



Written by [C. Mitchell Shaw](#) on February 1, 2018

Spy vs. Spy: FBI Factions Disagree Over FISA Memo

As the clock continues to tick on the release of the FISA memo detailing surveillance abuses by both the FBI and Department of Justice (DOJ), the battle has escalated and the lines are getting blurred. While some FBI officials are saying they have examined the memo and found it does not contain “any factual inaccuracies,” FBI leadership took the unusual step Wednesday of releasing a public statement citing “grave concerns” about the memo. The FBI’s Left hand appears to disagree with what the FBI’s Right hand is doing.



The unsigned [public statement](#) cites “grave concerns” held by the leadership of the FBI — which, of course, does not include former Deputy Director Andrew McCabe, who resigned the same day the [House Intelligence Committee voted to release the memo to the public](#). The FBI statement — in full — reads:

The FBI takes seriously its obligations to the FISA Court and its compliance with procedures overseen by career professionals in the Department of Justice and the FBI. We are committed to working with the appropriate oversight entities to ensure the continuing integrity of the FISA process.

With regard to the House Intelligence Committee’s memorandum, the FBI was provided a limited opportunity to review this memo the day before the committee voted to release it. As expressed during our initial review, we have grave concerns about material omissions of fact that fundamentally impact the memo’s accuracy.

What is interesting is what the statement does not say. After all, “grave concerns about material omissions of fact that fundamentally impact the memo’s accuracy” are not exactly the same as finding inaccuracies. And since [other FBI officials have already said they found none](#), it is safe to say the memo does not contain them.

Furthermore, it is important to note that this statement appears to be part of a rousing game of “cover your backside” since the memo is reported to detail abuses on the part of the FBI related to the agency’s involvement in the Trump/Russia collusion investigation. And “a limited opportunity to review this memo” is hardly sufficient to allow a comprehensive assessment — though it appears (by the timing) sufficient to have played at least a part in McCabe drafting his resignation letter.

McCabe’s surprise retirement party is not the only noteworthy timing involved here, either: The FBI’s unsigned statement comes just as reports indicate that President Trump — who called for the public release of the memo and was [overheard on a “hot mic” saying he would “100 percent” approve of the memo’s release](#) — may sign off on the release as early as Thursday.

By law, the president has five days from the committee’s vote to either approve of the release or object. His approval — even before his “hot mic” moment — was always a foregone conclusion. In fact, White



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House Chief of Staff John Kelly said Wednesday that Trump intends to follow through with his “100 percent” promise to release the memo. Kelly told Fox News Radio on Wednesday that the memo “will be released here pretty quick, I think, and the whole world can see it.”

Republican congressmen who have seen the memo have described its contents as [“explosive,” “shocking,” “troubling,” “alarming,” and have likened the actions of FBI and DOJ officials detailed in the memo as being similar to those of the Soviet KGB.](#) They have also said that the memo’s public release would lead to the end of careers in the FBI and DOJ and that some involved “will go to jail.”

As the memo’s public release approaches, the Deep State appears to be doubling down and circling the wagons. Both FBI Director Christopher Wray — who was appointed after President Trump fired James Comey — and Deputy Attorney General Rod Rosenstein — who oversees Special Counsel Robert Mueller and his probe into allegations of collusion between Trump and Russia during the 2016 election — have publicly opposed the release of the memo. They are joined by Democrats on the House Intelligence Committee, every one of whom voted not only against the public release of the memo, but also against allowing even other members of Congress to see it.

The memo is essentially a summary of supporting documents that are the result of an investigation of the FBI and DOJ conducted by House Intelligence Committee Chairman Devin Nunes (R-Calif.) who secretly traveled to the White House in March where he said he viewed classified information that showed surveillance abuses by officials in the Obama administration.

Nunes has declined to answer whether he worked with the White House in either his investigation or the preparation of the memo.

This much is certain: With elements within the FBI disagreeing with other elements within the FBI over the document (and neither of those elements actually saying it is inaccurate), the release is likely to shake the foundations of the Deep State.



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