URI'S SEASON OF SUCCESS RUNS OUT OF STEAM AGAINST DUKE C1

Providence Sunday Journal

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WHITE HOUSE

Trump's lawyer: Probe must end

Attack on FBI intensifies; fired deputy chief reportedly kept memos of talks with Trump

By Philip Rucker, Matt Zapotosky and Carol D. Leonnig
The Washington Post

WASHINGTON — President Donald Trump escalated his assault on federal law enforcement agencies Saturday while one of his attorneys argued that the controversial firing of a top FBI official was reason to end the Justice Department special counsel's expansive Russia investigation.


McCabe


Trump

After Attorney General Jeff Sessions acted late Friday night on Trump's publicly-stated wishes to terminate former deputy FBI director Andrew McCabe — just hours before he was set to retire with full benefits — the president celebrated the ouster as a triumph that exposed "tremendous leaking, lying and corruption" throughout law enforcement.

The move emboldened McCabe,

SEE PROBE, A11

R.I. HISTORY

Judge ends eBay sale of Colonial records

By Katie Mulvaney
Journal Staff Writer

PROVIDENCE — The pages are delicate, frayed and browned with age, covered in elegant looping script. They document the comings and goings in Providence County court some 270 years ago, telling of a Native American man being sentenced to 15 lashes at a whipping pole for stealing paper money while drunk and other cases. They are peppered with some of Rhode Island's most prominent family names: Greene, Arnold, Perry, Angell and Lippitt.

SEE COLONIAL, A12

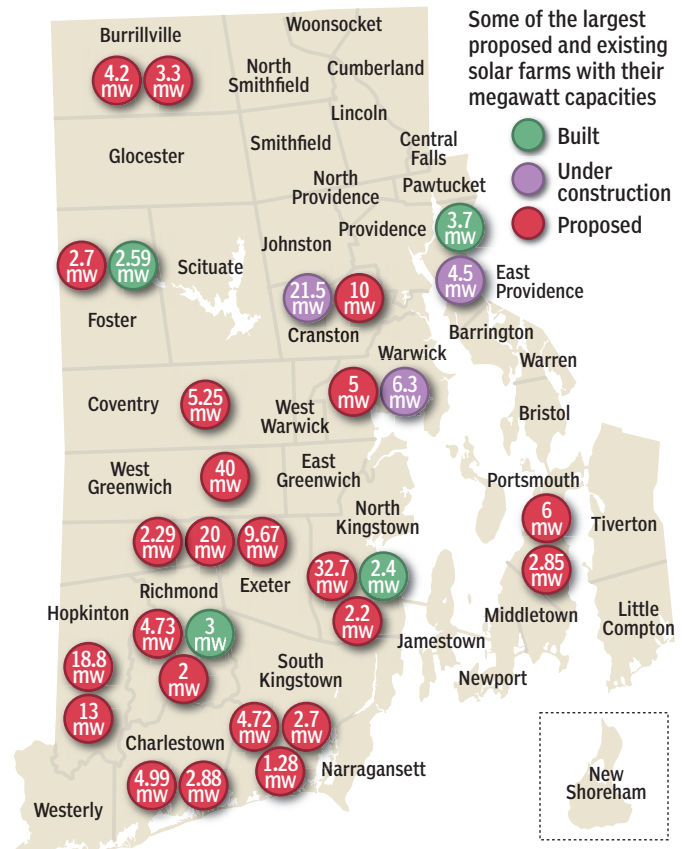
SOLAR SPRAWL

Burgeoning solar projects reignite debate about preserving a place's rural character while allowing renewable energy and revenue-generating development


A solar project under construction off Kilvert Street in Warwick. [THE PROVIDENCE JOURNAL / STEVE SZYDLOWSKI]

Growing solar in R.I.

One megawatt of solar capacity can meet the electric needs of about 130 homes. One megawatt requires 4 to 6 acres of open space.



