

Questions for the Record
Chairman Charles E. Grassley of Iowa
The Nomination of the Honorable Kashyap Patel
to be Director of the Federal Bureau of Investigation
January 30, 2025

1. On October 5, 2022, I wrote to Director Wray asking questions and requesting documents about sexual misconduct at the FBI based on lawful whistleblower disclosures. Those records provided data about hundreds of FBI employees who had retired or resigned to avoid discipline. Many of those employees engaged in sexual misconduct in the workplace. Today, the Associated Press reported on its own investigative findings that “the FBI has received nearly 300 allegations of sexual misconduct since the bureau announced in 2021 it had launched an agency-wide crackdown. The number marked a nearly 50% increase over complaints filed during the preceding four-year period....” Just last year, the DOJ reportedly “agreed to pay more than \$22 million to settle a class-action lawsuit alleging female FBI recruits had been routinely harassed by instructors with sexually-charged comments about their breast size, false allegations of infidelity and the need to take contraception ‘to control their moods.’”

Will you develop a plan to eliminate sexual misconduct within the FBI?

RESPONSE: If confirmed, I will consult with FBI personnel regarding the Bureau’s current efforts to counter sexual misconduct among FBI employees and will determine what changes should be made to address this issue.

Will you ensure FBI misconduct is disciplined consistently regardless of rank or seniority?

RESPONSE: Yes.

2. During the fall of Afghanistan, the Biden Administration created Operation Allies Welcome. As part of this operation, thousands of Afghans were evacuated to the United States, despite concerns with the vetting process for the evacuees. During an August 4, 2022, hearing former FBI Director Wray stated that he did not know where certain flagged evacuees with significant security concerns were located.

Will you commit to working with my staff to ensure Congress better understands how the FBI is monitoring, investigating, and locating Afghan evacuees who pose a significant threat to U.S. citizens?

RESPONSE: Yes.

3. I, along with Senators Johnson and Paul, have written to the FBI regarding Asif Merchant, the threats from Iran, and how the FBI develops threat assessments.

Will you commit to working with my staff to better understand how the FBI handles threats from Iran, as well as other adversaries, against U.S. citizens and government officials? Will you commit to working with my staff to understand how the FBI develops its threat assessments?

RESPONSE: I would welcome the opportunity to meet with you to discuss how this can best be achieved. As I stated at my hearing, if confirmed, the FBI will be committed to full transparency.

4. I have written to the FBI twice regarding the Salt Typhoon cyberattack. In one letter, I highlighted that the FBI was allegedly obstructing congressional investigations into the matter.

Will you commit to working with my staff to better understand the breadth of the Salt Typhoon cyberattack, and to better understand how the FBI is responding to the CCP's brazen attacks?

RESPONSE: Please see my response to Question 3 above.

5. I have a long history conducting oversight of DOJ and FBI's implementation and use of Foreign Agents Registration Act (FARA). Including its at-times lax and selective use and enforcement. FARA is an important statute that was designed not to prohibit activity but rather to require individuals to register with the DOJ if they are acting as an agent of a foreign government or enterprise to influence U.S. policy or public opinion. This helps ensure transparency and accountability in the public policy arena. In that sense, FARA is a content-neutral regulatory scheme that would not require any entity or individual to refrain from certain types of speech.

If confirmed, will you commit to working with the Justice Department's FARA unit to use all tools available to combat efforts by U.S. adversaries to influence the American public, either through lobbying or public relations work?

RESPONSE: If confirmed, I will ensure the FBI works with the Justice Department's FARA unit to properly investigate FARA violations.

6. On May 29, 2024, I wrote the Justice Department concerning DOJ OIG findings that the Justice Department failed to comply with 50 U.S.C. § 3341 and the Director of National Intelligence's (DNI) Security Executive Agent Directive 9 (SEAD 9) which provide protections for federal employees who allege their security clearance was suspended, revoked, or denied in retaliation for making legally protected whistleblower disclosures. Specifically, my letter highlighted an example where the FBI had suspended an employee for more than 2 years while the employee waited for a final determination on the revocation of their security clearance. This type of practice has a chilling effect on potential whistleblowers from reporting wrongdoing out of fear they will have their security clearances suspended and be put on leave without pay indefinitely, with little recourse to timely appeal the decision. The Justice Department responded on June 12, 2024, that it issued interim guidance to its bureaus, which included the FBI, requesting they inform their employees of their rights to appeal the security clearance suspensions if they believed the suspension was in retaliation for making a legally protected whistleblower disclosure.

Retaliatory security clearance suspensions and revocations against whistleblowers is a serious problem at the FBI. If confirmed, will you commit to ensuring that FBI employees are fully informed of their rights to appeal the suspension and revocation of their security clearance if they believe it was retaliation for making legally protected whistleblower disclosures?

RESPONSE: Yes. Whistleblowers play an important role within the Federal Bureau of Investigation, the federal government, and the public. By coming forward with evidence of waste, fraud, abuse, and misconduct, whistleblowers improve government operations and strengthen the public's trust in our institutions. I am committed to addressing and implementing the Management Advisory Memorandum (MAM) that was issued by the Department of Justice's Office of the Inspector General (OIG) regarding the Department's compliance with whistleblower protections for employees with a security clearance. I am committed to ensuring that all Bureau managers and supervisors create an environment that is supportive of lawful whistleblowing.

If confirmed, will you commit to working with me to reinstate whistleblowers' security clearances that were improperly suspended or revoked?

RESPONSE: Yes. If confirmed, I will ensure that the FBI reviews each known instance where a Bureau employee made a protected disclosure and subsequently had his or her security clearance suspended or revoked, and determines whether the suspension or revocation was based on law and facts and not a retaliation.

7. For years, the state of Iowa has tried to work with the FBI to participate in their National Use-of-Force Data Collection database. However, the amount of identifying information the FBI requires to participate may put the lives and well-being of officers at risk.

If confirmed, would you commit to reviewing the requirements to participate in the database so that more states can join?

RESPONSE: As I am not currently at the Bureau, I am not familiar with the details of the National Use-of-Force Data Collection database. If confirmed, I will familiarize myself with the Bureau's policies in these areas, consult with the appropriate officials, and make a determination as to the best course forward.

Senator Dick Durbin
Ranking Member, Senate Judiciary Committee
Written Questions for Kashyap Pramod Patel
Nominee to be Director of the Federal Bureau of Investigation
January 31, 2025

1. From November 2020 to January 2021, you served as Chief of Staff to Acting Secretary of Defense Christopher Miller. In your Senate Judiciary Questionnaire, you stated that you oversaw a \$740 billion budget, managed over three million personnel, and led efforts to enhance America’s defense posture. You also stated that you assisted with integrating policy and operations across the Department of Defense and synchronizing efforts with interagency and international partners.

a. You served a Chief of Staff to Acting Secretary Miller for less than three months. What, specifically, were your budgetary and managerial responsibilities?

RESPONSE: As the Chief of Staff at the Department of Defense, my responsibilities included implementing the Secretary’s no fail mission with our 3 million plus employees, operating a \$740 billion budget, and \$2 trillion in assets.

2. In a September 2023 appearance on *John Solomon Reports*, you said, “The one thing I’ve learned is, you know, Democrats aren’t stupid. They’re vindictive, evil, vicious, and they coordinate.”

a. Please explain what you meant.

RESPONSE: This language is taken out of context and does not accurately or fully represent my prior statements or positions. This discussion involved, among other things, examining partisan politics and the broader landscape of political discourse in Washington, D.C., as well as how these issues implicated my historic commitment to exposing misconduct, regardless of political affiliation, and ensuring that our government operates in a manner that serves the American people with integrity and fairness. I remain committed to working with all members of Congress—Democrats and Republicans alike—to uphold the rule of law and restore public trust in our institutions if confirmed.

b. Do you understand how many Americans would question whether you can impartially lead the FBI after making this statement and others like it?

RESPONSE: The above referenced language was taken out of context and does not accurately or fully represent my prior statements or positions. I understand that public trust in the FBI has eroded over the years, and if confirmed, the FBI will be committed to restoring and upholding the trust of the American people by ensuring the FBI prioritizes protecting and safeguarding our communities, and on an equal track, promoting aggressive constitutional oversight from Congress. Throughout my career in public service, I have demonstrated a commitment to fairness, due process, and the rule of law.

If confirmed as FBI Director, I am committed to ensuring that the FBI focuses on enforcing the law with integrity and impartiality.

c. Do you regret making this statement?

RESPONSE: The above referenced language was taken out of context and does not accurately or fully represent my prior statements or positions. I understand that public trust in the FBI has eroded over the years, and if confirmed, the FBI will be committed to restoring and upholding the trust of the American people by ensuring the FBI prioritizes protecting and safeguarding our communities, and on an equal track, promoting aggressive constitutional oversight from Congress. Throughout my career in public service, I have demonstrated a commitment to fairness, due process, and the rule of law. If confirmed as FBI Director, I am committed to ensuring that the FBI focuses on enforcing the law with integrity and impartiality.

3. In your Senate Judiciary Questionnaire, you wrote that you served as a surrogate on behalf of President Trump’s reelection campaign from November 2022 to November 2024.

a. Every FBI Director in the modern era has been apolitical. Given your very recent campaign work, how do you expect the American people to trust that you can be apolitical if confirmed to serve as FBI Director?

RESPONSE: My commitment to the rule of law, free from political influence, has been steadfast throughout my career, including my work for presidents of different political affiliations. After serving the public in government service for over 15 years—including my work as a state and federal public defender, as well as my work as a counter-terrorism prosecutor and receiving the 2017 Assistant Attorney General’s Award from Loretta Lynch for my work in helping the Ugandans bring members of Al-Shabaab to justice for murdering 74 innocent people, including an American—the body of my work demonstrates my commitment to the Constitution and my ability to work independently, fairly, and free from political influence.

4. In an appendix in your 2023 book, *Government Gangsters*, you list 60 “Members of the Executive Branch Deep State.” The list includes former Attorneys General Bill Barr, Eric Holder, and Merrick Garland; President Biden and Vice President Harris; and former FBI Directors James Comey and Christopher Wray. During your nomination hearing, you said the list was not an “enemies list” but rather “a glossary in the back” of the book.

On other occasions, you have characterized the list, its members, and potential actions against members of the list in starkly different terms. For example, in a December 2023 appearance on Steve Bannon’s *War Room*, you discussed several individuals on your list who you referred to as “government gangsters of the top tier,” including former Attorney General Garland, former FBI Director Wray, and former Deputy Attorney General Rod Rosenstein. Mr. Bannon asked you if a prospective Trump administration would provide “serious prosecutions and accountability,” adding: “This is just not rhetoric. We’re absolutely dead serious... You cannot have a constitutional republic and allow what these Deep Staters have done to the

country...And the people that did these evil deeds will be held accountable and prosecuted, criminal prosecutions.” When Mr. Bannon asked if you could “deliver the goods on this,” you responded, “Yes.” You added: “We will go out and find the conspirators, not just in government, but in the media. Yes, we’re gonna come after the people in the media who lied about American citizens, who helped Joe Biden rig presidential elections. We’re gonna come after you. Whether it’s criminal or civilly, we will figure that out. But yeah, we are putting you all on notice.”

a. Why should anyone consider your list of 60 individuals to be a mere glossary in your book and not a list of perceived enemies?

