FEDERAL BUREAU OF INVESTIGATION
FOI/PA DELETED PAGE INFORMATION SHEET
FOIPA Request No.: 1399934-000
CivilAction No.: 18-cv-1766

Total Withheld Page(s) = 749

Bates Page Reference	Reason for Withholding (i.e., exemptions with coded rationale, duplicate, sealed by order of court, etc.)
18-cv-01766-1274 – 18-cv-01766-1290	Consultation to Other Government Agency "OGA"
18-cv-01766-1292 – 18-cv-01766-1366	(b)(6)-1, (b)(7)(C)-1
18-cv-01766-1368 – 18-cv-01766-1450	(b)(6)-1, (b)(7)(C)-1
18-cv-01766-1452 – 18-cv-01766-1469	(b)(6)-1, (b)(7)(C)-1
18-cv-01766-1475 – 18-cv-01766-1484	Consultation to Other Government Agency "OGA"
18-cv-01766-1486 – 18-cv-01766-1489	Consultation to Other Government Agency "OGA"
18-cv-01766-1494 – 18-cv-01766-1496	Consultation to Other Government Agency "OGA"
18-cv-01766-1497 – 18-cv-01766-1535	Consultation to Other Government Agency "OGA"
18-cv-01766-1541 – 18-cv-01766-1605	Consultation to Other Government Agency "OGA"
18-cv-01766-1608	Consultation to Other Government Agency "OGA"
18-cv-01766-1610 – 18-cv-01766-1704	Duplicate to Bates Pages 18-cv-01766-41 - 18-cv-01766-135
18-cv-01766-1705 – 18-cv-01766-1831	Duplicate to Bates Pages 18-cv-01766-136 - 18-cv-01766-262
18-cv-01766-1832 – 18-cv-01766-1880	Duplicate to Bates Pages 18-cv-01766-468 - 18-cv-01766-516
18-cv-01766-1881 – 18-cv-01766-1936	Duplicate to Bates Pages 18-cv-01766-263 - 18-cv-01766-318
18-cv-01766-1937 – 18-cv-01766-1946	Duplicate to Bates Pages 18-cv-01766-359 - 18-cv-01766-368
18-cv-01766-1947 – 18-cv-01766-2039	Duplicate to Bates Pages 18-cv-01766-744 - 18-cv-01766-836

XXXXXXXXXXXXXXXXXXXXX
X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
XXXXXXXXXXXXXXXXXXXXX

PRECEDENT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-24-2018 BY [redacted] NSICG b6 -1 b7C -1

Lack of Candor/Lying - Under Oath (2.6)

A review of precedent cases from 11/2004 to the current date, wherein employees have been charged with conduct described by offense code 2.6, reflected that there have been 171 precedent cases involving 174 employees referencing this violation, with penalties ranging from DISMISSAL to SUMMARY DISMISSAL.

To maintain the anonymity of the person(s) involved, the term "he" is being used to refer to both genders.

OPR# [redacted] b6 -1 b7C -1 02/28/2018 b6 -1 b7C -1

[redacted]

MITIGATION: [redacted] b6 -1 b7C -1

AGGRAVATION: [redacted]

FINAL ACTION(S): OPR PROPOSED DECISION Proposed DISMISSAL b6 -1 b7C -1
OPR FINAL DECISION: DISMISSAL

OPR# [redacted] b6 -1 b7C -1 01/26/2018 b6 -1 b7C -1

[redacted]

MITIGATION: [redacted] b6 -1 b7C -1

AGGRAVATION: [redacted]

FINAL ACTION(S): OPR PROPOSED DECISION Proposed DISMISSAL b6 -1 b7C -1
OPR FINAL DECISION: DISMISSAL

FBI 18-cv-01766-1291

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-25-2018 BY [redacted] NSICG b6 -1 b7C -1

PRECEDENT

Lack of Candor/Lying - No Oath (2.5)

A review of precedent cases from 11/2004 to the current date, wherein employees have been charged with conduct described by offense code 2.5, reflected that there have been 207 precedent cases involving 209 employees referencing this violation, with penalties ranging from ORAL REPRIMAND to SUMMARY DISMISSAL.