SOURCES: Community planners, solar developers, RI Office of Energy Resources THE PROVIDENCE JOURNAL

By Alex Kuffner
Journal Staff Writer

CRANSTON — From atop a rocky knoll near his house, Douglas Doe frowns upon the site of what will soon be Rhode Island's largest solar installation.

Almost nothing stands in the way of his view of the dusty expanse. But for a band of woods growing within a wetlands buffer, every tree on the site has been taken down. Sixty acres in all.

On this Saturday morning, a gravel truck rumbles through a chain-link gate to pick up another load from the 80,000 cubic yards of stone blasted from ledge that lined one side of the property. A rock crusher is busy at work, while bulldozers dig into giant mounds of dirt.

"It's like site preparation for a mall," Doe says, shaking his head. "It doesn't belong in a residential area."

He has lived in this tiny neighborhood off Lippitt Avenue for two decades and always enjoyed the woods at the end of the lane that cuts past his house and three others.

A dairy farm once occupied the land, which sits on a hilltop that slopes down toward the Pawtuxet River, but it went out of business long ago. Pastures gave way to forest and the area became a place where neighbors went for walks with their dogs or out riding on four-wheelers.

Plans to subdivide the land for housing came and went, and then three years ago a Warwick-based company called Southern Sky Renewable Energy came forward with a $45-million plan to clear the land, mount 58,000 solar panels on steel posts driven 6 feet into the ground,

SEE DILEMMA, A10

More inside

"Even though the solar offset is greater, there's inherent value in trees and forests that you can't put a dollar on. I can't go hiking in a solar field."
Paul Raducha, senior developer with Boston-based Kearsarge Energy

TODAY	MON	TUE
38°/20°	42°/22°	38°/27°

Complete forecast, C12

Sporting green in Newport

While St. Patrick's Day is largely a religious day in Ireland, in the City by the Sea it is a grand excuse to revel with friends on the tailcoat of winter. **A4**

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Sunday

Solar-friendly bills send developers scrambling for big, open spaces

By Alex Kuffner
Journal Staff Writer

PROVIDENCE — Until recently, solar power was a bit player on Rhode Island's renewable energy scene. All the attention was focused first on land-based wind turbines, like the trio on the Fields Point waterfront in Providence, and then the offshore wind farm completed last year near Block Island, the first project of its kind in the United States.

Apart from an East Providence solar farm on a capped landfill, projects harnessing the sun's energy were generally less than one megawatt in size and largely confined to rooftops and commercial sites like the Quonset Business Park in North Kingstown.

But the passage of a series of solar-friendly bills by the General Assembly has sent developers scrambling to find big, open parcels of land in rural areas of Rhode Island for vast fields of sleek, shiny photovoltaic panels that can number in the tens of thousands.

"The overall cost of developing particularly large-scale projects has decreased dramatically over the last few years," says Rhode Island energy commissioner Carol Grant.

"What might not have seemed attractive three years ago can now seem very attractive and very competitive."

In one sign of how attractive the industry has become in Rhode Island, the number of solar companies authorized to do business in the state has jumped from just six in 2014 to 48 today, according to Grant.

Driving solar's growth are a number of state laws governing local taxes, interconnection standards and permits, but there have been two main programs that are attracting developers to Rhode Island.

The first is net metering, a way of offsetting electric bills with renewable energy that is traditionally installed at the same location where usage occurs. The law was enacted in 2000 and has been expanded over the years.

The key change came in 2014 when the General Assembly approved "virtual" net metering, allowing the offset for renewable energy systems installed at a different location from where the power is used.

The amendment recognized the difficulty of building large solar or wind projects in densely developed places like Providence. It made possible, for example, the Narragansett Bay Commission's use of power from wind turbines installed in Coventry.

The original amendment offered the option to state and quasi-state agencies, municipalities and public schools. It has since been expanded to nonprofits, hospitals, the federal government and private schools.

The second major initiative is the Renewable Energy Growth Program, which took effect in 2015 and in which developers can apply for long-term contracts to sell their power to National Grid, the state's main utility. Prices are set by a state board and adjusted for technologies and scale.

