

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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August 9, 2023

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, DC 20535

Dear Director Wray:

The Committee on the Judiciary is continuing to conduct oversight of the Federal Bureau of Investigation's (FBI) assessment of traditional Catholics as potential domestic terrorists. From information recently produced to the Committee, we now know that the FBI relied on information from around the country—including a liaison contact in the FBI's Portland Field Office and reporting from the FBI's Los Angeles Field Office—to develop its assessment.¹ This new information suggests that the FBI's use of its law enforcement capabilities to intrude on American's First Amendment rights is more widespread than initially suspected and reveals inconsistencies with your previous testimony before the Committee. Given this startling new information, we write to request additional information to advance our oversight.

For months, we have sought information relating to the FBI's document generated by the Richmond Field Office, dated January 23, 2023, and entitled, "Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology Almost Certainly Presents New Mitigation Opportunities."² On April 10, as a result of the FBI's failure to voluntarily comply with our request, the Committee issued a subpoena relating to this document.³ On July 17, 2023, we wrote to you noting that if the FBI failed to "substantially improve its compliance" with the subpoena, the Committee may seek to enforce the subpoena through contempt proceedings.⁴

¹ Letter from Christopher Dunham, Acting Asst. Dir., Fed. Bureau of Investigation, to Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (July 25, 2023).

² Fed. Bureau of Investigation, U.S. Dep't of Justice, Domain Perspective, Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology Almost Certainly Presents New Mitigation Opportunities (Jan. 23, 2023).

³ Subpoena from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Hon. Christopher A. Wray, Dir., Fed. Bureau of Investigation (Apr. 10, 2023).

⁴ Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Hon. Christopher A. Wray, Dir., Fed. Bureau of Investigation (July 17, 2023)

On July 25, 2023, the FBI produced a version of the Richmond document with fewer redactions than the two previous versions it had produced.⁵ This new version shows that the FBI's actions were not just limited to "a single field office," as you testified to the Committee.⁶ The document cited reporting from an "FBI Portland liaison contact with indirect access" who informed on a "deceased [Racially or Ethnically Motivated Violent Extremist (RMVE)] subject" who had "sought out a mainline Roman Catholic community" and then "gravitated to [Society of Saint Pius X (SSPX)]."⁷ In addition, the document noted how an FBI undercover employee with "direct access" reported on a subject who "attended the SSPX-affiliated [redacted] Church in [redacted] California, for over a year prior to his relocation."⁸ The document states that FBI's Los Angeles Field Office initiated an investigation on the "RMVE subject."⁹ Most concerning of all the newly produced version of the document explicitly states that FBI Richmond "[c]oordinated with" FBI Portland in preparing the assessment.¹⁰ Thus, it appears that both FBI Portland and FBI Los Angeles field offices were involved in or contributed to the creation of FBI's assessment of traditional Catholics as potential domestic terrorists.

This revelation raises the question of why you redacted this information in previous versions of the document you produced to the Committee, and it reinforces the Committee's need for all FBI material responsive to the April 10 subpoena, including the production of FBI's Richmond document without redactions. We look forward to receiving a briefing on the FBI's internal review of this matter and to interviewing the Special Agent in Charge of the Richmond Field Office. However, we again reiterate our outstanding requests, including our request to conduct a transcribed interview with the Chief Division Counsel who approved the Richmond document.

We wrote to you on July 18 inviting you to correct the testimony you provided on July 12 related to the FBI's role in the censorship of American speech. This new information raises additional concerns about the accuracy, completeness, and truthfulness of your testimony. We invite you to amend your testimony to fully explain the nature and scope of the FBI's assessment of traditional Catholics as potential domestic terrorists.

Finally, to inform our ongoing oversight of the FBI and to ensure the First Amendment guarantee of free exercise of religion is protected from government overreach, please also provide the following documents and information:

1. All documents and communications between the FBI's Richmond Field Office and the FBI's Portland Field Office referring or relating to the reporting cited in the January 23,

⁵ FBI-HJC118-DP-000268 – FBI-HJC118-DP-000278 (on file with the Committee). The Committee has repeatedly requested an unredacted copy of the document; however, the FBI continues to make redactions without citing any applicable privilege.

⁶ *Oversight of the Federal Bureau of Investigation: Hearing Before the H. Comm. on the Judiciary*, 118th Cong. at 68 (July 12, 2023) (testimony from Hon. Christopher A. Wray, Dir., Fed. Bureau of Investigation).

⁷ FBI-HJC118-DP-000270 (on file with the Committee).

⁸ *Id.*

⁹ *Id.*

¹⁰ FBI-HJC118-DP-000273 (on file with the Committee).

The Honorable Christopher A. Wray

August 9, 2023

Page 3

2023, Domain Prospective, entitled “Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology Almost Certainly Presents New Mitigation Opportunities”;

2. All documents and communications between the FBI’s Richmond Field Office and the FBI’s Los Angeles Field Office referring or relating to the reporting cited in the January 23, 2023, Domain Prospective, entitled “Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology Almost Certainly Presents New Mitigation Opportunities”;
3. A list of FBI intelligence products that have also cited the reporting done by the FBI’s Richmond Field Office and the FBI’s Los Angeles Field Office, as well as any other investigations initiated based on the same; and
4. Confirm the placement and access of the FBI’s Portland Field Office liaison contact with indirect access and the FBI’s Los Angeles Field Office Undercover Employee with direct access.

Please provide this information as soon as possible, but no later than 5:00 p.m. on August 23, 2023. Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Chairman



Mike Johnson
Chairman
Subcommittee on the Constitution
and Limited Government

cc: The Honorable Jerrold L. Nadler, Ranking Member
The Honorable Mary Gay Scanlon, Ranking Member, Subcommittee on the Constitution
and Limited Government