To maintain the anonymity of the person(s) involved, the term "he" is being used to refer to both genders.

OPR# [redacted] b6 -1 b7C -1 02/09/2018 b6 -1 b7C -1

[redacted]

SA executed a Last Chance Agreement.

MITIGATION: [redacted] b6 -1 b7C -1

AGGRAVATION: [redacted]

FINAL ACTION(S): OPR PROPOSED DECISION Proposed DISMISSAL b6 -1 b7C -1
OPR FINAL DECISION: REQUIRED TO SIGN A "RETURN TO WORK" AGREEMENT
OPR FINAL DECISION: 60 CALENDAR DAYS SUSPENSION WITHOUT PAY

FBI 18-cv-01766-1367

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-26-2018 BY [redacted] NSICG b6 -1
b7C -1

PRECEDENT

Unauthorized Disclosure - Sensitive Information (4.10)

A review of precedent cases from 11/2004 to the current date, wherein employees have been charged with conduct described by offense code 4.10, reflected that there have been 60 precedent cases involving 61 employees referencing this violation, with penalties ranging from ORAL REPRIMAND to SUMMARY DISMISSAL.

To maintain the anonymity of the person(s) involved, the term "he" is being used to refer to both genders.

OPR# [redacted] b6 -1 b7C -1 06/06/2017 b6 -1 b7C -1

[redacted]

MITIGATION: [redacted]

AGGRAVATION: [redacted] b6 -1 b7C -1

FINAL ACTION(S): OPR PROPOSED DECISION Proposed 15 CALENDAR DAYS SUSPENSION WITHOUT PAY
OPR FINAL DECISION: LETTER OF CENSURE

OPR# [redacted] b6 -1 b7C -1 04/20/2017

[redacted] b6 -1 b7C -1

Appellate decision - Due to the appellant's request to withdraw appeal, the case was administratively closed.

MITIGATION: [redacted]

AGGRAVATION: [redacted] b6 -1 b7C -1

FINAL ACTION(S): OPR FINAL DECISION: 5 CALENDAR DAYS SUSPENSION WITHOUT PAY
OPR FINAL DECISION: CLOSED ADMINISTRATIVELY

OPR# [redacted] b6 -1 b7C -1 07/22/2016 b6 -1 b7C -1

[redacted]

NOTE: [redacted] b6 -1 b7C -1

[redacted] b6 -1 b7C -1

AGGRAVATION: [redacted]

FINAL ACTION(S): OPR PROPOSED DECISION Proposed DISMISSAL
OPR FINAL DECISION: DISMISSAL

FBI 18-cv-01766-1451

263D-HQ- [redacted] - 29

b6 -1
b7C -1

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-30-2018 BY [redacted] NSICG b6 -1
b7C -1

ALL INFORMATION CONTAINED
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DATE 07-30-2018 BY [redacted] NSICG b6 -1 b7C -1

U.S. Department of Justice
Federal Bureau of Investigation

3/7/18

Director Wray and Deputy Director Brodieh,

This is FBI OPR's initial action (first step) in the McCabe WSJ leak matter. Pursuant to standard procedures, the attached letter (but not the enclosed Report of Investigation) will now be provided to Mr. McCabe and his attorneys. The enclosed letter and ROI will now also be provided to the DAG as he has final decision making authority over adverse disciplinary actions impacting the DD. It seems unlikely that this will reach final resolution before Mr. McCabe's March 18 retirement date, but that is up to the DAG.