The program targeted 160 megawatts of installed capacity by 2020. Last year, it was extended to 2029 with an additional 400 megawatts.

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DILEMMA

From Page A1

and generate enough power to meet the needs of about 3,000 typical households.

At 21.5 megawatts, it will be more than five times the size of an array on a closed landfill in East Providence that is currently the largest solar field in Rhode Island.

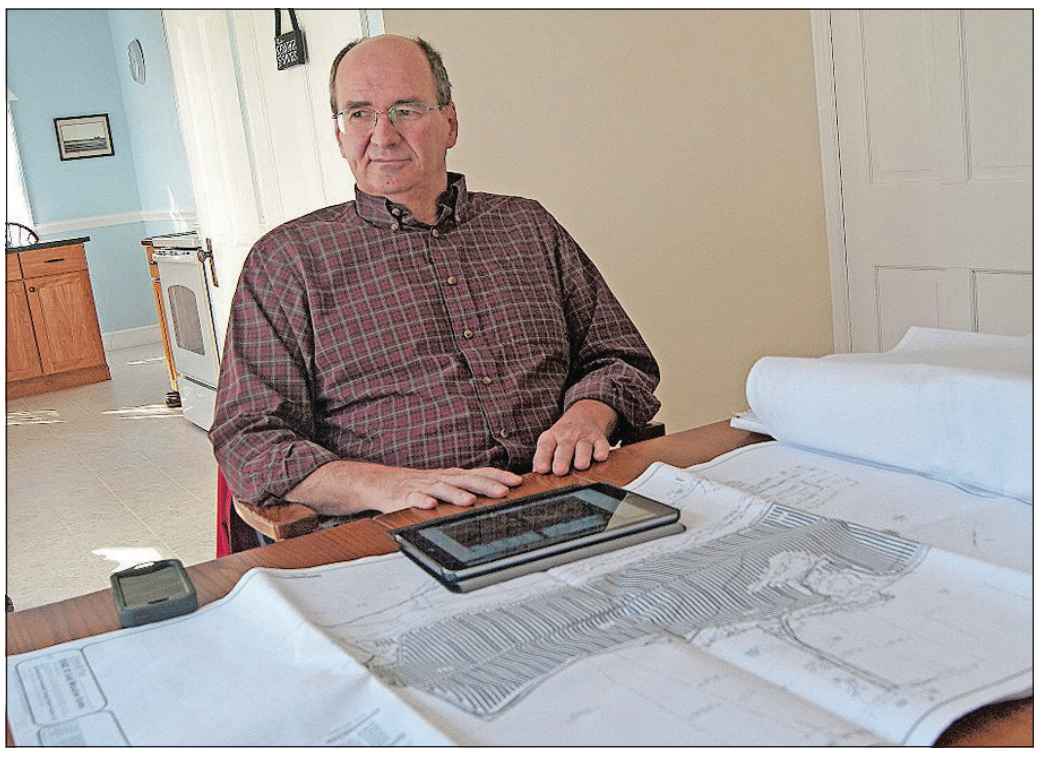
Southern Sky owner Ralph Palumbo, who has multiple solar projects around the state in various stages of development, expresses pride in his work to bring more clean energy into the power grid.

"It's an environmental statement," he says. "This feels good."

His company has named the installation Gold Meadow Farms, but Doe, a member of the Cranston Conservation Commission and president of the West Bay Land Trust, only shakes his head at the suggestion that it's any kind of farm.

"This is basically solar strip-mining," Doe says.

Packaged solar panels can be seen through the trees at the Southern Sky Renewable Energy solar farm project near Burlingame Road in Cranston. [THE PROVIDENCE JOURNAL / SANDOR BODO]



Douglas Doe, who lives on Lippitt Avenue in Cranston, is frustrated by open space being developed into solar farms. He displays a site plan of the solar farm being built near his home. [THE PROVIDENCE JOURNAL/ SANDOR BODO]

Rhode Island is in the midst of a solar land rush. Spurred by a raft of renewable energy incentives passed by the General Assembly over the past five or six years, developers are seeking out massive tracts of land for ever-larger projects.

