Lockheed Martin received \$305 million to build the FBI's case system; contractors filled 74 percent of its planned program office; Booz Allen Hamilton received the separate Phase 1 verification-and-validation role.²⁶

In 2005, the FBI formed a university board to build terrorism and counterintelligence channels and develop national-security research, curricula, internships, recruiting and faculty consulting. University of California San Diego was a founding member.²⁷

NOTES

²⁰ introduction of the national InfraGard program

²² Annual Report for the United States Intelligence Community

²³ Chapter Three: Phoenix Electronic Communication

²⁴ Communications Assistance for Law Enforcement Act

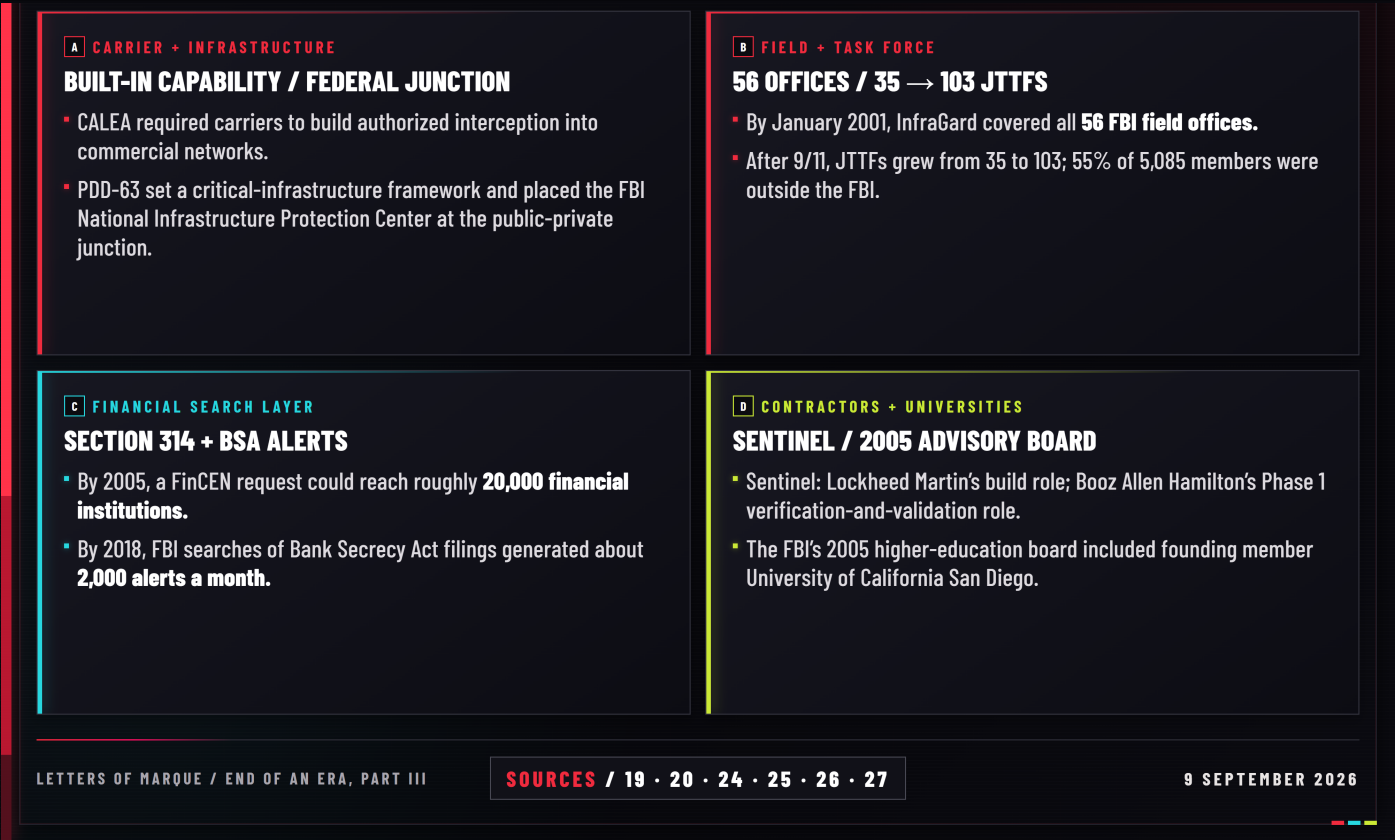
²⁵ USA PATRIOT Act: Additional Guidance Could Improve Implementation of Regulations Related to Customer Identification and Information Sharing Procedures

²⁶ nomination hearing of Leon Panetta

²⁷ National Security Higher Education Advisory Board announcement

GRAPHIC 05

THE PUBLIC-PRIVATE SWITCHBOARD



The documented public-private infrastructure, financial and academic interfaces. 19 20 24 25 26 27

Edward Snowden made the contractor architecture visible: an NSA contractor possessed access sufficient to remove a vast archive from secure government networks. The circumstances of his access, disclosure sequence and Hong Kong-to-Russia transit remain a circumstantial record that may not be resolved without further declassification.²⁸

NOTES

- 19 Presidential Decision Directive 63
- 20 introduction of the national InfraGard program
- 24 Communications Assistance for Law Enforcement Act
- 25 USA PATRIOT Act: Additional Guidance Could Improve Implementation of Regulations Related to Customer Identification and Information Sharing Procedures
- 26 nomination hearing of Leon Panetta
- 27 National Security Higher Education Advisory Board announcement
- 28 Review of the Unauthorized Disclosures of Former National Security Agency Contractor Edward Snowden

DEPARTMENT OF JUSTICE OIG | JTTF EXPANSION | PDF P. 73

multipliers.”³² JTTFs increased 194 percent, from 35 task forces pre-September 11, 2001, to 103 task forces in March 2005. The number of JTTF members has grown 458 percent, from 912 members pre-September 11, 2001, to 5,085 members in January 2005.