Candice

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-30-2018 BY [redacted] NSICG b6 -1
b7C -1

U.S. Department of Justice

Federal Bureau of Investigation

Office of the General Counsel

Washington, D. C. 20535-0001

February 28, 2018

Ms. Candice Will
Office of Professional Responsibility
Federal Bureau of Investigation
950 Pennsylvania Avenue N.W.
Room [redacted]
Washington, DC 20530-0001

b6 -1
b7C -1

RE: Letter from James R. Clapper, Jr., dated February 25, 2018

Dear Ms. Will:

We recently received the enclosed letter from former-Director of National Intelligence James R. Clapper, Jr. We are forwarding it for such use as you see fit.

Sincerely,

Dana J. Boente
General Counsel
Federal Bureau of Investigation

263D-HQ-[redacted]-30

b6 -1
b7C -1

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-30-2018 BY [redacted] NSICG b6 -1 b7C -1

JAMES R. CLAPPER, JR.
LT. GENERAL, USAF RETIRED
[redacted] b6 -3 b7C -3

25 Feb 2018

The Honorable Christopher Wray
Director, Federal Bureau of Investigation
935 Pennsylvania Ave, N.W.
Washington, D.C. 20535

Dear Director Wray:

The purpose of this letter is to convey my views to you of Andy McCabe, who, as you well know, has recently come under intense, biased scrutiny and a firestorm of criticism, which, in my view, are completely unjustified and profoundly unfair.

As Director of National Intelligence from 2010 - to 2017, I worked with, and came to know Andy in several capacities at the FBI, most notably as Assistant Director in charge of the Washington Field Office, and then as Deputy Director. We often appeared as witnesses together at Congressional hearings, where, as you also know, "bonds" with fellow witnesses can quickly form. I came to know and rely on Andy as steady, straightforward,

candid, forthright, and honest.

I consider Andy the consummate public servant, who epitomizes the motto of the Bureau: Fidelity, Bravery, Integrity. I have tremendous regard for Andy's professional competence, broad-gauged expertise, seasoned leadership, sharp intellect, [redacted] insightful wisdom, unwavering commitment to the mission, self-effacing humility, staunch devotion to the men and women of the Bureau, and, importantly, his impeccable integrity.

I would hope you will consider my observations, which I know are shared uniformly by virtually everyone who knows Andy, and will use your influential voice to insure he is able to complete his career and retire after his 21 years of distinguished service to the Bureau and this nation.

With Respect,
-Jim Clapper DNI 2010-2017

FBI 18-cv-01766-1474

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-30-2018 BY [redacted] NSICG b6 -1
b7C -1

Will, Candice M. (DO) (FBI)

From: Bowdich, David L. (DO) (FBI)
Sent: Monday, March 05, 2018 3:55 PM
To: Will, Candice M. (DO) (FBI)
Subject: RE: DD Bowdich

Thanks Candice, as you know we will be second guessed by some every step of the way however this ends up. As long as we follow the regular process we are where we should be on this issue.

Thanks,
Dave

From: Will, Candice M. (DO) (FBI)
Sent: Monday, March 05, 2018 2:30 PM
To: Bowdich, David L. (DO) (FBI) [redacted]
Subject: DD Bowdich
Importance: High

b6 -1
b7C -1

Dave,

I forgot to remind you about the DAG Memo, that the Dept has some ownership. I sent the DAG a short email advising that FBI OPR received the referral from the OIG, we are actively working it, we anticipate providing a proposed action to the subject this week, we will make the file available to the subject – all in accordance with standard procedures – for him to prepare a written response. In doing so, I let the Dept know that we are doing what should be done, not slow walking – we are following established procedures.

Candice

-----Original Message-----
From: [redacted] (HRD) (FBI)
Sent: Monday, March 05, 2018 1:53 PM
To: Will, Candice M. (DO) (FBI) [redacted]
Subject: DD Bowdich
Importance: High

b6 -1
b7C -1

Hey Candice: Mr. Bowdich would like for you to call him. Could you please call [redacted] Thanks [redacted]

b6 -1
b7C -1

[redacted]
Human Resources Branch
[redacted]

b6 -1
b7C -1

263D-HQ- [redacted] -32

b6 -1
b7C -1

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-30-2018 BY [redacted] NSICG

b6 -1
b7C -1

Will, Candice M. (DO) (FBI)

