



One Hundred Sixteenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

June 25, 2020

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
Washington, DC 20535

Dear Director Wray:

I write to express my dismay at the Federal Bureau of Investigation's (FBI) ongoing failure to comply with requests from the Committee on Homeland Security.

Oversight on "Black Identity Extremism" (BIE)

On December 17, 2019, following reporting on the existence of an FBI intelligence-gathering program called "IRON FIST" focused on BIE, Congressman Richmond and I requested that the FBI produce to the Committee the August 3, 2017 assessment of BIE as well as Consolidated Strategy Guides for 2018, 2019, and 2020, and related intelligence assessments created and disseminated by the FBI pertaining to BIE.¹

On May 29, Jill Tyson, FBI Assistant Director for Congressional Affairs, sent us a reply that largely consisted of an extensive discussion of nomenclature, including the reasons the FBI abandoned the use of the term "Black Identity Extremism" in favor of the term "Racially or Ethnically Motivated Violent Extremism," but failed to provide any of the requested documents.² After numerous conversations, FBI staff informed Committee staff that the documents, which I understand to be largely or entirely unclassified, would only be made available in an FBI reading room for Members rather than being produced as requested. This falls unacceptably short of the request and raises questions about why the FBI refuses to produce these documents to the Committee.

In an effort to resolve this issue, I sent a letter on June 10, 2020, to Assistant Director Tyson requesting a videoconference briefing explaining the FBI's failure to produce these documents. On June 24, 2020, Assistant Director Tyson responded, offering a staff-level *in camera* review followed by an in-person Member briefing and document review.³ I agree to send Committee staff to review the documents *in camera*. However, this staff-level review does not obviate the FBI's responsibility to produce to the Committee all of the documents it has requested.

The prolonged delays in the production of documents requested by the Committee regarding BIE are unacceptable and are severely impeding the Committee's oversight work. In addition, these delays fall

¹ Letter from Chairman Bennie G. Thompson, et al., Committee on Homeland Security, to Director Christopher A. Wray, Federal Bureau of Investigation, Dec. 17, 2020, available at <https://homeland.house.gov/imo/media/doc/Black%20Identity%20Extremists%20letter.pdf>.

² Letter from Assistant Director of Office of Congressional Affairs Jill C. Tyson, U.S. Department of Justice, Federal Bureau of Investigation to Chairman Bennie G. Thompson, et al., Committee on Homeland Security, May 29, 2020.

³ Letter from Assistant Director of Office of Congressional Affairs Jill C. Tyson, U.S. Department of Justice, Federal Bureau of Investigation to Chairman Bennie G. Thompson, Committee on Homeland Security, June 24, 2020.

short of your commitment to this Committee to “keep the dialogue going” on this issue.⁴

I urge you to produce the requested documents without further delay, and in no case later than July 2, 2020.

Briefing on Extremist Involvement in Ongoing Protests

On June 2, 2020, Committee Members and I sent a letter requesting documents and a briefing related to, among other things, extremist involvement and infiltration into the lawful protests occurring all across the country in recent weeks. The FBI has produced only two of the requested documents and has failed to schedule the briefing for the Committee regarding these important topics.

We continue to read reports of extremist involvement in the protests—including the killing of a DHS Federal Protective Service officer by an alleged right-wing “Boogaloo” extremist.⁵ It is imperative that the FBI brief the Committee on intelligence regarding these concerning trends and FBI’s response in order to understand the threat landscape facing the American people.

I urge you to schedule the requested briefing and provide documents without further delay, and in no case later than July 2, 2020.

Worldwide Threats Hearing

In light of the rapidly evolving threat picture around the world, driven by ongoing geopolitical trends as well as the coronavirus pandemic, I seek to convene the Committee’s annual Worldwide Threats hearing as soon as possible. The Committee contacted the FBI on June 10, 2020, inquiring about your availability to testify at such a hearing alongside the Acting Secretary of Homeland Security and Acting National Counterterrorism Center Acting Director in June or July. Subsequently, the FBI informed the Committee that you are not available for the entirety of either month. I am dismayed that you have not agreed to testify at this critical time and ask you again to participate in this important hearing.

The FBI’s repeated failure to produce requested documents and provide briefings to the Committee and your apparent refusal to testify in a reasonable timeframe raise questions about whether the FBI is withholding information from Congress and the public regarding extremist threats against the nation. This lack of transparency is particularly disturbing given the many unsubstantiated claims that the Trump Administration has made regarding extremist threats.

I would have preferred to have resolved these issues in a phone call with you. Committee staff reached out on June 17, 2020, to arrange a call, but over a week later FBI staff have not offered any possible times for us to speak.

I hope that you will reconsider the agency’s stance toward the Committee’s requests. Thank you for your attention to these important matters.

Sincerely,



BENNIE G. THOMPSON
Chairman

⁴ Testimony of The Honorable Christopher A. Wray, Director, Federal Bureau of Investigation, before the Committee on Homeland Security, Oct. 30, 2019, <https://www.c-span.org/video/?465777-1/fbi-director-wray-acting-dhs-secretary-mcaleenan-testify-global-threats>.

⁵ Katie Shepherd, *An officer was gunned down. The killer was a ‘boogaloo boy’ using nearby peaceful protests as cover, feds say*, WASHINGTON POST, June 17, 2020, <https://www.washingtonpost.com/nation/2020/06/17/boogaloo-steven-carrillo/>.