In the absence of state programs that prioritize the reuse of dormant gravel pits, capped landfills, contaminated brownfields or other industrial sites, many projects are being proposed in rural parts of the state, on underutilized farm fields and in unprotected woodlands.

Developing these parcels may mean clear-cutting the land, felling thousands of trees and razing the understory, to remove any obstruction between the sun's rays and the row upon row of shiny photovoltaic panels that would harness their energy.

These projects are reigniting an age-old debate in places like Coventry, Exeter and Hopkinton about how to preserve the rural character of a community while still allowing revenue-generating development. Neighbors, municipal planners and environmental groups question the wisdom of allowing the nearly unfettered use of fields and forests for renewable energy in a state with increasingly fragmented corridors of undeveloped land.

They also ask whether a solar project can really be considered green if it requires the sacrifice of so much green space.

Similar issues have come up in other parts of the country, perhaps most notably when Six Flags agreed earlier this year to reduce the amount of tree-clearing for a solar field at a theme park in New Jersey after environmental groups filed suit. But Rhode Island may be unique.

"I think the issue here is more important than in any other state in the country because of our small size," says Scott Millar, of Grow Smart Rhode Island. "We have no land to waste."

And if there's one thing solar developers need, it's land. The general rule of thumb is that for every megawatt of capacity 4 to 6 acres of space is needed.

That adds up quickly for a project like the one in western Cranston, which occupies 108 acres, the equivalent of 82 football fields. And there are even bigger ones in the works. Providence-based Energy Development Partners is finalizing a proposal for a 40-megawatt proposal in West Greenwich, according to the state Office of Energy Resources. Denver's Turning Point Energy is working on a 32.7-megawatt project in North Kingstown.

Green Development, the North Kingstown company formerly known as Wind Energy Development that installed 10 wind turbines in Coventry, has submitted plans for a 20-megawatt array in Exeter, as well as three others totaling 14.2 megawatts. It has also raised the possibility with officials of an additional 30 megawatts in that town alone.

Supporters of the sprawling projects say they're necessary to meet Governor Gina Raimondo's executive order issued last year to generate 1,000 megawatts of renewable energy by 2020 from both in-state and out-of-state sources. Curbing the carbon emissions that are driving climate change require difficult choices, they argue.

In support of their position, they point to the ability of solar power to reduce the need for electricity from conventional, polluting sources like gas- or oil-burning power plants.

In terms of emissions alone, they may be right. The amount of carbon dioxide offset by solar panels on an annual basis far exceeds what the number of trees in the same acreage can absorb, according to a U.S. Environmental Protection Agency calculator. A 2011 study by Brookhaven National Laboratory that factored in the release of carbon from felled trees found that the numbers still favor solar.

But even some developers express reservations.

"Even though the solar offset is greater, there's inherent value in trees and forests that you can't put a dollar on," says Paul Raducha, senior developer with Boston-based Kearsarge Energy. "I can't go hiking in a solar field."

Ralph Palumbo may be the largest solar developer working in Rhode Island. He has built, has under construction or is permitting 147 megawatts across more than a dozen sites.

An accountant by training, the Providence native was a real estate developer before the recession hit in 2008. He turned to solar power after passage of President Obama's stimulus package the following year that provided generous tax incentives for renewable energy.

He started in Massachusetts, which at the time was far ahead of Rhode Island in implementing programs supporting solar, and his first project was on a closed landfill in Canton. But after installing 30 megawatts in the Bay State, he set his sights back on his home state.

Palumbo is working on only one proposal now in Massachusetts — a model project with National Grid to test new technologies. The market in Rhode Island these days has caught up to — and surpassed — the Bay State, he says.

He doesn't solely target green space. Southern Sky is nearing completion of a 6.3-megawatt system just north of the Airport Connector in Warwick on contaminated land that was part of the Leviton Manufacturing complex. That and two other arrays he's installing in Warwick will offset nearly the entire demand of that city's government and public schools

The company is also getting ready to break ground on two arrays on closed landfills, one in Johnston and the other in North Providence.