RESPONSE: This language is taken out of context and does not accurately or fully represent my prior statements or positions. My book is well researched based on government documents; the appendix referenced is a result of that research. This is a commentary on inappropriate actions while in government service.

b. In light of your list and your past comments about individuals on the list, how can anyone expect you to use the FBI for legitimate law enforcement purposes rather than political investigations and prosecutions if you are confirmed as the Director of the FBI?

RESPONSE: Please see my response to Question 4.a. above.

c. Will you commit to recusing yourself from any cases, investigations, or matters involving any individual on this list?

RESPONSE: If confirmed, as appropriate, I will consult with the relevant ethics officials in the Department of Justice to determine whether a recusal is necessary.

5. Henry “Enrique” Tarrío is the former chairman of the Proud Boys, a far-right organization that promotes and engages in political violence. In May 2023, he was convicted of seditious conspiracy and other charges for his role in the January 6 attack on the Capitol. In September 2023, Mr. Tarrío was sentenced to 22 years in prison. President Trump pardoned him on January 20, 2025.

Stewart Rhodes is the founder of the Oath Keepers militia, another far-right organization. In November 2022, he was convicted of seditious conspiracy and other charges related to his participation in the January 6 attack on the Capitol. In May 2023, he was sentenced to 18 years in prison. His sentence was commuted by President Trump on January 20, 2025.

a. Have you ever met or interacted with Mr. Tarrío?

RESPONSE: To the best of my recollection, no.

b. Have you ever communicated or corresponded with Mr. Tarrío?

RESPONSE: To the best of my recollection, no.

c. If yes, provide a detailed description of all such interactions and communications, including when and where they took place.

RESPONSE: Please see my responses to 5.a. and 5.b. above.

d. Have you ever met or interacted with Mr. Rhodes?

RESPONSE: To the best of my recollection, no.

e. Have you ever communicated or corresponded with Mr. Rhodes?

RESPONSE: To the best of my recollection, no.

f. If yes, provide a detailed description of all such interactions and communications, including when and where they took place.

RESPONSE: Please see my responses to Questions 5.e. and 5.f. above.

6. In a December 2022 Truth Social post apparently addressing NBA player LeBron James and NFL owner Jerry Jones, you wrote: “Soft responds to softer...hey White Jones and Black Lebron, how much money you, nike, n nfl make off CCP slave labor and chinese genocide??? Whats that, i cant hear you thru your lame ass attempt for attention via race hustling. You two belong in Titter jail together, forever.” In a July 2022 Truth Social post, you called Mr. James a “mouth breather.”

a. Do you stand by these comments? Please explain why or why not.

RESPONSE: This language is taken out of context and does not accurately or fully represent my prior statements or positions on these issues, which were part of a broader discussion regarding issues related to profiting from conducted described as CPP slave labor and genocide, such as studies that have analyzed Uyghur labor. *See, e.g.,* <https://www.aspi.org.au/report/uyghurs-sale>.

b. What is “race hustling”?

RESPONSE: The term “race hustling” is often used to describe the act of exploiting racial issues for personal, political, or financial gain.

c. Why did you call Lebron James “Black Lebron” and a “mouth breather”?

RESPONSE: These are descriptive terms regarding a prominent public figure in discussions about corporate and social responsibility, and the phrase “mouth breather” is a colloquial expression used to call out uninformed or hypocritical statements.

d. Why did you call Jerry Jones “White Jones”?

RESPONSE: These are descriptive terms regarding a prominent public figure in discussions about corporate and social responsibility.

7. In *United States v. Cortes-Castro*, you represented Alberto Cortes-Castro, one of three defendants whom the government alleged participated in a conspiracy to traffic and prostitute undocumented Mexican women through force, fraud, and coercion between 1999 and 2010. The defendants pleaded guilty to the charge of conspiracy in exchange for the dismissal of their other charges. As documented in the factual proffer, the defendants enslaved, demeaned, and debased immigrant women. The defendants forced their victims for several years to perform sexual activities daily for up to forty men, and they controlled their victims through mental intimidation, maltreatment, and violent physical abuse. The district court varied upward from the revised guidelines range and sentenced each defendant to 180 months of imprisonment and also awarded restitution to the victims in the amount of \$1.2 million.

The defendants appealed to the Eleventh Circuit, challenging the reasonableness of their sentences and the award of restitution. With respect to the latter, the appellate court characterized the argument on behalf of your client as suggesting that “the order of restitution rewards the victims for their illegal activities.” The Eleventh Circuit called the argument “preposterous given that his victims were enslaved and forced to prostitute.” The appellate court found that by statute, the district court had to compensate these victims of sex trafficking in an amount equaling “the greater of the gross income or value to the defendant of the victim’s services or labor” and for their losses attributable to medical services, necessary transportation, housing, child care expenses, and “other losses suffered...as a proximate result of the offense.” Thus, the Eleventh Circuit affirmed the sentences imposed upon the defendants. *See United States v. Cortes-Castro*, 511 F. App’x 942 (11th Cir. 2013).

a. Did you represent Alberto Cortes-Castro before the Eleventh Circuit?

RESPONSE: No, I was not counsel on the appeal in this case.

b. Do you believe that sex trafficking victims who are forced to engage in unspeakable acts are engaging in illegal activities of their own volition?

RESPONSE: No, definitionally anyone who is forced into an act is not acting of their own volition.

c. Do you agree that it goes beyond zealous advocacy for a client to argue that a restitution order for sex trafficking survivors “rewards the victims for their illegal activities”?

RESPONSE: It would be inappropriate for me to comment on matters involving representation of a former client.

d. Do you agree with the Eleventh Circuit that this was a “preposterous” argument?

RESPONSE: It would be inappropriate for me to comment on matters involving representation of a former client.

8. In your Senate Judiciary Questionnaire, you state that the Kash Foundation, a tax-exempt charity, focuses on supporting, “disadvantaged groups such as veterans, active-duty military personnel, and law enforcement officers.” However, activity related to the Kash Foundation and Fight With Kash appears to violate federal law and regulations governing the conduct of non-profit charities. For example, you have regularly promoted your self-branded website FightWithKash.com as part of the Kash Foundation’s 501(c)(3) organization, and you have stated that the website is a 501(c)(3). But “Fight With Kash” was listed as a sponsor of the 2023 Conservative Political Action Conference, a partisan political conference. Federal law prohibits tax-exempt organizations from engaging in partisan political activities.

a. Why did you use Fight With Kash—which is, in your own words, a 501(c)(3)—to engage in partisan political activities?

RESPONSE: Unlike the Kash Foundation, Fight With Kash is not a 501(c)(3), and I do not recall characterizing it as such. To the best of my knowledge, Fight With Kash’s contribution was to the American Conservative Union Foundation—a Section 501(c)(3) charity—and not to the American Conservative Union—which is the related 501(c)(4) that engages in political activity.

According to its Form 990, the total amount of grants the Kash Foundation gave out in 2023 was \$62,000. The 990 also indicates that the Foundation paid over \$275,000 for “advertising and merchandise” to One and Oh LLC in 2023. This LLC appears to be solely controlled by Andrew Ollis, the Kash Foundation’s secretary. Notably, you have also identified yourself as a “consultant” with One and Oh and according to your disclosure you received thousands of dollars in consulting fees from One and Oh. Federal law and regulations prohibit individuals closely related to a nonprofit organization, such as creators or officers, from using the organization to financially benefit themselves.

b. How do you justify the amount of money your 501(c)(3) has routed to a for-profit venture that is seemingly controlled by Mr. Ollis and that employs you?

RESPONSE: The grant amount reflected in this question is inaccurate. In all events, however, and to the best of my knowledge, like any other charity, the Kash Foundation relied in large part on fundraising to further its mission, including by using digital marketing campaigns which paid a digital marketing company through One & Oh to raise \$500,000, which the Foundation gave away to families in need, such as those affected by hurricanes in Florida, Texas, and North Carolina.

c. Do you agree that the Kash Foundation directed more money to your business partner’s company for advertising and merchandise than you directed to charitable expenditures in 2023?

RESPONSE: I do not agree with this characterization. To the best of my knowledge, the Kash Foundation engaged in standard, ordinary-course business transaction at fair market values, to obtain marketing services necessary for its fundraising and to further its mission of contributing funds to families in need across the country.

It appears you also use the Kash Foundation’s website to sell items from Based Apparel, which Mr. Ollis has characterized as a joint venture between the two of you.

d. How do you justify using your 501(c)(3)’s website to sell items from a company controlled by you and Mr. Ollis?

RESPONSE: To the best of my knowledge, Based Apparel provided the Kash Foundation services at or below amounts that are comparable to what would have been paid to an unrelated-third party, and neither Mr. Ollis nor I have realized any gain in our investment in Based Apparel as we have both invested more money into Based Apparel than we have received.

Following the August 2023 Hawaii wildfires, you reposted a link to your foundation’s website, where people could purchase shirts that read, “I Stand with Maui.” According to the post, “All net profits from the I Stand with Maui T-Shirt go to Samaritan’s Purse to support Maui relief efforts.” The shirts are still available, for five dollars each, on the Based Apparel website, but there is no indication on the webpage that purchasing one will fund any relief efforts. This contrasts with Based Apparel’s webpage selling the January 6 Prison Choir shirts, which states: “All net proceeds for sales of this t-shirt go towards select cases of January 6th victims.”

e. How many “I Stand with Maui” t-shirts were sold?

RESPONSE: To the best of my knowledge, approximately 123.

f. Please state the exact dollar amount you have given to Maui relief efforts and which organizations or individuals this money has been directed to.

RESPONSE: Although I personally have not given money to Maui relief efforts, to the best of my knowledge, the Kash Foundations provided funds to the Maui relief efforts in 2024 that exceeded the proceeds received from the “I Stand with Maui” t-shirts. The Kash Foundation’s independent financial statement audit for 2024 is not yet complete, however, but I understand that it will timely and properly report these amounts on its 2024 Form 990.

g. Please state the exact dollar amount Based Apparel has given to Maui relief efforts and which organizations or individuals this money has been directed to.

RESPONSE: To the best of my knowledge, Based Apparel did not give money to Maui relief efforts, but the Kash Foundations provided funds to the Maui relief efforts in 2024 that exceeded the proceeds received from the “I Stand with Maui” t-shirts. The Kash Foundation’s independent financial statement audit for 2024 is not yet complete,

however, but I understand that it will timely and properly report these amounts on its 2024 Form 990.

h. Please state the exact dollar amount the Kash Foundation has given to Maui relief efforts and which organizations or individuals this money has been directed to.

RESPONSE: To the best of my knowledge, the Kash Foundation’s independent financial statement audit for 2024 is not yet complete, but I understand that it will timely and properly report these amounts on its 2024 Form 990.

i. Please state the exact dollar amount donated by the Kash Foundation to Samaritan’s Purse to support Maui relief efforts following the August 2023 wildfires.

RESPONSE: To the best of my knowledge, the Kash Foundation’s independent financial statement audit for 2024 is not yet complete, but I understand that it will timely and properly report these amounts on its 2024 Form 990.

j. To which individuals or organizations were proceeds from the sale of “I Stand With Maui” t-shirts directed?

RESPONSE: To the best of my knowledge, the Kash Foundation’s independent financial statement audit for 2024 is not yet complete, but I understand that it will timely and properly report these amounts on its 2024 Form 990.

