United States Senate
WASHINGTON, DC 20510

January 30, 2018

The Honorable Charles Grassley
Chairman
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Grassley,

You and I both appreciate the value of transparency. Without transparency, there can be no accountability. That is a core function of our Judiciary Committee's centuries-old oversight responsibility. When we shed light on failings and shortcomings within our government, and when we hold our institutions accountable through oversight and corrective legislation, we compel our nation's top officials to do better. In doing so we protect our government itself and the interests of the American people it serves.

Never before have I been more concerned for the institutions we rely on to maintain our government's integrity than I am today.

I believe the Federal Bureau of Investigation, as an institution – and as our nation's premier law enforcement agency – is under attack. During my four decades in the Senate, I have never before seen career, apolitical law enforcement officials so relentlessly and publicly maligned by our own government. I have never before seen ongoing, critical investigations into pressing national security matters so blatantly politicized, both within the Executive Branch and in Congress. And I have never before been so concerned that the walls intended to protect the independence and credibility of our institutions are so at risk. I am concerned that this undue pressure has contributed to a wholesale changing of the guard within the FBI, with the Director, Deputy Director, General Counsel, and Chief of Staff to the Director all being replaced within the past eight months.

Never has our Committee's oversight authority of the Justice Department been more critical than now. I fear the damage being done to the FBI, and to our nation's institutions more broadly, will far outlast any current crises unless we take decisive, bipartisan action. Accordingly, I am asking you to hold an oversight hearing to examine the escalating attacks on, and risk of politicization of, the FBI. I believe both Director Christopher Wray and former Deputy Director Andrew McCabe should testify before our Committee.

I suspect that every member of our Committee would agree that mistakes were made during the course of important investigations led by the FBI in 2016. Some of those decisions are being analyzed by the Inspector General and I expect this Committee to take a close look at Mr.

Horowitz's forthcoming report. The review of tough and perhaps regrettable decisions made by career law enforcement officials is clearly part of our Committee's routine oversight of the Justice Department.

But there is nothing routine about what is happening today. I believe the ongoing attacks on and attempted politicization of the FBI demands our Committee's immediate attention. At a minimum that includes a public hearing with the FBI's Director and the recently departed Deputy Director. The Senate Judiciary Committee will fail to fulfill a core responsibility to oversee and protect the integrity of the FBI if it does nothing in this moment. History will judge us harshly if we collectively shrug our shoulders while our nation's premier law enforcement institutions are under assault.

I appreciate your lifelong commitment to transparency and to meaningful, dogged congressional oversight. I appreciate our friendship. And I appreciate your consideration of this request. I hope you will schedule an oversight hearing without delay.

Sincerely,

Patrick Leahy
United States Senator

Chuck – it is serious
PL