But it is Palumbo's proposals in more pastoral areas that have generated mixed feelings. They include a pair of proposals totaling about 31 megawatts in Hopkinton and Gold Meadow Farms in Cranston, which will generate power to offset the City of Providence's usage.

The latter project has been embraced by Cranston Mayor Allan Fung and other city officials who approved a zoning change allowing solar in certain residential areas. They argue that solar isn't as intensive as housing (the Lippitt Avenue site was approved for a 39-lot subdivision), will generate tax revenues without burdening city services, and will allow for the possible reuse of land at the end of the design-life of the photovoltaic panels.

For Doe, however, it feels like his neighborhood is under siege from solar developers. Along with Palumbo's big project, he is also installing a smaller array off nearby Seven Mile Road. And not far away off Hope Road, RES Energy Development, an English company with a U.S. division, is getting ready to break ground on a 10-megawatt project that would become the second-largest array in Rhode Island.

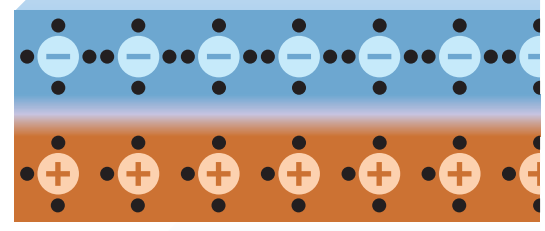
Doe complains about the

SEE DILEMMA, A11

How solar cells work

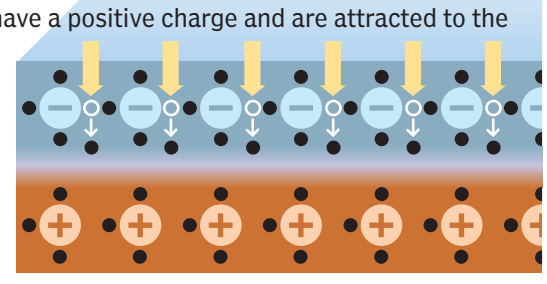
1 The solar cell wafer consists of two types of silicon. The atoms on the top side have extra electrons while those on the underside have missing electrons.

An electro-magnetic field is created where the two sides meet.



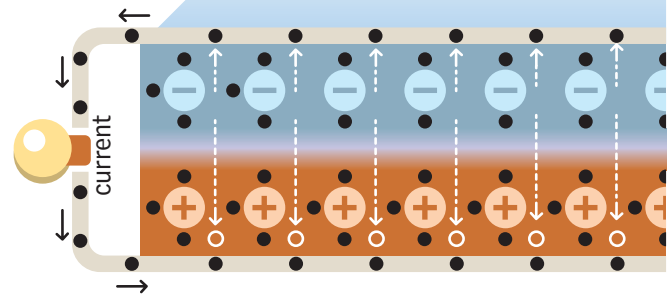
2 When sunlight strikes the top side, some electrons are knocked loose from their atoms, leaving holes behind.

The holes have a positive charge and are attracted to the bottom surface of the cell while the freed electrons migrate to the top.



3 The electrons on top want to reunite with the holes below but the electro-magnetic field is a barrier.

So, a thin metal conductor strip wrapped around the silicon wafer provides a pathway to the other side.



4 This movement of electrons creates an electric current.

SOURCE: TED Ed THE PROVIDENCE JOURNAL/TOM MURPHY

DILEMMA

From Page A10

truck traffic coming in out of the Gold Meadow Farms site, the noise from blasting and the resulting dust. (The state Department of Environmental Management recently cited Southern Sky for failing to comply with permits to minimize disturbances during construction.)

He is more concerned about the long-term effects of taking out woodlands that absorbed rainfall, provided a home to animals, and helped add to the area's unique sense of place. At least with a subdivision, more trees would have been left in place, he says.

"It's open space. It's habitat. It's watershed," Doe says.

Palumbo acknowledges the criticism about tree-clearing and says he sympathizes with neighbors who never would have expected that their homes would sit next to what he describes as "a sea of glass."