In March 2023, following the February 2023 train derailment in East Palestine, Ohio, you publicly pledged to “cut a check for \$5,000 to someone in East Palestine, Ohio from our Kash Foundation.”

k. Please state the exact dollar amount donated by the Kash Foundation to any individual or individuals in East Palestine, Ohio or its vicinity, in fulfillment of your pledge.

RESPONSE: To the best of my knowledge, the Kash Foundation’s independent financial statement audit for 2024 is not yet complete, but I understand that it will timely and properly report these amounts on its 2024 Form 990.

In October 2024, you pledged that your foundation would donate \$25,000 to those impacted by Hurricane Helene.

l. Please state the exact dollar amount donated by the Kash Foundation to those impacted by Hurricane Helene, and which individuals and organizations received these donations.

RESPONSE: To the best of my knowledge, the Kash Foundation's independent financial statement audit for 2024 is not yet complete, but I understand that it will timely and properly report any of these amounts on its 2024 Form 990.

9. Prior to 2017, you served as a public defender and as a trial attorney at the Justice Department. You then served in several additional government roles until the end of the first Trump Administration. Since then, you appear to have significantly capitalized on your relationship with President Trump. For example, you have sold Trump-themed merchandise, and you authored and sold a trilogy of children's books featuring President Trump as a main character.

Your close affiliation with President Trump certainly seems to have paid off. You have disclosed that your total assets are now nearly \$6.4 million, with \$1.3 million cash on hand and in banks. You also recently joined the Poodle Room, an exclusive club at the Fontainebleau Hotel in Las Vegas, which has an estimated \$20,000 fee for membership.

a. How much financial value have you derived from your position with Trump Media and Technology Group?

RESPONSE: I have never accepted compensation for serving as a board member for Trump Media and Technology Group.

b. Would you agree that a significant portion of your net worth can be attributed to your relationship with President Trump and willingness to capitalize on his likeness?

RESPONSE: No.

c. Do you think that your financial entanglements with President Trump present a potential conflict of interest if you are confirmed as FBI Director?

RESPONSE: To the best of my knowledge, I do not have any financial entanglements with President Trump. I have never accepted compensation for serving as a board member for Trump Media and Technology Group, and as part of my confirmation process, I have worked with officials from the Department of Justice and the Office of Government Ethics to prevent any conflicts of interests and items that might give rise to the appearance of a conflict of interest during my tenure, should I be confirmed. As part of that process, I provided itemized lists of assets and sources of income in my OGE Form 278e, and I also consented to an ethics agreement, agreed to resign from positions, and agreed to divest a number of assets where legally and ethically necessary or appropriate.

d. Will you commit that, if confirmed, you will recuse yourself from any case, investigation, or matter involving President Trump?

RESPONSE: If confirmed, I intend to consult the appropriate ethics officials at the Department of Justice about any investigation that could potentially implicate any conflicts of interests or other ethics concerns, as necessary, and to take all necessary steps to resolve any such conflicts that may arise including, if necessary, recusal.

10. According to the FBI's most recent hate crimes statistics, there was a two percent increase from 2022 to 2023 in the number of hate crime incidents reported. Since 2014, reported hate crimes have more than doubled. The FBI plays a critical role in combatting hate crimes as the leading agency investigating hate crimes at the federal level.

a. Will you commit to using FBI resources and personnel to vigorously investigate hate crimes at the federal level if you are confirmed?

RESPONSE: Hate crimes and illegal discrimination will be investigated in order to protect all Americans from intimidation and violence. If confirmed, the Department will investigate crimes motivated by hate, bigotry, or prejudice. The FBI will use its resources to protect all Americans from violence and intimidation efforts. The FBI will enforce federal hate crime statutes and will utilize resources to ensure that victims feel safe in reporting hate crimes. Any law enforcement investigation will be launched on the following qualification: a factual, articulable, legal basis to do so. Independent behavior will be the only guiding light of my work.

b. Will you employ the FBI's resources without bias or favor toward any group or community and work with the Department of Justice to prosecute hate crime offenders no matter their background or motive?

RESPONSE: Please see my response to question 10.a. above.

In 2022, nearly one in four law enforcement agencies failed to report data on hate crimes in their jurisdictions to the FBI. Of the 14,660 law enforcement agencies that provided data, 79 percent of those agencies reported zero hate crimes. That means that only one in six law enforcement agencies provided reports of hate crime incidents in 2022, the fewest number of agencies submitting data in over a decade. Without this data, the FBI has no clear picture of hate crime trends on the ground across the United States.

c. If you are confirmed as FBI Director, how would you encourage more local agencies to provide this data to the FBI?

RESPONSE: Accurate data collection helps the FBI understand the nature and scope of crimes committed against Americans. If confirmed, I welcome the opportunity to study these methods as well as areas to improve.

The Senate Judiciary Committee has heard directly from former FBI Director Wray about the rise in racially motivated extremism and the threat of violent domestic terrorists. We are still reeling from the recent terror attack in New Orleans, and there have been several horrific hate

crimes committed by white supremacists in recent years, including the mass murder of 10 Black Americans at a Buffalo grocery store in 2022.

Last Congress, I introduced the Domestic Terrorism Prevention Act to address this growing threat. This legislation would require the FBI to track domestic terrorism incidents and focus the agency's resources on the most significant domestic terrorism threats. In some of your public statements, you have suggested that the FBI should be focused on investigating the media and members of the "Deep State."

d. Will you commit to prioritizing domestic terrorism investigations, specifically focusing on the clear threat of domestic violent extremism, if you are confirmed?

RESPONSE: As I stated at my hearing, if confirmed, the FBI will investigate any actual and real domestic terrorists as I have prosecuted in my past in the Obama Justice Department. Further, if I am confirmed at the FBI, any law enforcement investigation will be launched on the following qualification: a factual, articulable, legal basis to do so. Independent behavior will be the only guiding light of my work.

11. The FBI has a long-standing role in enforcing civil rights protections that extend to all Americans. This deeply rooted tradition is a direct result of the FBI's role as the main body tasked with investigating violations of civil rights statutes and supporting the investigations of state and local authorities in related cases. This includes investigating hate crimes motivated by bias against protected characteristics; color of law crimes involving law enforcement, such as use of excessive force or police misconduct; violations of the Voting Rights Act of 1965, the Civil Rights Act of 1964, and the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act; and many other violations of law. If you are confirmed as Director of the FBI, you will be responsible for ensuring that the civil rights protections of all Americans are vigorously enforced.

a. Will you commit to employing the full resources and might of the FBI to enforce these critical protections if you are confirmed as FBI Director?

RESPONSE: Congress sets the scope of protections provided by federal civil rights laws. I commit to enforcing any currently existing law as appropriate and in accordance with the relevant facts and law. If confirmed, I look forward to discussing the matter further with FBI officials.

b. Will you commit to enforcing these laws without bias or favor toward any group or community?

RESPONSE: Any law enforcement investigation will be launched on the following qualification: a factual, articulable, legal basis to do so. Independent behavior will be the only guiding light of my work.

12. The FBI plays a critical role in identifying, mitigating, and responding to gun violence, as well as supporting federal, state, and local law enforcement partners in their efforts to do the same. For example, the FBI runs the National Instant Criminal Background Check System, or NICS, which is a computerized system crucial to informing federal firearms licensees whether a potential gun purchaser is prohibited from lawfully possessing that weapon.

a. Will you commit to ensuring the FBI fully resources and operates NICS if you are confirmed?

RESPONSE: While I have not studied the FBI's NICS resources in detail, if I am confirmed I will work to ensure that NICS staff continue to diligently conduct background checks in the states in which the FBI provides services to FFLs.

The FBI also plays a leading role in facilitating information sharing as well as providing training to law enforcement agencies related to gun violence.

b. Will you pledge if confirmed as FBI Director to continue the FBI's commitment to collecting, gathering, analyzing, and publishing firearm and gun-violence related data?

RESPONSE: If I am confirmed, the FBI will continue to gather, analyze, and publish data on a variety to topics, including gun violence.

c. Will you also pledge if confirmed to continue the FBI's commitment to training and working alongside partner law enforcement agencies, especially as it concerns gun crimes?

RESPONSE: If confirmed, I pledge to continue the FBI's commitment to training and working alongside partner law enforcement agencies on all fronts.

13. On numerous occasions, you have denigrated the Department of Justice, federal law enforcement officials, and the American justice system. In an August 2022 podcast appearance, you said, "The United States of America has a worse justice system than those that I involved myself with in East Africa and the Middle East to prosecute terrorists."

The very next day, in another podcast appearance, you said, "Due process is in shambles in America. And it is being upheld in third-world countries and banana republics to a higher standard than it is in America."

Why should the American people trust you to lead our nation's leading federal law enforcement agency when have you repeatedly denigrated the American justice system, the Department of Justice, the FBI, and our law enforcement officials?

RESPONSE: As both a public defender and a national security prosecutor at the Department of Justice, I balanced every defendant's right to constitutional due process with measured action that comported with due process and civil liberties. Bad actors who have put politics and

personal ambition over service to this great nation, and who have used institutions like the FBI to achieve their own personal gain, have destroyed public trust in these sacred institutional systems. As an advocate for justice, transparency, defending our great democracy, and ensuring that the rule of law prevails, I am committed to restoring this hallowed institution, and the American people's trust in it.

14. Recent FOIA requests have resulted in the publication of more than 800 pages of emails and memos from your time at the Office of the Director of National Intelligence. These documents show that you spent large amounts of time and energy trying to declassify politically sensitive documents in a failed attempt to exonerate former National Security Advisor Michael Flynn and to advance your views about the Trump-Russia investigation. It appears that you politicized the declassification process and coordinated with the White House, the Justice Department, and Republican lawmakers to declassify documents you believed were favorable to President Trump.

In light of how you politicized your past roles, why should we believe that you will not politicize the FBI if you are confirmed as FBI Director?

RESPONSE: I respectfully disagree with the premise of your question. I am committed, if confirmed, to ensuring there is no politicization at the FBI.

15. On September 27, 2024, you were interviewed on *Fox Business* following reports of assassination threats against President Trump from Iran. One host claimed that the threats “could be cover for Homeland Security and their lack of willingness to provide protection to Donald Trump” and followed up by asking what you thought of this theory. You replied, “I think you’re absolutely right...if Tony Blinken and his intelligence community have been tracking this very intensely for a long time, what in the world have they been waiting for to brief President Trump and beef up his security... it is an intentional failure of leadership—by the FBI, the IC, the State Department and everyone else—to jeopardize this man’s life for political reasons.”

a. Do you stand by this statement? Please explain why or why not.

RESPONSE: This language is taken out of context and does not accurately or fully represent my prior statements or positions. This discussion involved, among other things, examining the government’s responsibility to ensure the safety of former presidents, including President Trump, by ensuring that known threats are taken seriously and addressed with urgency, and it illuminated questions regarding whether intelligence and law enforcement agencies acted with the appropriate level of urgency in response to threats regarding President Trump.

b. Why do you believe that former Secretary of State Blinken and other Biden Administration leaders intentionally endangered President Trump’s life? Please explain and provide evidence for your position.

RESPONSE: Please see my response to Question 15.a. above.

c. Why do you believe former leadership at the FBI intentionally endangered President Trump’s life? Please explain and provide evidence for your position.

RESPONSE: Please see my response to Question 15.a. above.

d. Why do you believe members of the intelligence community intentionally endangered President Trump’s life? Please explain and provide evidence for your position.