From: Will, Candice M. (DO) (FBI)
Sent: Tuesday, March 06, 2018 12:44 PM
To: 'Bromwich, Michael R.'; [redacted]
Cc: [redacted]
Subject: FBI NDAs
Attachments: Attorney Nondisclosure Agreement.pdf; Employee Nondisclosure Agreement.pdf

b6 -3
b7C -3

Dear Mr. Bromwich and Mr. Bruce,

Attached please find two nondisclosure agreements, one for you to execute and one for your client to execute. Please return them to me at your earliest convenience. Thank you.

Candice M. Will
Assistant Director
Office of Professional Responsibility
Federal Bureau of Investigation
1025 F Street, Suite 410
Washington, DC 20004
[redacted] (office)
[redacted] (cell)

b6 -1
b7C -1

263D-HQ-[redacted]-35

b6 -1
b7C -1

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-30-2018 BY [redacted] NSICG b6 -1
b7C -1

IIS-3 (2005-05-25)

NONDISCLOSURE AGREEMENT

I, _____ , an attorney licensed to practice in the state of
(Name of Attorney)

_____, as consideration for being granted access to certain FBI-related
(State)

information in connection with my legal representation of Federal Bureau of Investigation (FBI) employee,

_____, as to Administrative Inquiry
(Name of Employee)

263-HQ-_____, agree as follows:
(File Number from Notification Form)

I will not disclose orally, in writing, or by any other means, to any party other than the Director, FBI; Internal Investigations Section/Inspection Division, FBI; the Office of Professional Responsibility (OPR), FBI; the Office of the General Counsel, FBI; the United States Attorney General; the Office of the Inspector General, Department of Justice (DOJ); OPR, DOJ; or otherwise as required by law, court order, or subpoena (and then under seal to the extent permitted by law) - **without the prior written authorization of the FBI** - any information or material derived from or relating to FBI files or any other FBI-related information acquired by virtue of my legal representation of this matter.

I may, however, disclose such information to members and employees of my law firm or office pursuant to my legal responsibilities in this matter, but only based upon a need to know and provided that all persons who receive this information first shall be shown a copy of this nondisclosure agreement and, in a written and signed Certificate such as that annexed hereto, state that he or she has read this nondisclosure agreement and agrees to be bound by the terms thereof. I agree to retain such certificates until the conclusion of this matter and shall make such certificates available to the FBI upon request.

I further agree that all documents released by the FBI in this matter remain the property of the FBI and that, upon the conclusion of this matter or at the FBI's earlier request, I will return all such documents and any copies of them to the FBI.

I acknowledge that the unauthorized disclosure of the aforementioned information would violate this agreement, might additionally violate federal law, regulations or policy, and could form the basis for legal action.

_____ _____
(Signature of Attorney) (Date)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-30-2018 BY [redacted] NSICG b6 -1
b7C -1

CERTIFICATE

I, _____, acknowledge that I have reviewed the
(Printed Name)

Nondisclosure Agreement between the Federal Bureau of Investigation and _____,
(Name of Primary Attorney)

executed on _____, and agree to be bound by the terms thereof.
(Date of Agreement)

_____ _____
(Signature) (Today's Date)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-30-2018 BY [redacted] NSICG b6 -1
b7C -1

FBI DISCIPLINARY PROCESS: DISCLOSURE OF INFORMATION TO ATTORNEYS

The FBI recognizes that, for you to receive effective assistance of counsel during an administrative inquiry, it may be necessary for you to disclose to your attorney information or materials derived from FBI files or obtained by virtue of your employment with the Bureau. Because much FBI information is by its nature very sensitive, the FBI and its employees have an obligation to protect that information from unauthorized disclosure to persons outside the FBI, even to attorneys representing FBI employees.

