

Where's the Hard Evidence Putin Interfered in the 2016 Election? We're About to Find Out

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On Monday, July 24, the House will consider the Fiscal Year 2018 Intelligence Authorization Act under suspension of the rules in an attempt to fast-track the legislation, which contains some significant “Russiagate”-related provisions.

Section 501 calls for a new Intelligence Community assessment “of the most significant Russian influence campaigns, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any.” Significantly, the classified report, which is due 60 days after enactment, is to also have an unclassified summary, meaning the public may learn still more about exactly when alleged Russian efforts to influence the 2016 presidential election began.

What may be lacking, as was the case with the IC assessment published in January 2016, is any new or meaningful, specific declassified intelligence that actually validates IC claims that the Russians were, in fact, responsible for the interference. Ironically, it has been yet another IC leaker—Reality Winner—who has provided us with the most interesting technical assessment of alleged Russian election-related activities.

Section 502 of the bill mandates interagency reports on potential future threats:

(1) IN GENERAL.—As provided in paragraph (2), for each Federal election, the Director of National Intelligence, in coordination with the Under Secretary of Homeland Security for Intelligence and Analysis and the Director of the Federal Bureau of Investigation, shall make publicly available on an internet website an advisory report on foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices. Each such report shall include, consistent with the protection of sources and methods, each of the following:

(A) A description of foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices.

(B) A summary of best practices that election campaigns for Federal offices can employ, in seeking to counter such threats.

(C) An identification of any publicly available resources, including United States Government resources, for countering such threats.

To be truly effective, such an approach would almost certainly require the declassification of some fairly specific intelligence on alleged or actual Russian practices. It will very interesting to see exactly how much push-back this provision gets from the ODNI, DHS, and FBI.

Section 503 calls for a classified report on “containing an assessment of the financing of threat activity by the Russian Federation” which is also due 60 days after enactment.

Given how legislatively dysfunctional Congress has been this year overall (the annual National Defense Authorization Act was nearly two months behind its usual House floor schedule this year), it’s unclear whether the House and Senate will be able to agree on these provisions and actually get the Intel Auth bill to Trump for his signature before the year is out—or whether Trump will threaten a veto over any Russia-related provisions in any final bill. One thing is clear: that this bill is on the suspension calendar means that GOP House Intelligence Committee “Russiagate” investigative lead Mike Conaway (R-TX) and his Democratic counterpart, Adam Schiff (D-CA) are apparently on the same page about these issues. And for a president desperate to move past the “Russiagate” quagmire, that’s bad news indeed.

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