RESPONSE: Please see my response to Question 15.a. above.

16. In January 2023, you reposted a link to the legal defense fund for Robert DeGregoris, shortly after federal authorities arrested him. Mr. DeGregoris was charged with multiple crimes for his activity at the U.S. Capitol on January 6, 2021.

According to the FBI, Mr. DeGregoris climbed along the entrance to the Lower West Terrace Tunnel where dozens of police officers were stationed. He stayed there for about 20 minutes, and according to Judge Rudolph Contreras’s factual findings, “[DeGregoris] urged on the large crowd of rioters standing at a distance from the Tunnel, watched as other rioters assaulted police officers defending the Tunnel, and assisted another rioter in obtaining a position from which he could kick at those officers.” A police officer sprayed a chemical irritant on DeGregoris. Despite this, DeGregoris “continued to push with other rioters against the MPD front line for several more minutes,” according to the FBI. He “assisted other rioters by helping to push a ladder toward MPD officers.” DeGregoris then posted a picture of himself in front of the Capitol and captioned it, “Took some pepper spray & tear gas breaching the front doors....Worth it.” He also texted his wife that he was proud “to stand up for something [he] believe[d] in with every fiber of [his] soul.”

Following a bench trial, Mr. DeGregoris was found guilty on all counts in October 2024. President Trump pardoned Mr. DeGregoris on January 20, 2025.

a. Did you personally donate to DeGregoris’s legal defense fund? If yes, how much did you donate?

RESPONSE: To the best of my knowledge, no.

b. Did the Kash Foundation or Fight With Kash donate to DeGregoris’s legal defense fund? If yes, how much?

RESPONSE: To the best of my knowledge, no.

c. Have you, the Kash Foundation, or Fight With Kash ever personally donated to the legal defense fund of any other criminal defendant? If so, please indicate the individual and the amount of the donation(s).

RESPONSE: The Kash Foundation and Fight With Kash have provided financial support to various legal causes, including to assist families of non-violent offenders affected by legal proceedings related to January 6th, but to the best of my knowledge, neither the Kash Foundation nor Fight With Kash affirmatively tracks as a specific category the amounts of donation to legal defense funds of criminal defendants.

d. You have argued that the FBI helped plan the events of January 6th. Do you have any reason to believe the FBI encouraged, coerced, or otherwise induced DeGregoris to engage in criminal activity at the Capitol on January 6th?

RESPONSE: The language in this question does not accurately represent my prior statements or positions regarding the FBI's reported involvement in the events of January 6th, but in all events, to best of my knowledge, I have no personal knowledge regarding the FBI's interactions with Mr. DeGregoris.

e. Do you have any reason to doubt Judge Rudolph Contreras' factual finding that DeGregoris "watched as other rioters assaulted police officers defending the Tunnel" and "assisted another rioter in obtaining a position from which he could kick at those officers?"

RESPONSE: I have no personal knowledge regarding the specifics of Mr. DeGregoris's reported conduct at issue in this question.

f. Since his pardon by President Trump, has DeGregoris, to your knowledge, apologized or expressed remorse for his actions on January 6th? Do you believe he should express remorse for his actions?

RESPONSE: I have no personal knowledge regarding the specifics of Mr. DeGregoris's reported conduct at issue in this question.

17. You wrote a children's book, entitled *The Plot Against the King: 2,000 Mules*. Your book repeated the false claims of Dinesh D'Souza, the right-wing political commentator who produced and directed the 2020 election conspiracy theory film *2,000 Mules*. Your book included a special message from Mr. D'Souza, in which he discredited the 2020 election and questioned President Biden's victory.

Mr. D'Souza's film spread lies about the 2020 election, and the film was swiftly and repeatedly debunked by both Democratic and Republican officials following its release. In May 2024, the media company that distributed Mr. D'Souza's film removed his film and book from its platforms and issued a public apology. In November 2024, Mr. D'Souza issued a public apology and acknowledged that the film's findings were based on an incorrect analysis of information.

a. Do you still stand by your book even though the false claims on which it was based have been repudiated?

RESPONSE: The Plot Against the King 2000 Mules is a book of fiction for children, bringing a fantastical retelling of events based on the best understanding of facts known at the time. The purpose of the book was to teach fairness, integrity, and truthfulness. While I am unaware of the full context of Mr. D’Souza’s recent discussions of his own works, the lessons to be learned about character from this work of children’s fiction have not changed.

b. Why do you continue to sell and profit from a book that targets children with misinformation about the 2020 election?

RESPONSE: Please see my response to Question 17.a. above.

18. The FBI has a longstanding role in enforcing the nation’s voting rights laws as part of the Bureau’s duty to investigate violations of civil rights statutes and support the investigations of state and local authorities in related cases. This includes investigating violations of the Voting Rights Act of 1965, the Civil Rights Act of 1964, and many other critical sources of federal civil rights law.

Since the results of the 2020 election were finalized, you have consistently and repeatedly supported President Trump’s incorrect and dangerous claim that the election was stolen from him—a claim that led to violence at the Capitol on January 6. Moreover, you also previously vowed to “come after” the people that you allege “helped Joe Biden rig presidential elections.” During your confirmation hearing, you refused to state that President Biden won the 2020 election.

a. Given these comments, how can we trust that if confirmed you’ll enforce federal laws, such as the Voting Rights Act, to protect the rights of those who vote for someone other than your preferred candidate?

RESPONSE: If confirmed, I will fully and fairly investigate all violations of election-related laws so that all Americans can have faith in the results of our elections. As I stated at the hearing, the only thing that matters at the FBI is that the law is followed. This includes our election laws, where it is vitally important that any investigations are de-politicized and conducted without favoritism.

b. If confirmed, what steps will you take to ensure that the value of the right to vote and the credibility of the electoral process is protected for all Americans?

RESPONSE: Please see my response to Question 18(a) above.

19. In your Senate Judiciary Questionnaire, you wrote that you prosecuted high-profile cases and that you “collaborated on cases tied to the Benghazi attacks.” However, the description you provided to the Senate Judiciary Committee is a far cry from how you have represented yourself publicly. In your book, *Government Gangsters*, you described yourself as “leading the prosecution’s efforts at Main Justice in Washington, DC” and “the Main Justice lead Benghazi prosecutor.” You have used similar descriptions of yourself and your role in the Benghazi

prosecutions on numerous other occasions. Such descriptions are confusing considering the prosecution of Ahmed Abu Khattala was run out of the Office of the U.S. Attorney for the District of Columbia, not Main Justice.

a. Why are your public claims regarding your role in the Benghazi prosecutions different from how you've described your work on the Benghazi prosecutions to the Senate Judiciary Committee?

RESPONSE: In both statements above, I indicated that I was the lead for "Main Justice," which is a true and accurate description. In the Senate Judiciary Committee Questionnaire, I reported to this committee that I "collaborated on cases tied to the Benghazi attacks" which is an accurate description of the role of the Main Justice lead prosecutor. These statements are not inconsistent if one understands the role of the Main Justice lead prosecutor.

20. My office received a whistleblower complaint that you endangered a hostage rescue mission of two Americans held captive by Iranian-backed militants in Yemen in October 2020 that you allegedly had no role in planning, negotiating, or executing. The complaint alleges that you broke Hostage Recovery Fusion Cell protocol by providing public comments to the *Wall Street Journal* without authorization in a story that was initially published several hours before the hostages were in confirmed custody of the United States, thus endangering the execution of the mission and the safety of the two Americans.

a. Did you have explicit authorization to provide comments to the *Wall Street Journal* about this hostage rescue mission at the time you gave them?

RESPONSE: As I noted in my testimony, both the National Security Advisor O'Brien and Undersecretary of Defense Tata have stated that I acted appropriately and never jeopardized the safety of the hostages in this mission.

b. If you had explicit authorization, who provided this authorization and when did they provide it?

RESPONSE: Please see my response to Question 20.a.

c. Did you know that at the time of your interview the hostages were not yet safe in U.S. custody?

RESPONSE: Please see my response to Question 20.a.

d. Do you understand why revealing the mission prematurely could have jeopardized the safety of the hostages and the success of the retrieval?

RESPONSE: Please see my response to Question 20.a.

e. Please describe in detail what role you played in the planning, negotiations, or execution of this specific hostage rescue.

RESPONSE: Please see my response to Question 20.a.

21. My office has received information indicating that from a period approximately encompassing January 2020 through November 2020, during your time as Senior Director for Counterterrorism on the National Security Council, you were often absent from the Counterterrorism directorate and left a junior intelligence officer to manage the more senior directorate in your place.

Can you explain what duties at National Security Council or otherwise took you away from the role that was created specifically for you?

RESPONSE: I respectfully disagree with the premise of the question. I was fully engaged in my duties as Senior Director for Counterterrorism on the National Security Council.

22. It has been reported that six senior FBI officials are being told to retire, resign, or be fired by February 3. These career civil servants, who include Executive Assistant Directors and Special Agents In Charge, were reportedly offered no explanation for this decision. When asked about this development, you told Senator Booker that you were not “aware of that.”

a. Do you believe these individuals’ experience has a role in furthering the work of the FBI?

RESPONSE: I cannot comment on the experience of any personnel without the opportunity to review on a case-by-case basis. Personnel decisions should be based on performance and adherence to the law. If I’m confirmed, every FBI employee will be held to the absolute same standard.

b. If you were not aware or part of discussions regarding the removal, reassignment, or firing of these senior FBI officials, would you have supported the decision and why?

RESPONSE: I cannot commit to supporting any personnel decision without the opportunity to review on a case-by-case basis. Personnel decisions should be based on performance and adherence to the law. If I’m confirmed, every FBI employee will be held to the absolute same standard.

23. On February 5, 2020, then-Attorney General Barr established new restrictions on beginning investigations into presidential candidates and Members of Congress, requiring express approval from the Attorney General in both cases.

Do you believe the Barr memo establishes a suitable procedure to ensure that investigations into presidential candidates are predicated and approached appropriately?

RESPONSE: As I stated at my confirmation hearing, whether the FBI commences an investigation during my tenure, if confirmed, will depend solely on whether there are sufficient factual, articulable, legal bases for the investigation.

24. The Senate Judiciary Committee has a constitutional responsibility to conduct oversight of the FBI to ensure that the Bureau, from the agents to the Director, are following the law in the execution of their duties and use of authorities.

a. Will you commit to being equally responsive and timely to oversight requests from both the Committee Majority and Minority?

RESPONSE: As I stated at my hearing, if confirmed, the FBI will be committed to full transparency. If confirmed, I will consult with officials in the FBI's Office of Congressional Affairs and the Department of Justice's Office of Legislative Affairs to ensure timely and appropriate responses to oversight inquiries.

25. The Foreign Intelligence Surveillance Act of 1978, known as FISA, provides the statutory framework for the collection of foreign intelligence inside the United States, including through electronic surveillance. You have raised concerns about government misuse of FISA, including the controversial spying authority known as Section 702, stating that FISA is in need of "major, major reform."

As you know, surveillance under Section 702 is subject to fewer constraints because only foreigners located abroad may be targeted. But in practice, Section 702 also enables the warrantless collection of untold amounts of Americans' private text messages, phone calls, and emails.

