

United States Senate

WASHINGTON, DC 20510-7012

October 30, 2016

The Honorable James Comey
Director of the Federal Bureau of Investigation
Federal Bureau of Investigation Headquarters
935 Pennsylvania Avenue, NW
Washington, D.C. 20535-0001

Dear Director Comey:

Your actions in recent months have demonstrated a disturbing double standard for the treatment of sensitive information, with what appears to be a clear intent to aid one political party over another. I am writing to inform you that my office has determined that these actions may violate the Hatch Act, which bars FBI officials from using their official authority to influence an election. Through your partisan actions, you may have broken the law.

The double standard established by your actions is clear.

In my communications with you and other top officials in the national security community, it has become clear that you possess explosive information about close ties and coordination between Donald Trump, his top advisors, and the Russian government - a foreign interest openly hostile to the United States, which Trump praises at every opportunity. The public has a right to know this information. I wrote to you months ago calling for this information to be released to the public. There is no danger to American interests from releasing it. And yet, you continue to resist calls to inform the public of this critical information.

By contrast, as soon as you came into possession of the slightest innuendo related to Secretary Clinton, you rushed to publicize it in the most negative light possible.

Moreover, in tarring Secretary Clinton with thin innuendo, you overruled longstanding tradition and the explicit guidance of your own Department. You rushed to take this step eleven days before a presidential election, despite the fact that for all you know, the information you possess could be entirely duplicative of the information you already examined which exonerated Secretary Clinton.

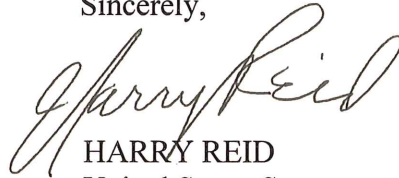
As you know, a memo authored by Deputy Attorney General Sally Yates on March 10, 2016, makes clear that all Justice Department employees, including you, are subject to the Hatch Act. The memo defines the political activity prohibited under the Hatch Act as "activity directed towards the success or failure of a political party, candidate for partisan political office, or partisan political group."

The clear double-standard established by your actions strongly suggests that your highly selective approach to publicizing information, along with your timing, was intended for the success or failure of a partisan candidate or political group.

Please keep in mind that I have been a supporter of yours in the past. When Republicans filibustered your nomination and delayed your confirmation longer than any previous nominee to your position, I led the fight to get you confirmed because I believed you to be a principled public servant.

With the deepest regret, I now see that I was wrong.

Sincerely,

A handwritten signature in cursive script that reads "Harry Reid". The signature is written in black ink and is positioned above the printed name and title.

HARRY REID
United States Senator