

October 24, 2016

## Overview of Deputy Director McCabe's Recusal Related To Dr. McCabe's Campaign for Political Office

**NOTE TO FBI EXECUTIVES:** The purpose of this document is to provide FBI executive management with a factual basis by which to inform discussions with employees or interested parties in the community.

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### Executive Summary

On Monday, October 24, 2016, the Wall Street Journal published a front page story that detailed Deputy Director Andrew McCabe's recusal from matters that may have presented an actual or potential conflict-of-interest while his wife, Dr. Jill McCabe, ran for political office in Virginia.

In the story, a timeline of events draws a comparison between positions held by Andrew McCabe and the FBI's investigation into Secretary Clinton's email server. The timeline misstates when McCabe was promoted to Associate Deputy Director and makes invalid associations between the events.

The story can be found [here](#).

### Talking Points

Below is the full statement provided to *The Wall Street Journal*:

"When Jill McCabe first considered running for the state Senate seat, ADIC McCabe consulted with top FBI headquarters and field office ethics officers for guidance, including briefings on the Hatch Act, to prevent against any actual or potential conflict-of-interest, in the event she decided to go forward. When she chose to run, ADIC McCabe and FBI lawyers implemented a system of recusal from all FBI investigative matters involving Virginia politics, a process followed for the remainder of her campaign. During the campaign, he played no role, attended no events, and did not participate in fundraising or support of any kind. Months after the completion of her campaign, then-Associate Deputy Director McCabe was promoted to Deputy, where, in that position, he assumed for the first time, an oversight role in the investigation into Secretary Clinton's emails."

### Frequently Asked Questions

**Did Andrew McCabe have any oversight of the investigation into Secretary Clinton's email server while his wife was running for political office?**

No. The FBI investigation into Secretary Clinton's email server began in July 2015 after a referral was received by the Intelligence Community Inspector General. At that time, Andrew McCabe served as the Assistant Director in Charge of the Washington Field Office and had no oversight of the investigation. Jill McCabe lost the election on Nov. 3, 2015. It was not until he assumed the position of Deputy Director in February 2016 that he had oversight of the investigation, well after her political campaign had concluded.

**Did he recuse himself from any matters involving politics in Virginia?**

Yes. From the first contemplation that his wife would run for office in Virginia, then-ADIC McCabe sought out and consulted with ethics officers, which included briefings on the Hatch Act. Once Jill McCabe decided to seek office, there was a system of recusal put in place to prevent any real or potential conflicts of interest. This system was adhered to throughout Jill McCabe's campaign for office.

It was not until months after Jill McCabe's campaign had ended that Andrew McCabe first entered a role in which he assumed an oversight role in the investigation into Secretary Clinton's email server. Prior to that point in February 2016, McCabe was not in a position that required a recusal in that investigation as he had no oversight of it.

**Did he provide any support to his wife's campaign?**

No. Then-ADIC McCabe played no role, attended no events and did not participate in fundraising or support of any kind.

**Dr. McCabe announced she planned to run for Virginia state senate in mid March 2015. Earlier that month the New York Times reported Hillary Clinton used a private e-mail server while serving as Secretary of State. In March Clinton also acknowledged using private e-mail. Is it relevant that the existence of Secretary Clinton's email server was reported in the same month that Dr. McCabe announced her candidacy for state senate?**

No. The FBI was not conducting an investigation regarding Secretary Clinton in March 2015. Four months later in July 2015 the State Department Inspector General made a referral to the FBI for investigation. The allegation centered on the possibility Clinton had classified e-mail on her personal system. At the time of the referral Mr. McCabe was serving as ADIC at WFO and was not supervising the Clinton investigation.

**While at WFO did Mr. McCabe provide assistance to the Clinton investigation?**

After the referral was made, FBI Headquarters asked the Washington Field Office for personnel to conduct a special investigation. McCabe was serving as ADIC and provided personnel resources. However, he was not told what the investigation was about. In February 2016 McCabe became Deputy Director and began overseeing the Clinton investigation.