While Congress has codified remedial measures that have reduced the number of unlawful searches under Section 702, the government can still access the private communications of Americans caught up in Section 702 databases without a warrant or other court order. The FBI in particular has continued to conduct hundreds of thousands of such "backdoor" searches on Americans without a warrant. Just last week, a federal district court judge ruled that such warrantless searches violate the Fourth Amendment.

a. Do you remain concerned about government abuse of FISA and Section 702?

RESPONSE: In my testimony on Thursday, I talked extensively with my 702 experience and how it is a necessary tool to protect this country. That being said, the FISA Court themselves issued a report in 2022 or 2023, where 255,000 illegal, improper queries of American citizens had occurred. That does concern me. I think that 702 is a necessary and critical tool. While I am proud of the reforms that have been implemented, I am ready to work with Congress moving forward to implement additional reforms.

b. When Congress considers Section 702 for reauthorization again next year, do you support enacting an appropriately tailored warrant requirement, with

exceptions for exigent circumstances, before FBI agents can search Americans' private communications that the government has collected under Section 702?

RESPONSE: I welcome the opportunity to discuss the matter further with appropriate officials at the FBI, as well as working with Congress to protect national security and provide protections necessary for American citizens.

c. You have previously called for a public defender to be present at FISA Court proceedings. Current law provides for a limited role for amicus curiae to represent privacy and civil liberties interests where appropriate. Do you support strengthening the role of the amici in such proceedings to better protect privacy and civil liberties?

RESPONSE: Please see my response to question 25.b. above.

d. What other major reforms would you support to ensure that surveillance conducted under FISA, including under Section 702, protects the privacy and civil liberties of Americans?

RESPONSE: As a public defender and a national security prosecutor at the Department of Justice, I balanced every defendant's right to constitutional due process with measured action that comports with due process, doesn't violate civil liberties, and is appropriately tailored to address violations of law. I look forward to working with members of the FBI and with Congress to protect national security and protect American citizens' individual liberties.

e. Given the history of past abuses, how would you ensure that the FBI complies with all Constitutional, statutory, and court-imposed requirements on FISA surveillance?

RESPONSE: Given my experience as a public defender and a national security prosecutor, I am keenly aware of the balancing between due process and appropriately tailored actions to address violations of law. I will work with appropriate FBI officials to ensure that the FBI complies with legal requirements pertaining to FISA surveillance.

26. In mid-December 2022, after then-Senate Republican Leader Mitch McConnell reached a bipartisan government funding agreement, you posted a link to a news article and reposted a screenshot of an X thread from conservative commentator Mark Levin, who wrote the following:

1. McConnell is cutting a massive spending deal with the lame duck Democrats before the House Republican majority is sworn in! He's trying to bypass the more conservative GOP congressmen & defy last November's voters. To my knowledge this is the first time this has ever happened
2. What a diabolical SOB. And any Republican who voted with him is no better.

a. Do you agree with Mark Levin that Senator McConnell is “a diabolical SOB”?

RESPONSE: I have deep respect for Senator McConnell’s significant contributions to this nation and his leadership in the Senate. I agree with Senator McConnell on the need for strong law enforcement, providing more FBI personnel to communities across the nation, and making every appropriate tool available to the FBI for national security. While I acknowledge a diverse range of perspectives in political discourse, reposting an individual’s perspective on a specific issue does not constitute my endorsement of how their views or other positions may be interpreted. If confirmed, I look forward to working with all members of Congress to provide strong, effective leadership at the FBI.

i. If you do not agree with Mr. Levin, why did you repost his thread?

RESPONSE: Please see my response to Question 26.a.

b. Do you believe the 18 Republicans who voted with Senator McConnell on that 2022 budget agreement are “no better” than “a diabolical SOB”?

RESPONSE: Please see my response to Question 26.a.

i. If not, why did you repost that?

RESPONSE: Please see my response to Question 26.a.

c. On your Truth Social account, do you share posts or articles with which you disagree? If so, please provide examples of instances where you shared Truth Social posts or news articles containing content with which you disagreed.

RESPONSE: While I acknowledge a diverse range of perspectives in political discourse, reposting an individual’s perspective on a specific issue does not constitute my endorsement of how their views or other positions may be interpreted.

27. On December 21, 2022, you posted the following, in full: “No Mitch McConnell, the Ukraine is NOT ‘the number one priority’ in America’s budget, Americans are. We must hold these #GovernmentGangsters accountable- #FWK.” On September 29, 2023, you posted the following, in full: “another day, another \$196 million sent to Ukraine... and absolutely ZERO for our 55,000 homeless veterans... But McConnell’s number 1 priority for the senate is the Ukraine. #GovernmentGangsters GET GONE.”

a. Do you believe Senator McConnell qualifies as a “government gangster”? If not, please explain why your Truth Social posts from December 21, 2022, and September 29, 2023, appear to reference him as such.

RESPONSE: Please see my response to Question 26.a.

On November 14, 2022, you shared an article from *The Spectator* titled, “We can blame Mitch McConnell, too.” The piece calls Senator McConnell “an aged leader obviously unsuited for the role [of Republican Leader].” It also says of Senator McConnell: “He is not a deserved leader in any sense of the word.”

b. Do you agree with the descriptions of Senator McConnell as an “aged leader” who is “not a deserved leader” of Senate Republicans? If not, why did you share that article?

RESPONSE: No, I do not agree with this description of Senator McConnell. Further, please see my response to Question 26.a.

c. Do you believe the Senate Republican Conference should have refused to re-elect Senator McConnell as leader at the end of 2022?

RESPONSE: Selection of Congressional leadership is exclusively within Congress’s purview and remit. If confirmed, my duty as FBI Director would be to work productively with all members of Congress, regardless of party or position.

d. Do you share news op-eds with whose content you disagree? If so, please provide examples where you posted links to op-eds with which you disagree.

RESPONSE: While I acknowledge a diverse range of perspectives in political discourse, reposting an individual’s perspective on a specific issue does not constitute my endorsement of how their views or other positions may be interpreted.

28. Following the 2022 midterm elections, you shared a Truth Social post from President Trump criticizing Senator McConnell for “back[ing] bad candidates like Lisa Murkowski?”

a. Do you agree with President Trump that Senator Murkowski is a “bad candidate?” If not, why did you share that post?

RESPONSE: I have tremendous respect for the work of Senator Murkowski and all members of Congress in service of this nation. Senator Murkowski and I strongly agree on the need to address narco-trafficking and other crimes in remote communities. In my meetings with her throughout the advice and consent process, I learned more than I could have ever expected regarding how to partner with tribal communities to address crime in tribal jurisdictions. While I acknowledge a diverse range of perspectives in political discourse, reposting an individual’s perspective on a specific issue does not constitute my endorsement of how their views or other positions may be interpreted. If confirmed, I look forward to working with all members of Congress to provide strong, effective leadership at the FBI. And, I particularly look forward to relying on Senator Murkowski’s deep well of knowledge and advice for addressing crime in tribal jurisdiction, and particularly crime against women and children.

b. Has your view of Senator Murkowski changed since you shared that post?

RESPONSE: I have tremendous respect for the work of all members of Congress in service of this nation, and while I acknowledge a diverse range of perspectives in political discourse, reposting an individual’s perspective on a specific issue does not constitute my endorsement of how their views or other positions may be interpreted. Senator Murkowski and I we strongly agree on the need to address narcotrafficking and other crimes in remote communities. In my meetings with her throughout the advice and consent process, I learned more than I could have ever expected regarding how to partner with tribal communities to address crime in tribal jurisdictions. If confirmed, I look forward to working with all members of Congress to provide strong, effective leadership at the FBI. And, I particularly look forward to relying on Senator Murkowski’s deep well of knowledge and advice for addressing crime in tribal jurisdiction, and particularly crime against women and children.

29. In July 2023, you shared a Truth Social post on your account from conservative activist Charlie Kirk, who wrote, “Sen. Lindsey Graham gets brutally booed off the stage at Trump’s South Carolina rally. Absolutely humiliating. The base is DONE with Neocons who want to spend our money to bomb far away lands.” During a September 8, 2023, appearance on Mr. Kirk’s show, you clearly laughed in response to Mr. Kirk referring to Senator Graham as “Lady Graham.”

a. Do you agree with Mr. Kirk’s statement? If not, why did you repost it?

RESPONSE: I have deep respect for Senator Graham’s long-standing commitment to public service and his work in Congress and before this Committee. His advice to me throughout the confirmation process has been invaluable. While I acknowledge a diverse range of perspectives in political discourse, reposting an individual’s perspective on a specific issue does not constitute my endorsement of how their views or other positions may be interpreted. If confirmed, I look forward to working with all members of Congress to provide strong, effective leadership at the FBI.

b. Do you believe that Senator Graham is a “Neocon who want[s] to spend our money to bomb far away lands”?

RESPONSE: Please see my response to Question 29.a.

c. What did you find humorous about Kirk referring to Senator Graham as “Lady Graham”?

RESPONSE: Please see my response to Question 29.a.

30. On February 7, 2024, you posted a link to a news article and wrote the following, in full: “We did it... Nevada just shut down war monger Nikki and the fake news on election con job nevada primary... next step caucus YUGE Feb. 8 for @realDonaldTrump - we are the key to the west.”

Do you still believe that Ms. Haley is a “war monger”? Why or why not?

RESPONSE: I appreciate Ambassador Haley’s service to the nation, and while I acknowledge a diverse range of perspectives in political discourse—including areas of U.S. foreign policy and military intervention, where Ambassador Haley and I might disagree—reposting an individual’s perspective on a specific issue does not constitute my endorsement of how their views or other positions may be interpreted.

31. In April 2023, you reposted an article from *Revolver News*, entitled “Navy SEAL chief Eddie Gallagher exposes neocon Dan Crenshaw... disturbing allegations...” The piece reported on a viral video from Eddie Gallagher, a retired Navy SEAL who accused Representative Dan Crenshaw of secretly undermining him during his court-martial proceedings. The article reads, “Dan Crenshaw sounds like a sociopath,” and rhetorically posits, “Is Dan Crenshaw Ted Bundy? Because this is some next-level evil scheming and plotting.”

Do you agree with the sentiments expressed in this article? If not, why did you choose to repost it without any additional insight into your views on this situation?

RESPONSE: While I acknowledge a diverse range of perspectives in political discourse, reposting an individual’s perspective on a specific issue does not constitute my endorsement of how their views or other positions may be interpreted.

32. On July 15, 2023, you wrote the following on Truth Social:

Elon Musk is is [sic] big tech colluding with our government to censor our elections. You’ve had months to set the record straight, n [sic] you have failed. Your cheap Titter posts and your Mickey Mouse clown droppings do not absolve you- you are as bad as FBI/DOJ n [sic] you and are making millions from the disinformation campaigns. You are a complete and total fake who cares only about \$. Any time you want a real challenge, I’ll debate you, name the place and time. Elon = Schiff - guantlet [sic] thrown

a. What exactly were you referring to when you criticized Mr. Musk’s “cheap Titter posts and [his] Mickey Mouse clown droppings?”

RESPONSE: This language is taken out of context and does not accurately or fully represent my prior statements or positions on these issues. These comments involved, among other things, an ongoing public discussion about free speech, technology platforms reportedly moderating political content, and the ongoing need for address issues related to government transparency and improper use of law enforcement resources which, if confirmed, the FBI will address to regain public trust that has declined in our institutions.

b. Does your offer to debate Mr. Musk still stand? If not, why?