GOVERNMENT ACCOUNTABILITY OFFICE | BSA ALERT SYSTEM | PDF PP. 56-57

Source: GAO presentation of IRS data. | GAO-19-582

FBI analyzes BSA filings to support existing cases and initiate new investigations, and FBI and FinCEN have reported related metrics to the public, but not routinely. FBI created a BSA Alert System that searches

CONTINUED ON THE NEXT PAGE

subjects’ names, dates of birth, Social Security numbers, telephone numbers, email addresses, and other identifying information across BSA filings, and automatically emails the results to agents. In a November 2018 congressional testimony, the FBI section chief of its Criminal Investigative Division stated that these searches produce an average of 2,000 alerts per month and provided statistics on the results of the agency’s use of BSA data.⁹⁵ From January 2017 to June 2018, BSA reporting was directly linked to the main subject of approximately 25 percent of pending FBI investigations (up from 8.9 percent in 2012). The

Justice Department inspector-general and Government Accountability Office excerpts. 24 25

THE MEMOS THAT KEPT THE SWITCH ON

The joint inspectors-general report on the President’s Surveillance Program records the clearest massaged product. President George W. Bush signed the first authorization October 4, 2001, permitting specified NSA surveillance inside the United States without Foreign Intelligence Surveillance Court orders. Between then and December 8, 2006, he signed 43 authorizations in all, generally at intervals of about 45 days. The relevant activities moved under FISA authority in January 2007.²⁹

Analysts drafted the threat assessments without knowing the program—or how their work would be used. The Director of Central Intelligence’s chief of staff appended language traced to a senior White House official: a continuing domestic threat, followed by a recommendation to renew. CIA lawyers requested

revisions when drafts lacked sufficient threat information or failed to make a “compelling case.”²⁹

No law required the Attorney General to certify the authorizations. Alberto Gonzales said the signature reassured NSA and cooperating private-sector personnel and, for “purely political considerations,” would have “prospective” value in a future congressional or inspector-general review.²⁹

Compartmented leads reached FBI offices with insufficient detail and no adequate prioritization. Most were determined to have no connection to terrorism. The Bureau nevertheless required every lead to be followed because one genuine lead could matter; the inspectors general concluded that the program generally played only a limited role in FBI counterterrorism.²⁹

NOTES

- 24 Communications Assistance for Law Enforcement Act
- 25 USA PATRIOT Act: Additional Guidance Could Improve Implementation of Regulations Related to Customer Identification and Information Sharing Procedures
- 29 Unclassified Report on the President’s Surveillance Program

When Justice Department lawyers later concluded that parts of the program lacked a viable legal basis, Robert Mueller and James Comey were prepared to resign. The program was modified.²⁹ The Bureau had executed the funnel and, at a critical point, resisted it.

Threat became assessment. Assessment became authorization. Authorization activated public and private infrastructure. Collection created volume; volume required systems; systems required contractors. Each layer became the reason for the next.

SECTION 5

A RECYCLED PLAYBOOK

The CIA supported the Warren Commission while withholding its own plots to kill Fidel Castro. The House Select Committee on Assassinations later exposed the circular defense: the Commission had not asked about operations it had never been told existed.³⁰

In August 1964, nine months after President John F. Kennedy's assassination and while the Warren Commission was still working, intelligence helped carry the United States into a much larger war. NSA historian Robert Hanyok concluded that the August 4 attack never happened. His reconstruction found six signals-intelligence products admitted to the chronology and roughly 90 percent of the available signals intelligence kept out; contrary intercepts were excluded, fragments lifted from context, and the administration's

principal proof assembled by joining two unrelated messages.³¹

Different decades, same conversion. The Warren Commission lacked information held by the agencies assisting it. Tonkin policy used signals intelligence to justify a decision while the record remained conflicted. DOE's limited assessment never reached the FBI. Pre-9/11 clues stopped at agency and unit boundaries. President's Surveillance Program threat assessments were edited to support renewal. The post-election 2016–17 assessment converted selected, substandard reporting into a predetermined political conclusion.

Part IV turns to the military response after September 11, and to the intelligence products, civilian channels and named players that made particular operations appear necessary, lawful and inevitable.

NOTES

²⁹ Unclassified Report on the President's Surveillance Program

³⁰ House Select Committee on Assassinations findings concerning the performance of federal agencies

³¹ Skunks, Bogies, Silent Hounds, and the Flying Fish: The Gulf of Tonkin Mystery, 2-4 August 1964

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