You are therefore reminded that, during the course of this process, you continue to be bound by federal laws and regulations prohibiting the unauthorized disclosure of FBI information and by the terms of the agreement you signed when you became an FBI employee in which you agreed never to divulge, publish, reveal or otherwise disclose any information or material from or relating to FBI files or any other information acquired by virtue of your official employment, duties, or status, without the written permission of the Director.

The following is a list of the types of FBI information you may not disclose to your attorney without prior authorization and the procedures you should use to obtain the necessary authorization to release the information to your attorney.

1. Classified information, whether marked or unmarked, whether written or oral, that is classified pursuant to the provisions of the Executive Order 12958.

2. Information protected from disclosure by the Privacy Act, which includes information in FBI files retrievable by an individual's name or other identifying data, including information pertaining to other FBI employees.

3. Information that reveals sensitive law enforcement, intelligence, or counterintelligence techniques, sources or methods; or that reveals the sensitive, confidential or proprietary techniques, sources, or methods of other agencies or government entities.

4. Information that would reveal grand jury material protected from disclosure by Rule 6(e) of the Federal Rules of Criminal Procedure.

5. Information that would reveal the identity of a confidential source or informant.

6. Information that relates to any sensitive operational details or the substantive merits of any ongoing or open investigation, inquest, probe, prosecution, appeal or case.

7. Information consisting of the proprietary information of another entity, including trade secrets.

8. Information pertaining to wiretaps or intercepts protected or regulated by Title III (18 U.S.C. §§ 2510-2520).

9. Information pertaining to currency transaction reports regulated or protected by 31 U.S.C. §§ 5311-5319.

10. Tax return information regulated or protected by 26 U.S.C. § 6103.

11. Information, the disclosure of which is prohibited by any other Federal statute or regulation.

12. Information, the disclosure of which would divulge opinions, recommendations, and advice generated in the decision-making process of the federal government.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-30-2018 BY [redacted] NSICG b6 -1
b7C -1

Will, Candice M. (DO) (FBI)

From: Will, Candice M. (DO) (FBI)
Sent: Wednesday, March 07, 2018 6:34 PM
To: [redacted] Bromwich, Michael R. b6 -3 b7C -3
Cc: [redacted]
Subject: Re: FBI NDAs

Thanks, Eric. We will mail you our package tomorrow. Candice

-------- Original message -------- b6 -3 b7C -3
From: [redacted] b6 -1 b7C -1
Date: 3/7/18 6:28 PM (GMT-05:00)
To: "Will, Candice M. (DO) (FBI)" [redacted] "Bromwich, Michael R." [redacted]
Cc: [redacted] b6 -3 b7C -3
Subject: RE: FBI NDAs

Ms. Will,

Thank you for your assistance. Attached you will find my signed NDA relating to this matter.

Best,

Eric

Eric B. Bruce
[redacted] (Washington DC) b6 -3
(New York) b7C -3

KOBRE & KIM LLP
www.kobrekim.com

New York | London | Hong Kong | Shanghai | Seoul | Washington DC | San Francisco | Miami | Cayman Islands | BVI

-----Original Message----- b6 -1 b7C -1
From: Will, Candice M. (DO) (FBI) [mailto: [redacted]
Sent: Wednesday, March 07, 2018 10:55 AM
To: Bromwich, Michael R. [redacted] b6 -3 b7C -3
Cc: Eric Bruce [redacted]
Subject: RE: FBI NDAs

FBI 18-cv-01766-1536

Dear Mr. Bromwich and Mr. Bruce,

I am sending something out today. I will wait until I receive your executed NDAs to forward the materials to you. Because your client is already bound by the FBI's confidentiality rules by virtue of his employment, I will go ahead and send the package to him. Thank you.

Candice Will

-----Original Message-----
From: Bromwich, Michael R. [mailto:[redacted]
Sent: Wednesday, March 07, 2018 9:58 AM
To: Will, Candice M. (DO) (FBI) <[redacted]
Cc[redacted]
Subject: Re: FBI NDAs

b6 -3
b7C -3
b6 -1
b7C -1
b6 -3
b7C -3

Thanks very much for this. We will provide the NDA to our client. I will execute this and send it back to you when I return to D.C. tomorrow.