RESPONSE: Please see my response to Question 32.a. above.

c. Why did you, across multiple posts, refer to Twitter as “Titter?”

RESPONSE: Please see my response to Question 32.a. above.

On May 21, 2023, you wrote the following on Truth Social:

Newsflash: Elon Musk cares about Elon Musk n [sic] his X app, he wants to own the company that owns humanity... dont [sic] believe me, hes [sic] now got his billionaire buddies [sic] at the commie central world economic forum running Titter- #TruthOverTweets

d. Do you still believe that Mr. Musk “wants to own the company that owns humanity?”

RESPONSE: Please see my response to Question 32.a. above.

e. If you no longer believe this, please explain when your views changed and why.

RESPONSE: Please see my response to Question 32.a. above.

By the time you wrote the above posts about Musk, he had reinstated President Trump’s account, eliminated the company’s COVID-19 misinformation policy, and significantly reduced the role of content moderators on Twitter/X.

f. Why were you still critical of Mr. Musk’s handling of X despite all these moves?

RESPONSE: Please see my response to Question 32.a. above.

You shared the following meme on Truth Social:



g. Please explain your interpretation of this meme and why you chose to repost it.

RESPONSE: While I acknowledge a diverse range of perspectives in political discourse, reposting an individual’s perspective on a specific issue does not constitute my endorsement of how their views or other positions may be interpreted.

On December 21, 2022, you called on Elon Musk to end every FBI contract with Twitter. You wrote, in full:

hey Elon, the FBI calling you a conspiracy theorist. Good, nows [sic] your one chance to slay the kings of disinformation: release every FBI contract with Twitter, every dollar paid to Twitter by the FBI, and every instance the FBI censored free speech with Twitter based on political targeting- you got the receipts, put em on Blast with their own arrogance. #FWK

h. If confirmed as FBI Director, would you move to “release every FBI contract with Twitter, every dollar paid to Twitter by the FBI, and every instance the FBI censored free speech with Twitter based on political targeting?”

RESPONSE: This language is taken out of context and does not accurately or fully represent my prior statements or positions on these issues. These comments involved, among other things, an ongoing public discussion about free speech, technology

platforms reportedly moderating political content, and the ongoing need for address issues related to government transparency and improper use of law enforcement resources which, if confirmed, the FBI will address to regain public trust that has declined in our institutions.

i. If you would not, why has your view on this changed?

RESPONSE: This language is taken out of context and does not accurately or fully represent my prior statements or positions on these issues. These comments involved, among other things, an ongoing public discussion about free speech, technology platforms reportedly moderating political content, and the ongoing need for address issues related to government transparency and improper use of law enforcement resources which, if confirmed, the FBI will address to regain public trust that has declined in our institutions.

On March 19, 2024, you posted the following, in full: “Electric car batteries are the modern day blood diamonds... have the eco terrorists hypocrites looked at what it takes to mine lithium and cobalt for your precious EVs in Africa... talk about an actual bloodbath.”

j. Do you believe Elon Musk or those who support expanding access to electric vehicles are “eco terrorists” or are contributing to “an actual bloodbath?”

RESPONSE: This language is taken out of context and does not accurately or fully represent my prior statements or positions on these issues, which were part of a broader discussion regarding the environmental and humanitarian impact of lithium and cobalt mining, as well as issues surrounding the transparency and accountability in sourcing these materials

k. If not, please explain when you changed your beliefs about electric vehicles and why.

RESPONSE: Please see my response to Question 32.j.

33. In December 2022, you said on social media that singer Ted Nugent was “the best of [the] USA.” In a February 2023 post, you referred to Mr. Nugent by the affectionate fan nickname “Uncle Ted.” You also appeared on Mr. Nugent’s television program in 2023, an interview you initially failed to disclose to the Senate Judiciary Committee.

Prior to your statements, Mr. Nugent called President Obama a “subhuman mongrel.” He later recanted his initial apology for his comments. In 2016, Mr. Nugent called Jewish people who support gun safety measures “Nazis in disguise,” after he received backlash for sharing a blatantly antisemitic meme on Facebook. At one of his concerts, he called our late colleague Senator Dianne Feinstein a “worthless whore.”

a. Do you believe these comments reflect someone who is the best of America?

RESPONSE: I absolutely reject and renounce racism, antisemitism, sexism and all other forms of bigotry. I have always believed in the values and hopes of Americans who stand for justice, fairness, and the rule of law, and if confirmed as FBI Director, I will continue to strive to protect those values.

b. Were you aware of these or any similar comments made by Mr. Nugent prior to your post praising him?

RESPONSE: To the best of my recollection, no.

c. Do you believe it is racist to describe the first African-American president as a “subhuman mongrel?”

RESPONSE: Please see my response to Question 33.a. above.

d. Do you believe it is antisemitic to call Jewish proponents of gun control “Nazis in disguise?”

RESPONSE: Please see my response to Question 33.a. above.

e. Do you condemn Mr. Nugent for referring to our former colleague on the Senate Judiciary Committee as a “worthless whore”?

RESPONSE: Please see my response to Question 33.a. above.

34. During your nomination hearing, in response to a question about your association with Laura Loomer, you stated: “I took a photograph with an individual who showed up at a book event.” However, according to Ms. Loomer’s Truth Social post, it appears as though you volunteered to speak before Villagers for Trump, of which Ms. Loomer was a board member. In response to her post, you wrote back, “Thanks @LauraLoomer , @truthsocial order up GG now, lets annihilate the deep state together . This books [sic] heading to Number 1 fast.”

a. Had you ever heard of Ms. Loomer before this event? If so, how familiar with her viewpoints were you?

RESPONSE: I heard of Mr. Loomer prior to the event, but I was not familiar with her viewpoints at the time.

b. Were you familiar with Ms. Loomer’s comments calling 9/11 an “inside job” made prior to this event?

RESPONSE: I was not and am not familiar with this comment.

c. Did you know that Ms. Loomer would be at this event at which you spoke?

RESPONSE: I do not recall Ms. Loomer being treated any differently at that event than any of the thousands of people that I have met promoting my book at various events.

d. If Ms. Loomer was merely “an individual who showed up at a book event,” why did you repost a photo of the two of you together?

RESPONSE: I am grateful to those who supported my work to strengthen government transparency and accountability, and although my public appearances and engagement with members of the public reflect my commitment to open dialogue, it does not constitute my endorsement of their views or other positions, nor how they may be interpreted.

35. In 2024, you appeared twice on the podcast of Sean Parnell, including one interview you initially failed to disclose to the Committee. In 2021, Mr. Parnell lost a bid to gain primary custody of his children after his wife accused him of spousal and child abuse. She testified in court that Parnell had choked her on multiple occasions and hit one of their children so hard that it left a welt. While Parnell denied the abuse allegations in court, a Butler County judge found his wife to be “the more credible witness” and concluded that Parnell had committed at least “some acts of abuse in the past.” Parnell himself has admitted the two had a “tumultuous relationship” and “fought a lot.”

a. Were aware of why Mr. Parnell lost custody of his children prior to joining his podcast?

RESPONSE: I do not recall having any knowledge of these issues prior to attending Mr. Parnell’s podcast.

b. Do you have any reason to doubt the Butler County judge who found that Mr. Parnell committed acts of abuse against his family?

RESPONSE: While I absolutely reject and renounce all forms of domestic violence and abuse, I have no personal knowledge regarding the factual allegations that were at issue before the Butler County judge, and thus, it is not appropriate for me to opine as to their truth or falsity.

36. In January 2024, you appeared on the podcast of actress Roseanne Barr. At the top of the show, you praised Ms. Barr, saying, “Even though they come after you relentlessly, that just means you’re actually putting out the truth.” In 2018, ABC cancelled Barr’s show after she tweeted the following about former Obama Administration advisor Valerie Jarrett: “muslim brotherhood & planet of the apes had a baby=vj.” Barr first claimed it was a joke and then issued an apology to Jarrett.

a. Who were you referring to when you said “they” were coming after Barr “relentlessly”?

RESPONSE: This language is taken out of context and does not accurately or fully represent my prior statements or positions on these issues. These comments involved, among other things, an ongoing public discussion regarding the pressure and scrutiny public figures face when challenging prevailing narratives in media and politics. While I acknowledge a diverse range of perspectives in political discourse, I absolutely reject and renounce racism, antisemitism, sexism and all other forms of bigotry.

b. Do you condemn the comments Ms. Barr made about Ms. Jarrett?

RESPONSE: I absolutely reject and renounce racism, antisemitism, sexism and all other forms of bigotry. I have always believed in the values and hopes of Americans who stand for justice, fairness, and the rule of law, and if confirmed as FBI Director, I will continue to strive to protect those values.

c. Is it ever acceptable to compare a person of African descent to monkeys or apes?

RESPONSE: Having personally faced racial discrimination on many occasions, I condemn racism and race discrimination in all forms and firmly believe that there is no place for racism in the United States.

d. Is it ever acceptable to depict a person of African descent as a monkey or ape?

RESPONSE: Having personally faced racial discrimination on many occasions, I condemn racism and race discrimination in all forms and firmly believe that there is no place for racism in the United States.

37. You have endorsed multiple candidates for public office.

a. How thoroughly do you vet and research a candidate before issuing an endorsement?

RESPONSE: When endorsing a candidate, I consider their policy positions, track record, and commitment to issues that matter to me—such as national security, law enforcement integrity, and government transparency. No vetting process is infallible, however, and I believe all elected officials should be held accountable for their actions through due process, and my endorsements are never an endorsement of any misconduct or wrongdoing.

b. Do you generally follow news coverage of candidates you endorse? Why or why not?

RESPONSE: News coverage is one source among many that I use to educate myself, including concerning various candidates that run for political office.

38. In December 2023, you endorsed J.R. Majewski for a House seat in Ohio. In 2021, he called Gab CEO Andrew Torba one of “America’s greatest patriots.” Gab is social media platform which *The New York Times* described as a “a haven for white nationalists, neo-Nazis and other extremists,” in an article about the Tree of Life synagogue shooter’s frequent postings on the site. Torba himself is an outspoken antisemite who has argued that “Zionists” are responsible for the “subversion of American Christianity.” Majewski is also an ardent follower of QAnon and said he believes “everything that’s been put out by Q.” With respect to his military record, Majewski falsely claimed that he deployed to Afghanistan when, in actuality, his sole deployment was to an American airbase in Qatar. Majewski also lied about the reason for his demotion while in the Air Force; he claimed it was because he brawled with someone in one of the barracks, but it was actually because of his drunk driving at Kadena Air Base in Japan.

a. Were you aware of any of these controversies prior to endorsing Mr. Majewski?

RESPONSE: I do not recall having any knowledge of the issues raised in this question prior to endorsing Mr. Majewski. No vetting process is infallible, however, and I believe all elected officials should be held accountable for their actions through due process, and my endorsements are never an endorsement of any misconduct or wrongdoing.

b. Why did none of Mr. Majewski’s controversies disqualify him from receiving your endorsement?

RESPONSE: I do not recall having any knowledge of the issues raised in this question prior to endorsing Mr. Majewski. No vetting process is infallible, however, and I believe all elected officials should be held accountable for their actions through due process, and my endorsements are never an endorsement of any misconduct or wrongdoing.

