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SUBCOMMITTEE ON MIDDLE EAST
AND NORTH AFRICA

The Honorable Michael E. Horowitz
Inspector General for the Department of Justice
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Suite 4706
Washington, DC 20530-0001

May 11, 2017

Dear Mr. Horowitz:

I am writing to follow up to a letter I sent to you on April 27, 2017, regarding the firings of Preet Bharara and Sally Yates. In that letter I referenced your testimony before the House Judiciary Committee on March 21, 2017, when I questioned you about politically motivated firings at the Department of Justice. In the letter, I asked you to begin an investigation into whether the two referenced firings were politically motivated. I wrote,

At [the March 21st] hearing, you responded that it would be a serious matter if a Justice Department employee were fired in order to shut down or interfere with an ongoing investigation but would need further predicated facts to start an investigation in the cases of Yates and Bharara. I believe the facts available warrant further consideration by your office, as both firings occurred concurrently with a Justice Department investigation that was unfavorable to the Trump administration or within days of the White House learning that such an investigation was happening. To ensure the fair administration of the law, it is imperative that the Justice Department operate free of political influence or interference from other elected officials.

As you are aware, on May 9, 2017, President Trump fired the FBI Director James B. Comey. According to Trump Administration officials, his firing was due primarily to his mishandling of the investigation into Hillary Clinton's use of a private email server.¹ However, I am extremely troubled by the timing of this firing, which comes almost four months into the Trump Administration, and more than nine months after Director Comey announced publicly that he was not recommending charges be brought against Hillary Clinton.

The firing of Director Comey comes in the midst of the FBI's investigation into Russian interference in the U.S. election and the Trump campaign's ties to the Russian government.

¹ <http://www.cnn.com/2017/05/09/politics/fbi-james-comey-fired-letter/>

Since the firing was announced, it has been widely reported that Director Comey had recently asked the deputy attorney general overseeing that case, Rod J. Rosenstein, for additional resources for that investigation.² Additionally, it was reported that federal prosecutors have issued grand jury subpoenas in the same case in recent weeks, an important step in moving the Russia probe forward.³

The timing of the firing of Director Comey, just as the investigation into Russia and the Trump campaign progresses is extremely suspect, and cause for great concern, as the FBI and Department of Justice should never be subject to political influence or retaliatory measures. Additionally, I am gravely concerned that there now appears to be a well-established pattern of President Trump dismissing officials who are undertaking investigations related to him or his administration. This is not how democracy works.

Your office was set up with the explicit task of ensuring that the Department of Justice operates with integrity, transparency, and within the law. I respectfully ask you to begin investigations into whether U.S. Attorney Bharara, Acting Attorney General Yates, or Director Comey were fired due to political considerations or attempts to interfere in an ongoing investigation. Additionally, I ask that you look closely at the timeline of events preceding Director Comey's dismissal to determine whether Attorney General Sessions or Deputy Attorney General Rosenstein were pressured by President Trump or anyone else within the White House into recommending that Director Comey be fired, and if so, whether they violated Department of Justice policy or federal law, and whether you find that they or anyone else within the Department of Justice should be charged, reprimanded, or recuse themselves from any ongoing investigations.

I believe the facts as presented warrant further consideration by your office. To ensure the fair administration of the law, is imperative that the Justice Department operate free of political influence or interference from other elected officials.

I thank you for your attention to this matter and I look forward to your reply.

Sincerely,



David N. Cicilline

Ranking Member, House Committee on the Judiciary

Subcommittee on Regulatory Reform, Commercial and Antitrust Law

² <https://www.nytimes.com/2017/05/10/us/politics/comey-russia-investigation-fbi.html?hp=undefined&action=click&pgtype=Homepage&clickSource=story-heading&module=span-ab-top-region®ion=top-news&WT.nav=top-news&r=0>

³ <http://thehill.com/policy/national-security/fbi/332670-grand-jury-subpoenas-issued-in-fbi-russia-probe-report>