

No Claim to Fame: Kash Patel and False or Misleading Statements About the 2016 Russia Investigation

Ryan Goodman
Just Security 2025

Below is a Table that provides important statements made by Kash Patel about the Justice Department’s investigation of Russia’s interference in the 2016 election – and compares those statements with evidence in the public record.

By way of background, Patel, President Donald Trump’s nominee for FBI Director, has claimed that he has valuable experience in uncovering and calling out wrongdoing by the FBI and Justice Department in the Russia investigation. His claim is based, in part, on the “Nunes Memo,” a [document](#) Patel helped produce in 2018 for his boss at the time, House Intelligence Committee Chairman Devin Nunes. The memo purported to identify mistakes made by government officials in obtaining Carter Page FISA warrant applications. However, as a recent exposition by the New York Times [explained](#):

“An inspector general later [concluded that the F.B.I. had botched the \[Carter Page\] FISA applications in myriad ways](#), but most of the flaws it identified were not in the Nunes memo. And many of the flaws Mr. Patel claimed to exist turned out to be false or misleading [when the underlying materials became public](#).”

But that is only part of the problem. Many of Patel’s claims about the Russia investigation are false and inconsistent with the multi-volume reports by the bipartisan Senate Intelligence Committee (see especially [volume 5](#)) and with the [findings](#) of Special Counsel Robert Mueller’s final report.

The analysis required to show how the truth gets twisted often involves fine parsing. However, some examples speak for themselves.

1. Claim that Steele Dossier was a basis for opening Crossfire Hurricane	
What Kash Patel said	The true record
<p>“The Nunes Memo had already proven that the Russia probe was based on the Steele Dossier, which itself was paid for by the Hillary Clinton campaign and the DNC.” – Kash Patel, “Government Gangsters”</p> <p>“The root of Russia-gate is the Steele Dossier paid for by the Hillary Clinton for President Campaign and the DNC. ... The fake dossier was the linchpin for the whole operation. This was yet</p>	<p>As detailed in the Senate Intelligence report and the DOJ Inspector General report: The FBI team that opened the Russia investigation (Crossfire Hurricane) on July 31, 2016 first learned of the Steele Dossier in September 2016 (e.g., Inspector General report: “We therefore determined that Steele's reports played no role in the Crossfire Hurricane opening.”)</p>

<p>another detail the Deep State tried to hide when Obama’s former director of national intelligence James Clapper went on to CNN and said that the dossier was not used to start the investigation. It was a flat-out lie.”</p> <p>— Kash Patel, “Government Gangsters”</p>	
<p>2. Claim that Carter Page FISA warrant was to surveil Trump Campaign</p>	
<p>What Kash Patel said</p>	<p>The true record</p>
<p>“To put the Carter Page FISA warrant into perspective, this wasn’t just routine police work. By getting a FISA warrant on Carter Page, the F.B.I. effectively had the ability to spy on most, if not all, of the Trump campaign communications, including messages from Donald Trump himself. That’s because these warrants don’t just let the F.B.I. observe the subject of the warrant but also people one or even two degrees removed from the subject. That means the entire Trump campaign could have been in the F.B.I. dragnet. ... As I mentioned earlier, the F.B.I. didn’t need to spy on Donald Trump personally because a single surveillance warrant on one person in the campaign would give them the ability to do all the spying they could need on effectively any person in the campaign, including the candidate himself.</p> <p>— Kash Patel, “Government Gangsters”</p> <p>“It’s worse. I think this entire situation makes Watergate look like the teacup ride at Disney world. Why? It’s pretty simple. Let’s rewind the clock and go back to Russiagate. You had in 2016 in America, in modern day jurisprudence in America, a Democratic party hijack the law enforcement intelligence community of this world by funneling millions of dollars through made up source intel, and then having this FBI go before secret court and unlawfully lie to that court to</p>	<p>HSGAC/Finance Committee Chairman Johnson and Chairman Grassley, “Timeline of Key Events Related to Crossfire Hurricane Investigation” (Dec. 30, 2020):</p> <p>“Sept. 26, 2016: Carter Page ends association with the Trump campaign.</p> <p>...</p> <p>Oct. 21, 2016: FISC approves FISA warrant for Carter Page following FBI application approved by Deputy Attorney General Sally Yates ...”</p>