39. You endorsed Pennsylvania gubernatorial candidate Doug Mastriano in 2022, calling him a “patriot” and “warrior.” You reposted an endorsement of Mr. Mastriano in October 2022. During the campaign, Mastriano was revealed to have donned a Confederate uniform while posing in a faculty portrait for the Army War College. Mastriano subsequently defended his choice of outfit. Before your endorsement, Mastriano’s campaign publicly disclosed it paid \$5,000 to the social media platform Gab for “campaign consulting fees.” In August 2022, a local Pennsylvania paper reported that Mastriano hired Scott Nagle to serve on his security detail. Nagle had recently been a regional leader for the Oath Keepers militia group.

a. Were you aware of any of these controversies prior to endorsing Mr. Mastriano?

RESPONSE: I do not recall having any knowledge of the issues raised in this question prior to endorsing Mr. Mastriano. No vetting process is infallible, however, and I believe all elected officials should be held accountable for their actions through due process, and my endorsements are never an endorsement of any misconduct or wrongdoing.

b. Why did none of these controversies disqualify Mr. Mastriano from receiving your endorsement?

RESPONSE: I do not recall having any knowledge of the issues raised in this question prior to endorsing Mr. Mastriano. No vetting process is infallible, however, and I believe all elected officials should be held accountable for their actions through due process, and my endorsements are never an endorsement of any misconduct or wrongdoing.

c. If confirmed as FBI Director, will you ensure that no one with ties to the Oath Keepers, Proud Boys, or other similar groups is hired by the Bureau?

RESPONSE: If confirmed as FBI Director, I will ensure that all hiring decisions are based strictly on qualifications, integrity, and adherence to the FBI's mission of impartial law enforcement. The FBI has rigorous background investigation and vetting procedures in place to assess the suitability of all candidates for employment, and if confirmed, will ensure that the FBI upholds this standard of excellence for all FBI employees.

40. During the 2022 election, you expressed your support for Joe Kent, a candidate for the House in Washington. Prior to that endorsement, Mr. Kent had a well-documented record of antisemitic and far-right affiliations. For example, Kent told a local outlet in March 2022 that he had spoken to neo-Nazi Nick Fuentes about helping his campaign's social media strategy. While he insisted that the call was set up by a third party, Mr. Fuentes recounted on a livestream that Kent told him, "I love what you're doing." During the campaign, Kent also agreed to be interviewed by Greyson Arnold. Mr. Arnold is a neo-Nazi who, in 2020, called Hitler "a complicated historical figure" and claimed a "Jewish cabal" controlled the American government during World War II. Kent is also a close ally of Joey Gibson, the founder of a Christian nationalist group called Patriot Prayer, which has frequently collaborated with the Proud Boys to organize demonstrations. Kent's campaign also paid over \$11,000 to Graham Jorgensen, a member of the Proud Boys, for campaign consulting.

a. Were you aware of any of these controversies prior to endorsing Mr. Kent?

RESPONSE: I do not recall any knowledge of the issues raised and I unequivocally reject antisemitism. No vetting process is infallible, however, and I believe all elected officials should be held accountable for their actions through due process, and my endorsements are never an endorsement of any misconduct or wrongdoing.

b. Some of these controversies came to light shortly after you endorsed Mr. Kent. Did you ever consider withdrawing your endorsement in light of these reports? If not, why?

RESPONSE: I do not recall ever being aware of the issues raised.

41. In his 2022 memoir, former Attorney General Bill Barr wrote the following:

The President then started advancing the idea of appointing Kash Patel as deputy FBI director...I categorically opposed making Patel deputy FBI director. I told Mark Meadows that it would happen ‘over my dead body.’ In the first place, all leadership positions in the bureau, except the director, have always been FBI agents. They’ve all gone through the same agent training and have broad experience in the field and at headquarters. Someone with no background as an agent would never be able to command the respect necessary to run the day-to-day operations of the bureau. Furthermore, Patel had virtually no experience that would qualify him to serve at the highest level of the world’s preeminent law enforcement agency...The very idea of moving Patel into a role like this showed a shocking detachment from reality.

a. Given Mr. Barr’s extensive background in federal law enforcement—including directing the FBI’s Hostage Rescue Team in 1991—is he qualified to opine on which characteristics are necessary to be a successful FBI Director? If not, why?

RESPONSE: Mr. Barr is entitled to his opinion.

b. Is Mr. Barr correct in writing, “Someone with no background as an agent would never be able to command the respect necessary to run the day-to-day operations of the bureau?” Why or why not?

RESPONSE: Mr. Barr is entitled to his opinion. However, for the reasons expressed in my testimony before the Committee, my record of over fifteen years in public service speaks for itself—including roles in law enforcement, intelligence, and national defense—which demonstrate that, if confirmed, I am uniquely qualified to lead the FBI.

You have since leveled multiple attacks against Barr, labelling him a “hypocrite” and a “[s]wamp monster of the first order.” In October 2022, you stated that Mr. Barr “and the rest of the government gangsters[...] criminally obstructed America’s uniform system of justice.”

c. Do you still believe that Mr. Barr “criminally obstructed America’s uniform system of justice?” Why or why not?

RESPONSE: This language is taken out of context and does not accurately or fully represent my prior statements or positions on these issues, which included a broader discussion regarding concerns of how certain investigations and decisions were handled under former Attorney General Barr’s leadership, particularly given my consistent advocacy for government transparency, accountability, and equal application of the law.

42. At the end of the first Trump Administration, *Axios* reported that then-CIA Director Gina Haspel threatened to resign if you were installed as her deputy.

a. Is this reporting accurate?

RESPONSE: As I was not present for the meeting where *Axios* purports that Ms. Haspel threatened to resign, I cannot provide first-hand knowledge.

b. If it is not accurate, please detail the events of this episode as you understand them.

RESPONSE: Please see my response to Question 42.a. above.

43. Section 230 of the Communications Decency Act immunizes social media and other online platforms from liability for harms associated with third party content they host. This protection allows Big Tech companies to avoid accountability for child sexual abuse material, drug sales, and other harmful activity on their platforms. Last Congress, the Senate Judiciary Committee reported multiple bills, including my *STOP CSAM Act*, that would roll back Section 230 immunity for certain online harms, including child sexual exploitation.

In a December 2022 appearance on Steve Bannon’s *War Room*, you said that elimination of Section 230 “has to happen.”

If you are confirmed as FBI Director, will you support efforts to roll back Section 230, including my STOP CSAM Act, to hold online platforms accountable for the harms they cause?

RESPONSE: As I stated at my hearing, I am committed to working on Section 230. I would welcome the opportunity to meet with you to discuss how this can best be achieved.

44. In response to negative press, you have filed lawsuits against several media companies and critics. These include *The New York Times* and CNN. As recently as last month, you threatened a former colleague of yours with a defamation suit after she criticized you. In your book, *Government Gangsters*, you wrote: “I completely agree with President Trump that we need to reform libel laws in America,” adding that “journalists and news outlets should also be more easily sued when they publish defamatory stories based on gossip.” You have also attacked individual journalists by name in your book and elsewhere.

Public reporting indicates that you dropped your case against *The New York Times* and that, last week, a Virginia appeals court affirmed the dismissal of your defamation suit against CNN. These outcomes suggest that those lawsuits lacked merit.

a. How can we trust you to protect the freedom of the press and the First Amendment in light of your history of attacking, suing, and threatening journalists and media companies?

RESPONSE: If confirmed, I will follow my oath to support and defend the Constitution, including the First Amendment. Under my direction, the FBI will not initiate investigations for protected First Amendment activities. Individuals, of course, have the right to sue the media for defamation.

b. Why should we expect you to direct the FBI toward its legitimate law enforcement priorities instead of using the Bureau to go after your and President Trump’s critics and perceived enemies?

RESPONSE: If confirmed, the priority of the FBI will be to protect Americans from violent crime, terrorism, and drugs. Under my watch, the FBI will not be politicized.

45. During your nomination hearing, you mentioned you received an award from former Attorney General Loretta Lynch. Ms. Lynch appears on your list of “Members of the Executive Branch Deep State” you published in your book, *Government Gangsters*.

Why did you highlight that you received an award from someone whom you consider a member of the “Deep State”?

RESPONSE: The reward was reflective of my performance. My reference to it was to demonstrate that leaders in both Democrat and Republican administrations have found my job performance worthy of recognition.

46. You disclosed that you own unvested restricted stock units in Elite Depot, Ltd.

Is this a foreign investment?

RESPONSE: And as part of my confirmation process, I have worked with officials from the Department of Justice and the Office of Government Ethics to prevent any conflicts of interests and items that might give rise to the appearance of a conflict of interest during my tenure, should I be confirmed. As part of that process, I provided itemized lists of assets and sources of income in my OGE Form 278e, and I also consented to an ethics agreement, in which I have been advised that the duties of the position of Director of the Federal Bureau of Investigation may involve particular matters affecting the financial interests of Elite Depot, Ltd., but the agency has determined that it is not necessary at this time for me to divest my interests in Elite Depot, Ltd., because the likelihood that my duties will involve any such matter is remote. Accordingly, I have agreed to not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of Elite Depot, Ltd., for as long as I own it, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

Senator Eric Schmitt
Senate Judiciary Committee
Written Questions for Kashyap Patel
Hearing on “The Nomination of Kashyap Patel to be Director of the Federal Bureau of
Investigation”
Thursday, January 30, 2025

As alleged in the second amended complaint in the *Missouri v. Biden (Murthy v. Missouri)* case, the FBI collude with Big Tech companies to censor lawful end user speech. Will you pledge to not use the powers of the FBI to engage in the censorship (or jawboning) of lawful end user speech?

RESPONSE: As I stated at my hearing, it is not appropriate for the FBI to pressure Big Tech companies to censor Americans’ speech in violation of the First Amendment. If confirmed, I will faithfully apply and uphold the Constitution and laws of the United States.

Nomination of Kashyap Patel
To be Director of the Federal Bureau of Investigation
Questions for the Record
Submitted January 31, 2025

QUESTIONS FROM SENATOR WHITEHOUSE

Please answer each question and sub-question individually and as specifically as possible.
Where indicated, please provide only yes or no answers.

1. Is it correct that witnesses are free to discuss or disclose their grand jury testimony publicly notwithstanding Rule 6(e) of the Federal Rules of Criminal Procedure, unless they are under court order not to disclose their testimony?

RESPONSE: As a general matter, I believe that is true under Rule 6(e). However, that testimony is subject to a seal order, and litigation is ongoing over the release of Jack Smith's report regarding classified documents. I do not believe I have unilateral authority to authorize release of or share any underlying testimony.

a. Are you under court order not to disclose your testimony, or under any court order related to the Mar-a-Lago classified documents case?

RESPONSE: Please see my response to Question 1 above.

b. If the answer to question 1(a) is yes, please describe that court order.

RESPONSE: Please see my response to Question 1 above.

c. If the answer to question 1(a) is no, will you now provide an affidavit containing a full summary of your grand jury testimony?

RESPONSE: Please see my response to Question 1 above.

2. To invoke the Fifth Amendment's privilege against self-incrimination, a witness must show that his or her testimony would put the witness at "substantial and 'real'" risk of criminal prosecution. *Marchetti v. United States*, 390 U.S. 39, 53 (1968). When you invoked your Fifth Amendment right against self-incrimination in the classified documents case, what crime did you think there was a substantial and real risk that you would otherwise be prosecuted for?

