

# **EXHIBIT 3**

EXECUTIVE SESSION  
PERMANENT SELECT COMMITTEE ON INTELLIGENCE,  
U.S. HOUSE OF REPRESENTATIVES,  
WASHINGTON, D.C.

INTERVIEW OF: JAMES CLAPPER

Monday, July 17, 2017

Washington, D.C.

The interview in the above matter was held in Room HVC-304, the Capitol, commencing at 9:34 a.m.

Present: Representatives Rooney, Wenstrup, Schiff, Sewell, and Swalwell.

[REDACTED]

Appearances:

For the PERMANENT SELECT COMMITTEE ON INTELLIGENCE:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

ALSO PRESENT:

WALTER ZAMPELLA, LEGISLATIVE LIAISON

For JAMES CLAPPER:

KENNETH L. WAINSTEIN

MAIA MILLER

Cadwalander, Wickersham & Taft LLP

700 Sixth Street, N.W.

Washington, D.C. 20001

[REDACTED]

[REDACTED]

The rest of us left. As far as I know, it was only Director Comey and the President-elect.

MR. ROONEY: Did you personally discuss the dossier or any of the other intelligence related to Russian hacking? You already said that you didn't leak it to the journalists, so I assume that's a no, correct?

MR. CLAPPER: I'm sorry?

MR. ROONEY: Did you discuss the dossier or any other intelligence related to Russia hacking of the 2016 election with journalists?

MR. CLAPPER: No.

MR. ROONEY: Did you confirm or corroborate the contents of the dossier with CNN journalist Jake Tapper?

MR. CLAPPER: Well, by the time of that, they already knew about it. By the time it was -- it was after -- I don't know exactly the sequence there, but it was pretty close to when we briefed it and when it was out all over the place. The media had it by the way. We were kind of behind the power curve, because the media, many media outlets that I understood had that, had the dossier for some time, as did people on the Hill.

MR. ROONEY: Do you have any idea how they had it, how they got it?

MR. CLAPPER: The media?

MR. ROONEY: Yes.

MR. CLAPPER: I do not.

MR. ROONEY: Like Jake Tapper and those guys. When did you first

[REDACTED]

[REDACTED]

become aware of the late December conversations between General Flynn and Ambassador Kislyak?

MR. CLAPPER: Sometime after the New Year's holiday. It would have been the first week in January. And I can't pin the date down, but it was Tuesday, Wednesday, or Thursday of that week. I don't know the exact day.

MR. ROONEY: Do you know who told you about the conversation?

MR. CLAPPER: Bob Litt, my general counsel.

MR. ROONEY: What was your response when he told you?

MR. CLAPPER: Well, I was -- I was kind of disturbed about it, frankly. We had just done -- announced sanctions on the 29th of December, you know, closing the dachas, expelling 35 of their intelligence operatives, and sanctioning some other people. So it was disconcerting, I'll put it that way, to learn of that conversation.

MR. ROONEY: Right. Did you share that --

MR. CLAPPER: Especially for me, since I have a long history with Mike Flynn.

MR. ROONEY: Well, and as you say, I mean not to editorialize here, but, you know, given our relationship with Russia over the decades, I think that, as you testified and as you stated earlier, it's certainly not something that, you know, General Flynn should have been doing, not being a member of the government.

Did you ever brief President Obama on the phone call, the Flynn-Kislyak phone calls?

MR. CLAPPER: No.

[REDACTED]

[REDACTED]

MR. ROONEY: Did you brief President Obama on any other intelligence involving the Trump campaign or transition team?

MR. CLAPPER: Well, we had -- by brief, I would include PDB articles that were reported. And, of course, ODNI has a responsibility for the PDB. So there was a series of reports through the summer and into the fall about, in general, Russian activity, that sort of thing.

The only time I actually had a briefing on the subject, if you want to call it that, was when the Intelligence Community assessment came out, we sent it to the White House first, my recollection is the morning of the 5th of January. And then that afternoon I had a hearing with the Senate Armed Services Committee. I remember that very distinctly. And then the next day -- because we felt obliged, since President Obama had tasked us, to brief him first.

And then the next day, we briefed the Gang of Eight here in the early morning, and then flew up to New York and briefed the President-elect and his team on the 6th of January.