<p>unlawfully surveil a presidential campaign and ultimately President of the United States.” – Kash Patel, Epoch TV (Aug. 26, 2022)</p>	
<p>3. Durham Report’s findings</p>	
<p>What Kash Patel said</p>	<p>The true record</p>
<p>“The important question that the media and the fake news had been asking for years, there was predication, there was predication — there was no predicate, meaning there was no foundation, there was no probable cause, there was no lawful reason to open the investigation in the first place. It’s not a right-wing conspiracy. It has been abundantly proven and now defined by John Durham. So that’s a win.” – Kash Patel, Facebook (May 30, 2023)</p>	<p>Durham report (May 12, 2023, at p. 295):</p> <p>“In implementing these standards, the FBI could have taken one or more of the following sensible steps: ... Under the FBI's guidelines, the investigation could have been opened more appropriately as an assessment or preliminary investigation.”</p> <p>Durham testimony:</p> <p>“Rep. Lieu. OK. If the FBI had chosen to do so, the multiple pieces of information they had would have allowed them to open a preliminary investigation, is that right? Mr. Durham. Not a report but I would say that the FBI certainly had an obligation to assess the information perhaps make it a preliminary investigation. Rep. Lieu. OK, in fact, it would have been a dereliction of duty for the FBI to have just sat on their hands and done nothing with the information that they had, isn’t that right? Mr. Durham. The FBI should not have ignored that information.”</p> <p>Inspector General Horowitz testimony (December 2019):</p> <p>"[Durham] said during the meeting that the information from the friendly foreign government was, in his view, sufficient to support the preliminary investigation. And as we note in the report, investigative steps such as confidential human source activity that occurred here are allowed under a preliminary investigation or full investigation."</p>

4. On Russian hack of DNC and CrowdStrike testimony

What Kash Patel said	The true record
<p>“Remember the whole DNC hack from Russia? Another disinformation campaign. They said the Russians hacked the DNC to try to rig the election for Donald Trump. Comey gave the servers from the DNC to CrowdStrike to exploit. Have you ever heard of a time at the FBI, surrendered its investigation to a private entity, and didn't conduct its own surveillance and exploitation of that data? I interrogated Sean Henry and 65 other people in a row during Russiagate, and we were unable to declassify his testimony for years. So the narrative of the DNC was attacked by Russia, was out there. What did Sean Henry say? Now it's declassified. ‘We didn't find any evidence to support that.’”</p> <p>– Kash Patel, Shawn Ryan Show (Sept. 2, 2024) (transcript; video Timestamp at 1:44)</p>	<p>Sean Henry declassified interview (transcript pp. 76-77):</p> <p>“REP. STEWART OF UTAH: Any evidence that any entity other than Russia had access to the DNC servers?”</p> <p>MR. HENRY: We have no evidence of that.”</p> <p>Sean Henry declassified interview (transcript p. 24):</p> <p>“MR. HENRY: So we did -- we did some forensic analysis in the environment. We deployed technology into the environment, into the network, software called Falcon that essentially looks at the processes that are running on different computers in the environment.</p> <p>We also looked historically at the environment, using a different piece of software to look backwards at what was happening in the environment. And we saw activity that we believed was consistent with activity we'd seen previously and had associated with the Russian Government.</p> <p>REP. STEWART OF UTAH: And can you identify that as being -- with a fair degree of confidence that it's associated with the Russian Government?</p> <p>MR. HENRY: We said that we had a high degree of confidence it was the Russian Government. And our analysts that looked at it that had looked at these types of attacks before, many different types of attacks similar to this in different environments, certain tools that were used, certain methods by which they were moving in the environment, and looking at the types of</p>

data that was being targeted, that it was consistent with a nation-state adversary and associated with Russian intelligence.”

Sean Henry declassified interview ([transcript](#) p. 29):

REP. STEWART OF UTAH: There are some press reports or some people at least claim that this hack on the DNC did not -- was not perpetrated by the Russians. How do you respond to that?

MR. HENRY: **Everything in my experience, sir, having done this for many, many years, both in the government and in the private sector, says that it was the Russian Government.”**

Sean Henry declassified interview ([transcript](#) pp. 79-80):

“REP. SWALWELL: But just so we're clear, there's nothing that you or your team have analyzed or looked at from, like, public dumpings by the Russians or Guccifer or Wikileaks that changes your opinion or has supplemented your opinion?

MR. HENRY: **There's nothing that changes our opinion. We stand on our analysis, and we stand on our assessment** -REP.

SWALWELL: Great.

MR. HENRY: **-- that the Russian Government hacked the DNC.**

REP. SWALWELL: I'll leave it at that, Mr. Chair.”

5. Bonus: Allegations against former Attorney Bill Barr

What Kash Patel said	The true record
<p>“That was its original intent. That’s the problem with everything else, like government abuse about a good policy or a good operational tool like 702, Steve, is that these guys, like Wray and Rosenstein, and Barr and all these guys come in and they abuse it for political agenda.”</p> <p>“What FBI director Chris Wray, and Rosenstein, and Barr and those guys did to 702 is rob America of its biggest national security tool to manhunt terrorists because they used it for political interests.”</p> <p>(Kash Patel interview with Steve Bannon, Nov. 2023 Timestamp: 0:40 and 3:50)</p>	<p>It is not clear what Patel is referencing with respect to former Attorney General Barr and the use of the Section 702 foreign intelligence surveillance program.</p>