Best.

MRB

> On Mar 6, 2018, at 11:44 AM, Will, Candice M. (DO) (FBI) <[redacted]> wrote:

b6 -1
b7C -1

>
> Dear Mr. Bromwich and Mr. Bruce,
>
> Attached please find two nondisclosure agreements, one for you to execute and one for your client to execute. Please return them to me at your earliest convenience. Thank you.
>
> Candice M. Will
> Assistant Director
> Office of Professional Responsibility
> Federal Bureau of Investigation
> 1025 F Street, Suite 410
> Washington, DC 20004
> [redacted] (office)
> [redacted] (cell)
> [redacted]

b6 -1
b7C -1

>
>
> <Attorney Nondisclosure Agreement.pdf> <Employee Nondisclosure
> Agreement.pdf>

This e-mail message is from Kobre & Kim LLP, a law firm, and may contain legally privileged and/or confidential information. If the reader of this message is not the intended recipient(s), or the employee or agent responsible for delivering the message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this e-mail message is strictly prohibited. If you have received this message in error, please notify the sender immediately and delete this e-mail message and any attachments from your computer without retaining a copy.

FBI 18-cv-01766-1537

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-30-2018 BY [redacted] NSICG b6 -1
b7C -1

NONDISCLOSURE AGREEMENT

I, Eric B. Bruce, an attorney licensed to practice in the state of
(Name of Attorney)

D.C. + New York, as consideration for being granted access to certain FBI-related
(State)

information in connection with my legal representation of Federal Bureau of Investigation (FBI) employee,

Andrew McCabe, as to Administrative Inquiry
(Name of Employee)

263-HQ-, agree as follows:
(File Number from Notification Form)

I will not disclose orally, in writing, or by any other means, to any party other than the Director, FBI; Internal Investigations Section/Inspection Division, FBI; the Office of Professional Responsibility (OPR), FBI; the Office of the General Counsel, FBI; the United States Attorney General; the Office of the Inspector General, Department of Justice (DOJ); OPR, DOJ; or otherwise as required by law, court order, or subpoena (and then under seal to the extent permitted by law) - **without the prior written authorization of the FBI** - any information or material derived from or relating to FBI files or any other FBI-related information acquired by virtue of my legal representation of this matter.

I may, however, disclose such information to members and employees of my law firm or office pursuant to my legal responsibilities in this matter, but only based upon a need to know and provided that all persons who receive this information first shall be shown a copy of this nondisclosure agreement and, in a written and signed Certificate such as that annexed hereto, state that he or she has read this nondisclosure agreement and agrees to be bound by the terms thereof. I agree to retain such certificates until the conclusion of this matter and shall make such certificates available to the FBI upon request.

I further agree that all documents released by the FBI in this matter remain the property of the FBI and that, upon the conclusion of this matter or at the FBI's earlier request, I will return all such documents and any copies of them to the FBI.

I acknowledge that the unauthorized disclosure of the aforementioned information would violate this agreement, might additionally violate federal law, regulations or policy, and could form the basis for legal action.

E. B. B.
(Signature of Attorney)

3/8/18
(Date)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-30-2018 BY [redacted] NSICG b6 -1
b7C -1

CERTIFICATE

I, _____, acknowledge that I have reviewed the
(Printed Name)

Nondisclosure Agreement between the Federal Bureau of Investigation and _____,
(Name of Primary Attorney)

executed on _____, and agree to be bound by the terms thereof.
(Date of Agreement)

_____ _____ _____
(Signature) (Today's Date)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-30-2018 BY [redacted] NSICG b6 -1
b7C -1

Will, Candice M. (DO) (FBI)

From: Will, Candice M. (DO) (FBI)
Sent: Wednesday, March 07, 2018 10:55 AM
To: 'Bromwich, Michael R.'
Cc: [redacted] b6 -3 b7C -3
Subject: RE: FBI NDAs

Dear Mr. Bromwich and Mr. Bruce,

I am sending something out today. I will wait until I receive your executed NDAs to forward the materials to you. Because your client is already bound by the FBI's confidentiality rules by virtue of his employment, I will go ahead and send the package to him. Thank you.