MR. ROONEY: Do you know how Deputy Attorney General Yates learned of the Flynn-Kislyak phone call?

MR. CLAPPER: Well, I surmise that -- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] So I'm assuming it was done under that basis.

MR. ROONEY: So you weren't with her when she learned of it? Do you know that?

MR. CLAPPER: Was I physically with her?

[REDACTED]

[REDACTED]

MR. ROONEY: Yes.

MR. CLAPPER: No.

MR. ROONEY: Okay. On January 12th of 2017, do you know how many people had knowledge of the Flynn-Kislyak phone call?

MR. CLAPPER: How many people?

MR. ROONEY: Yes.

MR. CLAPPER: No, I don't.

MR. ROONEY: Okay.

MR. CLAPPER: [REDACTED]

[REDACTED]

[REDACTED]

MR. ROONEY: Yeah. No, the reason for this line of questioning is we're obviously trying to figure out how something like this becomes available to people in the Washington Post and David Ignatius and the like. Do you have --

MR. CLAPPER: That's a great question.

MR. ROONEY: Okay. So you don't --

MR. CLAPPER: I don't have any --

MR. ROONEY: -- have any guidance on that?

MR. CLAPPER: I would -- I guess the inference, though, it could have been from a lot of sources.

MR. ROONEY: Yes. And that's going to lead me into my next line of questioning, which I'm running out of time. So I'm going through any questions here, a lot of which you've already answered, so if you'd just give me a second so I can skip over.

[REDACTED]

[REDACTED]

When Vice President I think elect at that point Pence defended General Flynn on television, publicly claiming that Flynn told him the calls weren't related to sanctions, did you have any communication with Vice President-elect Pence regarding the nature of those calls after he made those statements?

[10:33 a.m.]

[REDACTED]

[REDACTED]

MR. CLAPPER: No, I did not. I think that appearance, if I remember correctly, was on the 17th of January.

MR. ROONEY: Right.

MR. CLAPPER: And I was very alarmed by it after being aware of -- and all I saw, by the way, was a gist of the conversation. [REDACTED]  
[REDACTED] But I was very concerned about it. I felt that that needed to be raised with the White House.

And I did breach that with -- I discussed it with both John Brennan and ultimately Director Comey about -- I think I did that -- I had that discussion the evening of the 19th of January. But I did not raise it directly with the Vice President-elect.

MR. ROONEY: Okay. Finally, I want to talk about unmasking, because obviously, you know, we've -- I'm the new subcommittee chairman on the NSA, along with Mr. Himes, and, you know, we've got a tough lift this fall with reauthorization.

And, you know, obviously, whether it's people on the left or people on the right, people are suspicious of the work that you guys do in the Intelligence Community, and that, you know, people are reading our emails and listening to our phone calls or, you know, in this case unconstitutionally being outed or unmasked, you know, when gathering evidence.

So to help us potentially with regard to the reauthorization, we've got a lot of information with regard to people maybe at your level or Cabinet level who can request -- and I'm not saying you do this,

[REDACTED]

[REDACTED]

but I'm saying that we've seen a wide variance on what the reason why somebody would be unmasked.

And excuse the sort of, you know, snarkiness of this, some people say, I want this person unmasked because I want them unmasked, and it's approved. And this might be more appropriate for Admiral Rogers, but -- and some people give a detailed explanation of why this person should be unmasked.

Moving forward, do you think that 702 should be reauthorized with amendments that give more detail or stay the same with regard to how a U.S. person is unmasked or a request for unmasking?

To be more clear, should the Congress reauthorize 702 with a more stringent explanation of why a U.S. person should be unmasked, even somebody as high as a Cabinet level position? Or should there be more uniformity, do you think, in the request and how it's requested?

MR. CLAPPER: Yeah. Currently, the -- for me, there's -- and I made unmasking requests not every day, but fairly often when I was -- during the 6 and a half years I was DNI and before all this came up. And really, whatever rationale people write, it really boils down to one thing, which is to understand the context of the particular SIGINT report you're reading.

So when there are references to U.S. person 1, U.S. person 2, and U.S. person 3, et cetera, it's a little hard to figure out the significance of that report. And, of course, U.S. person 1 will be a different U.S. person 1 the next report. So it's hard to read these things anecdotally or just scan through them and draw, you know, the

[REDACTED]