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WRAY TESTIMONY: SHEDDING LIGHT ON POLITICIZATION AT THE FBI

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TOPLINE POINTS

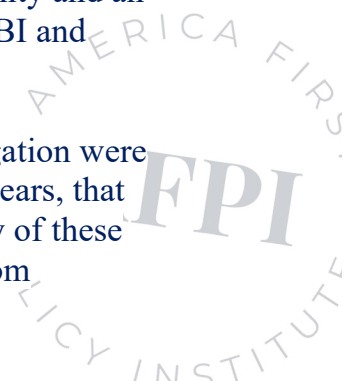
- ★ FBI Director Christopher Wray is scheduled to testify before the House Judiciary Committee on July 12, 2023.
- ★ Accusations of political bias infiltrating many high-profile FBI investigations have come to light, creating doubt with the public about the FBI's commitment to fairness and impartiality.
- ★ Congress has both an opportunity and an obligation to shed light on these accusations and to demand answers to how Director Wray is addressing these concerns and ensuring that the FBI is committed to the impartial administration of justice.

Introduction

The congressional testimony of Federal Bureau of Investigation (FBI) Director Christopher Wray before the House Judiciary Committee should provide Congress with the opportunity to examine, in detail and under oath, many of the serious allegations concerning the politicization of investigations within the FBI. The recently released Durham Report, investigating the origins and machinations of the discredited *Crossfire Hurricane* investigation, painted a troubling picture of FBI agents subordinating truth and impartiality to political preferences ([Durham Report, 2023](#)).

Considering the findings of the Durham Report, Congress has both an opportunity and an obligation to question Wray on the pervasiveness of politicization within the FBI and what measures he has taken, or will take, to root out this behavior.

Unfortunately, the Durham findings related to the *Crossfire Hurricane* investigation were only the latest in a string of recent FBI investigations, dating back only a few years, that have been tainted with accusations of politicized decision-making. The recency of these incidents underscores the need for Congress to aggressively pursue answers from



Director Wray on how the FBI can prevent these alleged abuses from tainting future investigations, especially as Americans embark upon yet another contentious presidential election.

Politicized Activity at the FBI?

Any time accusations of political favoritism infiltrate what should be the apolitical process of a fair and impartial law enforcement investigation, public confidence in both the specific investigation and the institution conducting it is compromised. This is especially pernicious given that the rule of law undergirds the very foundations of our Republic.

The FBI, as the de facto preeminent federal law enforcement agency in the United States, holds a particular responsibility to ensure that its investigations uphold the highest standards of rigor, impartiality, and integrity. Unfortunately, recent examples have brought that commitment into question.

Hillary Clinton Email Investigation: During the 2016 presidential campaign, the FBI investigated Hillary Clinton's use of a private email server while she was serving as the U.S. Secretary of State. Critics accused the FBI of politicizing the investigation in two main ways. First, some argued that the agency showed leniency toward Clinton by not recommending criminal charges despite finding evidence of mishandling of classified information. This was seen by some as an act of political favoritism toward Clinton, who was the Democratic candidate for president at the time ([Gass & McCaskill, 2016](#)). Second, others contended that the timing of key events related to the investigation, such as then-FBI Director James Comey's public announcement of reopening the inquiry shortly before the election, was politically motivated and designed to influence the outcome of the election ([Wise & Hosenball, 2016](#)).

Accusations notwithstanding, the timing and ham-handedness of Comey's public disclosures cast a dark cloud over the entirety of the investigation, both in its thoroughness and its adjudication.

The Peter Strzok and Lisa Page Controversy: In 2017, nearly 400 text messages between FBI agent Peter Strzok and FBI lawyer Lisa Page, who were involved in the investigations into Clinton's emails and alleged Russian interference, became public. The messages included disparaging remarks about then-candidate Donald Trump, such as calling him an "idiot," as well as their preferences for Hillary Clinton to win the upcoming presidential election ([Aguilera, 2020](#)).



The texts between Strzok and Page included even more gratuitous displays of political bias. In one exchange, Page asked Strzok, “[Trump’s] not ever going to become president, right? Right?!” with Strzok responding, “No. No he won’t. We’ll stop it” ([Fredericks, 2018](#)).

Critics understandably questioned the “we” to whom Strzok was referring and argued that the messages demonstrated clear political bias on the parts of Strzok and Page and raised serious doubts about their objectivity in the investigations.

The FISA Warrant Process and Carter Page: In 2019, the Department of Justice Inspector General released a report that examined the FBI's applications for surveillance warrants under the Foreign Intelligence Surveillance Act (FISA) related to former Trump campaign adviser Carter Page. The report found significant errors, omissions, and failures in the FBI's handling of the applications ([DOJ Inspector General, 2019](#)).

Critics argued that these mistakes were indicative of political bias within the FBI—though the Inspector General’s report did not find evidence to support this claim—and an attempt to improperly target and surveil individuals associated with the Trump campaign ([Concepcion, 2023](#)). They pointed out that the FBI relied on information from the Steele dossier, an unverified and politically contentious document, in the FISA applications. The report concluded that the FBI failed to meet its obligation to provide accurate and complete information to the FISA court, raising concerns about potential political motivations behind the surveillance efforts.

The above examples of alleged politicization within the FBI are only reinforced by the findings of a nearly 1,000-page report issued by the House Judiciary Committee in late 2022. The report, titled, *FBI Whistleblowers: What Their Disclosures Indicate About the Politicization of the FBI and Justice Department*, offers several disturbing revelations brought forward by a number of whistleblowers. Among the allegations were that the FBI artificially manipulated domestic violence extremism cases for political purposes, assisted social media companies in suppressing political speech, and sought to purge employees who did not attune to the leadership’s political ideology ([House Judiciary Committee, 2022](#)).

Although any allegation must be fully investigated to assess its veracity, the sheer volume of whistleblower complaints, coupled with the real-world examples of personal bias infiltrating the investigative process, signal the need for a much deeper exploration of the scope and reach of this phenomenon.



Conclusion

The appearance of politicization within the FBI poses significant dangers to the rule of law and erodes public confidence in the agency. When the FBI becomes subject to political motivations, the impartiality and integrity of its investigations are compromised, undermining the fundamental principles of justice and fairness. This can lead to a loss of trust in the FBI's ability to enforce the law without bias or undue influence.

Public confidence in the justice system is vital for maintaining a functioning democracy, as citizens must believe that investigations and prosecutions are conducted fairly and without political interference.

As Director Wray testifies before the House Judiciary Committee, he should be asked several pointed questions, including:

- 1) What processes are in place to ensure that investigations are conducted impartially and without political influence? What safeguards, review mechanisms, and protocols are in place to prevent or identify any personal biases that may adversely affect a fair and impartial investigation?
- 2) What steps are in place to ensure that FBI personnel, especially those in key positions, maintain strict adherence to professional standards and avoid expressing personal political biases that could affect their work?
- 3) How robust has the FBI's cooperation been with oversight bodies, particularly inspectors general and congressional committees, to ensure that investigations and activities are subject to appropriate scrutiny and review?

Congress should demand assurances regarding the transparency of the FBI's operations, including its reporting and disclosure practices. Director Wray's upcoming testimony is a valuable opportunity for Congress to exercise its oversight authority and to demand that transparency and accountability prevail over obfuscation and that the restoration of public confidence in the institutions of our democracy is held paramount.



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