Candice Will

-----Original Message----- b6 -3 b7C -3
From: Bromwich, Michael R. [mailto [redacted]
Sent: Wednesday, March 07, 2018 9:58 AM b6 -1 b7C -1
To: Will, Candice M. (DO) (FBI) [redacted]
Cc: [redacted] b6 -3 b7C -3
Subject: Re: FBI NDAs

Thanks very much for this. We will provide the NDA to our client. I will execute this and send it back to you when I return to D.C. tomorrow.

Best.

MRB

> On Mar 6, 2018, at 11:44 AM, Will, Candice M. (DO) (FBI) [redacted] wrote: b6 -1 b7C -1
>
> Dear Mr. Bromwich and Mr. Bruce,
>
> Attached please find two nondisclosure agreements, one for you to execute and one for your client to execute. Please return them to me at your earliest convenience. Thank you.
>
> Candice M. Will
> Assistant Director
> Office of Professional Responsibility
> Federal Bureau of Investigation
> 1025 F Street, Suite 410
> Washington, DC 20004
> [redacted] (office)
> [redacted] (cell) b6 -1 b7C -1
> [redacted]
>
>
> <Attorney Nondisclosure Agreement.pdf> <Employee Nondisclosure
> Agreement.pdf>

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-30-2018 BY [redacted] NSICG b6 -1
b7C -1

PROCEDURAL PROTECTIONS

(1) This Statement of Proposed Action provides you thirty calendar days' advance written notice of the proposed action.

(2) You may contact and use an attorney to assist in the disciplinary matter, subject to limitations imposed by law and regulation regarding the disclosure of classified or sensitive information. The FBI will not be responsible for payment of any attorney's fee or other expense you incur in connection with an attorney's representation of your interests associated with a disciplinary matter or an appeal of a disciplinary sanction.

(3) You have ten calendar days from the date of receipt of this notice to make a written request to review the material which was relied upon by OPR's proposing official. Copies of such material will be redacted in accordance with civil discovery policy and procedures. These documents are the property of the FBI and will be made available for review for a reasonable amount of time by you and/or your attorney within the FBI office space and control. You may take notes, but you may not make copies.

(4) You and/or your attorney may provide a written response to the proposed action. Your written response may include affidavits or other documents of choice, and it may identify witnesses or documentary sources of exculpatory evidence.[1] Your written response must be submitted within ten calendar days after your receipt of the proposed action or after you have been provided access to the material described in (3) above, whichever occurs later. Due to mail delays associated with security procedures, you must send your response by facsimile to OPR, Adjudication Unit [I or II] [redacted] at [redacted] or [redacted] or by email to Unit Chief [redacted] at [redacted]. b6 -1 b7C -1

OPR boilerplate

[1] You are admonished not to discuss this matter with anyone other than the Inspection Division's Internal Investigations Section (IIS), OPR, the Human Resources Branch's Office of Disciplinary Appeals (ODA), the Security Division, the FBI's Employee Assistance Program, the FBI's Ombudsman, or an attorney who has signed the appropriate Nondisclosure Agreement. Neither you, your attorney, nor anyone acting on your behalf should contact any witness or potential witness about this inquiry without first obtaining approval from IIS (during the investigative stage of the proceedings), OPR (during the adjudicatory stage of the proceedings), or ODA (during the appeal). This prohibition applies to persons from whom you would like to solicit a character reference. If you would like OPR to consider a character reference, provide the undersigned OPR Unit Chief with the person's name, position, and contact information. OPR will determine whether a character reference from the listed individuals would enhance the investigative record and, if so, OPR will solicit the character reference. Absent exceptionally compelling circumstances, OPR will not solicit a character reference from a subordinate on behalf of a supervisor. If you believe additional witnesses need to be interviewed or other additional evidence needs to be obtained, you may direct that request to IIS (during the investigative stage of the proceedings) or include the request in your written response to OPR (during the adjudicatory stage of the proceedings). **If you contact any witness or potential witness during the adjudicatory stage without OPR permission, you can expect to be referred to IIS for Obstruction of Administrative Matter. If counsel does so, counsel and counsel's firm can expect to be prohibited from reviewing the investigative file, submitting a written response, and participating in the oral presentation to OPR.** In addition, you are admonished that any redacted materials or other FBI documents you review in connection with this inquiry are the property of the FBI, and you are prohibited from photocopying or removing such documents from FBI space. You may take notes concerning the content of such material, but those notes may be used only to facilitate your participation in this disciplinary inquiry and for no other purpose.