But he cites the jobs his projects create and the advantages of developing local sources of energy in a state with no fossil fuel deposits. He is also adamant that there's a net benefit to the environment.

"I wouldn't engage in the business of smokestacks," he says. "I believe in this."

The economics draw developers to green spaces.

Rooftops are perfect for residential solar panels, but ones that are big enough for utility-scale arrays, even on industrial buildings, are rare. Such projects may also mean working with multiple tenants and building owners and there may be complications with the strength of a roof and with liability. Similar ownership and insurance issues can arise with solar canopies over parking lots.

Landfills offer plenty of space, but they are more difficult to build upon because posts can't be sunk into their caps. Instead, racking systems are weighted in place by concrete blocks. The consequences of an accident during installation are more serious, especially if a cap is compromised. Panels also can't be tilted for maximum exposure because of the risk that they could catch the wind, tip over, and damage a cap.

That's not to say that developers aren't building on those sites. Frank Epps, of Energy Development Partners, has two rooftop projects totaling 2.25 megawatts in the works in the Quonset Business Park, and a 2.5-megawatt ground-mounted system next to a Superfund site in North Smithfield.

"We try to use as much redundant land as possible," he says.

But Epps is also working on one project that will require taking down 21 acres of trees.

Raducha, too, targets tainted or disturbed land. Kearsarge Energy won a contract with South Kingstown and the University of Rhode Island to install nearly 10 megawatts on three landfills in that town.

"It's harder," he says. "You have more development costs. There's more review by the DEM. You have additional engineering."

But the price he sells the energy for is the same as if he builds a project on open space at a lower cost of development. So he also cannot ignore more rural areas if he wants to keep up with his competitors.

Developers are willing to pay big money for green space, and are even getting into bidding wars for prime locations. One Washington County property owner says a developer interested in leasing his land for a one-megawatt array offered an upfront payment of $70,000 and payments every month thereafter of between $10,000 and $15,000.

That type of money can go a long way toward allowing a farmer to hang onto land instead of selling it off for house lots. But the results pose challenges to communities like Richmond or Charlestown that may be unprepared for regulating solar development.

Some municipalities have scrambled to write solar rules in response to a single controversial proposal. In others, developers have submitted their own draft regulations.

Both have happened in Exeter, where an ordinance was drawn up by the Planning Commission and enacted by the town and where Green Development is now asking for approval of its proposal to exempt projects in parts of town from a currently required special-use permit.

Company CEO Al Bucknam says that in a farming community like Exeter solar makes sense.

"There's income to the farmer. There's income to the town. It improves the overall economics of the community," he says.

Town Planner Ashley Sweet says solar projects must be carefully considered because they could have a lasting effect on the so-far lightly developed town.

"What is the tipping point when you start giving up one green resource for another green resource? How many trees do we cut down and farms do we cover? At some point you tip that balance," she says.

She believes that it's the state's responsibility to step in with solar siting guidelines because it's the state incentives that are driving development.

"There has been little to no guidance from the state on this," Sweet says. "We feel like we're on our own."

The Rhode Island Office of Energy Resources has created a stakeholder group to tackle some of the issues raised by the specter of solar sprawl.

Millar and Doe are both members. So are Raducha and Epps. Other developers are represented as are environmental groups such as the Audubon Society of Rhode Island and The Nature Conservancy.

The group is trying to bridge potentially competing interests. Developers want to see more consistent regulations from one community to the next. Planners and environmental groups want more guidance on development without impeding the growth of an energy source that nearly all of them support.

The group has submitted a proposed bill to the General Assembly that would require all cities and towns to enact solar ordinances by summer 2019. Its members have also settled on siting principles that include encouraging installations in developed areas and on farms that remain in agricultural use while also recognizing the ecological impacts.

Participants on all sides say that agreeing on legislation that goes beyond those principles and actually prioritizes sites will be much more difficult.

But there are precedents. Massachusetts and, to a lesser extent, Connecticut went through solar booms and then slowed things down. Massachusetts is developing a program that offers premium prices for solar power from brownfields, landfills, buildings and canopies.