(5) In addition to, or in lieu of, submitting a written response, you may request an oral presentation which, at your election, will be made telephonically, in person, or by video teleconference to the Assistant Director of OPR. You must request an oral presentation, in writing, within ten calendar days after your receipt of the proposed action or after you have been provided access to the material described in (3) above, whichever occurs later. Upon receipt of your written request for an oral presentation, OPR will provide you at least fifteen days' notice of the presentation date. If you are submitting a written response in addition to making an oral presentation, the oral presentation will be scheduled for a date after the deadline date for OPR's receipt of your written response. During your presentation, you and/or your attorney may present oral testimony or evidence, including any information, affidavits, and other documentation deemed pertinent to your case. The testimony of witnesses is not allowed. Any travel and/or attorney costs incurred as part of your oral presentation are your responsibility. For WebTA, employees in duty status may treat a reasonable amount of file review time, and the time spent during the oral hearing, as part of their official duties and record it as regular hours. Employees in duty status may also treat up to one hour prior to the hearing and up to one hour after the hearing as part of their official duties if that time is actually spent preparing for the hearing or discussing the hearing with counsel. Employees in non-duty status are not entitled to use official time to review their file or attend their oral presentation.

(6) You will receive a written decision letter from the AD, OPR, after consideration of any oral and written responses to the proposed action, fully stating the reasons for the decision. This decision letter will be delivered to you as soon as practicable following completion of the disciplinary process described above.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-30-2018 BY [redacted] NSICG b6 -1
b7C -1

WILL, CANDICE M. (OPR) (FBI)

From: [redacted] S (OPR) (FBI)
Sent: Monday, March 05, 2018 6:53 AM
To: [redacted] (DO) (FBI) [redacted] (DO) (FBI) b6 -1 b7C -1
Cc: WILL, CANDICE M. (OPR) (FBI); [redacted] (OPR) (FBI)
Subject: Front Office Phones (03/05/2018,@6:30 a.m) --- UNCLASSIFIED

SentinelCaseId: NON-RECORD

Classification: UNCLASSIFIED
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Good morning All ☺

FYI:

Front office phones checked (03/05/2018,@6:30 a.m.)
On Friday, March 2, 2018,@10:40 a.m., Mr. Michael Bromwich called for AD, Will and would like for you to give him a call on Monday (today) when you get a minute [redacted] Also [redacted] Names have been placed on OPR's Calendar. Praying you have a blessed and amazing day on purpose ☺

b6 -1,3
b7C -1,3

Peace & Blessings
[redacted] b6 -1 b7C -1
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Classification: UNCLASSIFIED

Michael Bromwich
[redacted] b6 -3 b7C -3
Mon 3/5/18, 7:15 Am
left msg on his cell ph

He reps Andy McCabe.
Just wants to know process. (CW) explained to Andy on his last day. It is...
They w/ an NDA - until IG's final rept released t/FBI, I w/ N/ release details.
Rept deemed final when goes to us.
They w/ blinders on.
I further agree th even once rel'd to FBI, I w/ N/ rel. draft th N/ mk it to final.

263D-HQ [redacted] -42 b6 -1 b7C -1