Connecticut passed legislation that would allow something similar to happen after issuing a report that found more farmland and forest was going to solar development than was being protected on an annual basis.

Vermont, too, directs projects to preferred sites that were identified through a statewide land survey that factored in energy needs, power grid capacity and land uses.

Sheila Dormody, of The Nature Conservancy, a member of the Rhode Island siting group, says a study like that should happen here.

"One of the things that's a longer-term project that needs to come from this is a sense of the big picture," she says. "How much electric generation do we need in the future? How much space is that going to take up? How much of that will be large utility-scale work and how much will be on rooftops?"

In the meantime, solar development isn't expected to slow down — even after President Trump enacted a tariff on imported solar panels earlier this year. Developers say it may only have a small effect in the near term.

Total installed solar capacity across Rhode Island currently stands at 66.6 megawatts, according to National Grid, which owns the bulk of the power system in the state. Waiting in line to be installed is another 519 megawatts, nearly all of it non-residential. To put that number in perspective, consider that Rhode Island's peak electric load on any given day is about 1,700 megawatts.

"To a certain extent, Rhode Island has been playing catch-up," says Chris Kearns, chief of program development with the state energy office. "These developments are not going to be uncommon to see."

Doe understands that better than most.

Instead of the woods he once saw from his kitchen window, he will soon look out upon a field of solar panels mounted 12 feet off the ground and surrounded by a chain-link fence.

"It was gorgeous," he says. "People came out here and they couldn't believe it was still Cranston."

He gestures to piles of mulch on Southern Sky's property.

"Those," he says, "used to be trees."

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Work progresses to clear the land for the Southern Sky Renewable Energy solar farm in western Cranston. [THE PROVIDENCE JOURNAL / SANDOR BODO]

Burgeoning growth of solar projects across the state

By Alex Kuffner
Journal Staff Writer

Solar is not only spreading across Rhode Island. Individual projects are also getting bigger.

By the end of 2011, Rhode Island had only 1.2 megawatts of installed solar capacity. The latest figure is 66.6 megawatts across 4,344 projects, according to National Grid, the utility that owns the bulk of the state's power grid.

And an additional 931 projects are proposed that total a staggering 519 megawatts.

The industry's growth can be tracked in the largest projects that have come on line in recent years.

In 2009, United Natural Foods installed a 167-kilowatt rooftop solar array on its headquarters off Valley Street in Providence that was the largest in Rhode Island at the time.

In 2011, Toray Plastics (America) eclipsed it with a 445-kilowatt solar array next to its factory in the Quonset Business Park in North Kingstown.

In 2013, CME Energy took the lead with a 3.7-megawatt solar field on the closed Forbes Street landfill in East Providence.

This year, Southern Sky Renewable Energy will first complete a 6.3-megawatt solar farm off Kilvert Street in Warwick that will be the largest in the state until the same company completes construction of a mammoth 21.5-megawatt solar farm off Lippitt Avenue in western Cranston.

And waiting in the wings? A 40-megawatt proposal put forward by Energy Development Partners in West Greenwich.

Ralph Palumbo, of Southern Sky Renewable Energy, stands in front of the solar project he has built off Kilvert Street in Warwick. [THE PROVIDENCE JOURNAL / STEVE SZYDLOWSKI]

PROBE

From Page A1

who said in a public statement that his dismissal was a deliberate effort to slander him and part of an "ongoing war" against the FBI and the Russia probe being led by special counsel Robert Mueller III.

Like former FBI director James Comey, who was fired by Trump last year, McCabe kept contemporaneous memos detailing his fraught conversations with the president, according to two people familiar with the records. The danger for Trump is that those memos could help corroborate McCabe's witness testimony and become damaging evidence in Mueller's investigation of whether Trump has sought to obstruct justice.

Trump asked McCabe in an Oval Office meeting last May who he voted for and complained about the political donations McCabe's wife received for her failed 2015 Virginia state Senate campaign. In addition, Comey confided to McCabe about his private conversations with Trump, including when the president asked for his loyalty.

McCabe's firing — coupled with the Saturday comments of Trump and his personal attorney, John Dowd — marked an extraordinary acceleration of the battle between the president and the special counsel, whose probe Trump has long dismissed as a politically-motivated witch hunt.

Dowd said in a statement, "I pray that Acting Attorney General Rosenstein will follow the brilliant and courageous example of the FBI Office of Professional Responsibility and Attorney General Jeff Sessions and bring an end to alleged Russia Collusion investigation manufactured by McCabe's boss James Comey based upon a fraudulent and corrupt Dossier."

Dowd's defiance was a dramatic shift for a legal team that had long pledged to cooperate fully with Mueller. The White House has responded to requests for documents, while senior officials have sat for hours of interviews with the special counsel's investigators.

The statement was first reported by The Daily Beast, which explained that Dowd said he was speaking on behalf of Trump. Dowd later backtracked, telling The Washington Post that he was speaking only for himself.

Trump has been known in the past to direct surrogates to make bold claims publicly as a way of market-testing ideas. Dowd declined to say if he consulted with the president before issuing his statement. "I never discuss my communications with my client," he said.

White House officials had no comment as to whether Dowd's statement was delivered at the behest of his client, but they insisted it was not part of a coordinated administration strategy and one described it as ill-advised.

Still, officials acknowledged that Trump shares his lawyer's sentiment that the Mueller investigation should come to a swift conclusion.

"We were all promised collusion or nullification of his election or impeachment," said a senior administration official, who spoke on the condition of anonymity to discuss a sensitive matter. "We were promised something that never came to be."

This official added that Trump "just thinks they should wrap it up. He sees it becoming a big fishing expedition."

For months now, the president has raged in private conversations with friends and advisers over the intensifying investigation. People familiar with his thinking said he has been especially agitated by Mueller's probing into the financial and other records of his private business, the Trump Organization — an intrusion he said in an interview last year would be crossing a red line.

Sessions fired McCabe as an outgrowth of an investigation by Justice Department Inspector General Michael Horowitz, who is examining the FBI's handling of its probe of former Secretary of State Hillary Clinton's use of a private email server. In the course of that broad review, Horowitz's team found that McCabe had authorized two other FBI officials to speak to the media about an ongoing criminal investigation, and then — in their view — misled investigators about it.

White House officials said they did not believe Trump had explicitly ordered Sessions to fire McCabe in recent days. But he arguably did not have to: The FBI's former No. 2 official had long drawn Trump's ire, and the president has publicly called for his dismissal.

Trump has long been furious at Sessions for recusing himself from overseeing the Mueller probe. White House officials said the embattled attorney general is perpetually trying to prove his worth to Trump and had to have known that firing McCabe would please the boss.

Indeed, Trump hailed McCabe's dismissal in a gleeful tweet at 12:08 a.m. Saturday as "A great day for Democracy."

That drew a stern rebuke from former CIA director John Brennan, who responded on Twitter: "When the full extent of your venality, moral turpitude, and political corruption becomes known, you will take your rightful place as a disgraced demagogue in the dustbin of history. You may scapegoat Andy McCabe, but you will not destroy America . . . America will triumph over you."

After Dowd issued his statement Saturday, Trump reiterated his claim that there was "no collusion" between his campaign and Russians, and attacked federal agencies that are under his command. But he stopped short of echoing Dowd's call for an end to the Mueller probe.

Trump tweeted: "As the House Intelligence Committee has concluded, there was no collusion between Russia and the Trump Campaign. As many are now finding out, however, there was tremendous leaking, lying and corruption at the highest levels of the FBI, Justice & State. #DrainTheSwamp."

In a second tweet, Trump repeated his now-familiar attacks on McCabe and Comey. Some allies worry he is playing with fire by taunting the FBI.

"This is open, all-out war, and guess what? The FBI's going to win," said one ally, who spoke on the condition of anonymity to be candid. "You can't fight the FBI. They're going to torch him."