RESPONSE: I utilized my constitutional rights during that process with the advice and consent of counsel and appeared before that grand jury.

3. Immediately after your hearing, news broke that several senior career FBI leaders had been asked to resign or be demoted. Did you have advance notice of that action?

a. Have you discussed with anyone on the Trump transition team or in the current administration demoting or removing any officials currently at the FBI or who were at the FBI as of January 20, 2025?

RESPONSE: Not that I recall.

b. Have you discussed with anyone demoting or removing the Assistant Director of Counterterrorism Division, Robert Wells, from his position at the FBI?

RESPONSE: Not that I recall.

4. On September 4, 2023, your Truth Social account posted a photo of an appendix to your *Government Gangsters* book's Appendix B: Members of the Executive Branch Deep State, with the caption: "As promised, the First Ever glimpse inside the pages of my new book #GovernmentGangsters, and what better place to start than the criminals themselves. Pre order now, ships later this month. We sued bidens govt n won, what don't they want you to see."¹

a. Yes or no: Did you post this statement?

RESPONSE: This statement was posted to my Truth Social account.

5. On January 8, 2023, your Truth Social account re-posted a post by Donald Trump saying, "Schiff is a sleazebag and traitor, and should be prosecuted for the damage he has done to our Country."²

a. Yes or no: Did you re-post this Truth Social post by Donald Trump?

RESPONSE: While I acknowledge a diverse range of perspectives in political discourse, reposting an individual's perspective on a specific issue does not constitute my endorsement of their views or other positions, nor how they may be interpreted.

6. On March 17, 2024, your Truth Social account re-posted a post by Donald Trump saying, "SHE SHOULD BE PROSECUTED FOR WHAT SHE HAS DONE TO OUR COUNTRY! SHE ILLEGALLY DESTROYED THE EVIDENCE. UNREAL!!!" That post by Donald Trump included a link to an article about former Congresswoman Liz Cheney.³

a. Yes or no: Did you re-post this Truth Social post by Donald Trump?

RESPONSE: While I acknowledge a diverse range of perspectives in political discourse, reposting an individual's perspective on a specific issue does not constitute my endorsement of their views or other positions, nor how they may be interpreted.

¹ <https://truthsocial.com/group/government-gangsters/posts/111009520117757320>.

² <https://truthsocial.com/@Kash/posts/109655996473281113>.

³ <https://truthsocial.com/@Kash/posts/112113324687814150>.

7. During your March 7, 2023, appearance on a live video with Tim Pool, Mr. Pool said to you of January 6, “It looks like you have a preponderance of the evidence suggesting there may have been federal law enforcement involved in making that thing happen.”⁴

a. Yes or no: Did you respond to Mr. Pool’s statement by saying, “I’ll get you to beyond a reasonable doubt”?

RESPONSE: Yes. The full quote continued: “Two pieces of information. Ray Epps was on the FBI’s Most Wanted List one day and the next day he was off the FBI’s Most Wanted List. There are only two ways that happens. You die, or you’re an informant. Put that aside. Under congressional testimony, Jill Sanborn, who I used to work with, the head of the FBI Counterintelligence Division, in charge of all these investigations, testified under oath when Senator Cruz asked her flat out, were there federal agents involved in January 6, and she said, quote, ‘Senator, I cannot answer that as this time.’ If the answer was definitively no, having been an DOJ FBI guy myself, she would have gone there and said ‘nope, absolutely not.’ The reason she said ‘I can’t answer that’ is because of the same stonewalling they gave us during Russiagate, with Christopher Steele and everyone else.”

b. Please explain, with specificity, what evidence you had on March 7, 2023, suggesting the FBI was involved in instigating the January 6 riot.

RESPONSE: Based on the public record and my own experience with the process and length of time required to set up sources and confidential informants at the FBI, I concluded that the FBI utilized sources in and around the U.S. Capitol on January 6. The December 2024 Inspector General report confirmed my conclusion that the FBI used confidential human sources.

8. On February 4, 2022, you posted on Truth Social that you were “Having a beer with @Q right now...”⁵

a. Yes or no: Did you post this statement?

RESPONSE: This statement was posted on Truth Social as a joke. It was made in jest while having dinner with a personal friend who has no connection to any “@Q” account on Truth Social.

b. Yes or no: Did you meet the person behind the @Q account in real life?

RESPONSE: Yes, it’s a parody account created as a joke.

9. On June 16, 2022, you said “There’s a lot of good to a lot of it,” when talking about the QAnon movement.

⁴ <https://www.youtube.com/watch?v=4v8GeOPG0BA>.

⁵ <https://truthsocial.com/@Kash/107856160106604911>.

a. Yes or no: Did you make this statement?

RESPONSE: This language is taken out of context and does not accurately represent my prior statements or positions regarding QAnon, including that it omits that I am not familiar with the reported tenets of QAnon and that I have repeatedly disagreed with much of what QAnon reportedly advocates for.

b. Yes or no: In that interview, did you state of Q, “He should get credit for all the things he has accomplished, because it’s hard to establish a movement, let’s call it that, because it’s what it is”?

RESPONSE: Please see my response to Question 9.a. above.

c. Yes or no: In that interview, did you respond “I agree with you, he has” in response to a host saying, “Q has been so right on so many things”?

RESPONSE: Please see my response to Question 9.a. above.

10. On November 4, 2022, you wrote that the FBI “brazenly rigged the 2020 election.”⁶

a. Yes or no: Did you write this statement?

RESPONSE: This language is taken out of context and does not accurately or fully represent my prior statements or positions on these issues. These comments involved, among other things, an ongoing public discussion about concerns regarding the FBI’s handling of investigations that might influence public perceptions during the 2020 election.

11. In your Committee Questionnaire, you write that your work at the Kash Foundation is “focused on supporting disadvantaged groups such as veterans, active-duty military personnel, and law enforcement officers.”

a. Yes or no: Did the Kash Foundation spend \$275,475 in 2023 on marketing services by Foundation Vice President Andrew Ollis’s One & Oh LLC?

RESPONSE: To the best of my knowledge, like any other charity, the Kash Foundation relied in large part on fundraising to further its mission, including by using digital marketing campaigns which paid a digital marketing company through One & Oh to raise \$500,000, which the Foundation gave away to families in need, such as those affected by hurricanes in Florida, Texas, and North Carolina.

b. Yes or no: Did the Kash Foundation end 2023 with \$557,065 in net revenue?

⁶ Kaha Patel, Opinion, *GOP needs new ‘Church Committee’ to hold FBI, Justice Department accountable for their many abuses*, Fox News (Nov. 4, 2022), <https://www.foxnews.com/opinion/gop-needs-new-church-committee-hold-fbi-justice-department-accountable-their-many-abuses>.

RESPONSE: To the best of my knowledge, this revenue is properly reported in the Kash Foundation's Form 990.

c. In 2023:

i. How much money did the Kash Foundation distribute in grants to veterans?

RESPONSE: To the best of my knowledge, while the Kash Foundation does not specifically track this category of distributions, all of its distributions are accurately reported in its publicly filed Form 990.

ii. How much money did the Kash Foundation distribute in grants to active-duty military personnel?

RESPONSE: To the best of my knowledge, while the Kash Foundation does not specifically track this category of distributions, all of its distributions are accurately reported in its publicly filed Form 990.

iii. How much money did the Kash Foundation distribute in grants to law enforcement officers?

RESPONSE: To the best of my knowledge, while the Kash Foundation does not specifically track this category of distributions, all of its distributions are accurately reported in its publicly filed Form 990.

d. In 2024:

i. How much money did the Kash Foundation spend on advertising and related services?

RESPONSE: To the best of my knowledge, the Kash Foundation's independent financial statement audit for 2024 is not yet complete, but I understand that it will timely and properly report all relevant transactions on its 2024 Form 990.

ii. How much money did the Kash Foundation spend on services by One & Oh LLC? Please describe those services.

RESPONSE: To the best of my knowledge, the Kash Foundation's independent financial statement audit for 2024 is not yet complete, but I understand that it will timely and properly report all relevant transactions on its 2024 Form 990.

iii. How much money did the Kash Foundation spend on services by any of the Foundation's other officers or directors, or any organizations run by or affiliated with such individuals? Please describe those services.

RESPONSE: To the best of my knowledge, the Kash Foundation’s independent financial statement audit for 2024 is not yet complete, but I understand that it will timely and properly report all relevant transactions on its 2024 Form 990.

iv. How much money did the Kash Foundation distribute in grants to veterans?

RESPONSE: To the best of my knowledge, while the Kash Foundation does not specifically track this category of distributions, all of its distributions will be accurately reported in its publicly filed Form 990.

v. How much money did the Kash Foundation distribute in grants to active-duty military personnel?

RESPONSE: To the best of my knowledge, while the Kash Foundation does not specifically track this category of distributions, all of its distributions will be accurately reported in its publicly filed Form 990.

vi. How much money did the Kash Foundation distribute in grants to law enforcement officers?

RESPONSE: To the best of my knowledge, while the Kash Foundation does not specifically track this category of distributions, all of its distributions will be accurately reported in its publicly filed Form 990.

12. In your book *Government Gangsters*, you wrote, “The FBI and DoJ should also be banned from jurisdiction shopping, and policies should be instituted to ensure truly blind jurisdiction choices. Judge shopping has led to grossly political outcomes that undermine faith in our institutions and make a mockery of the idea of equality under the law.”⁷ If confirmed, will you urge the Attorney General to adopt this policy?

RESPONSE: If confirmed, I will consult with FBI personnel about current practices regarding jurisdiction choices and determine whether it is appropriate to recommend changes to the Attorney General.

13. On February 17, 2023, you coauthored a piece in which you wrote, “[C]areer officials deploy a seemingly infinite array of justifications—such as the Privacy Act and various invented privileges based on ostensible traditions and practices—to keep even unclassified information from Congress and the public.”⁸

a. Which “various invented privileges based on ostensible traditions and practices” were you referring to?

⁷ *Government Gangsters*, page 86.

⁸ Kash Patel & Troup Hemenway, *Combatting Over-Classification and Weaponized Intelligence*, Ctr. for Renewing America (Feb. 17, 2023), <https://americarenewing.com/issues/combating-overclassification-and-weaponized-intelligence/>.

RESPONSE: If confirmed, I would welcome the opportunity to meet with you to discuss these matters further.

b. If confirmed, will you ensure that such privileges are not invoked to block congressional oversight?

RESPONSE: As I stated at my hearing, if confirmed, the FBI will be committed to full transparency. If confirmed, I will consult with officials in the FBI's Office of Congressional Affairs and the Department of Justice's Office of Legislative Affairs to ensure timely and appropriate responses to oversight inquiries.

c. If confirmed, will you respond to oversight requests from Democratic and Republican members of Congress equally?

RESPONSE: Please see my response to Question 13.b. above.

14. In December 2024, the Department of Justice Office of the Inspector General published a report summarizing its investigation into the Department's use of compulsory process to obtain communications records of Member of Congress, congressional staff, and members of the news media.

a. Do you agree with the Inspector General's conclusion that "[t]he use of compulsory process to obtain records of members of the news media and congressional personnel may implicate separate and important constitutional considerations?"

RESPONSE: I agree that there are important constitutional interests implicated by subpoenas directed at the records of members of the press and of Congress. There are, of course, important government interests in obtaining evidence relevant to criminal and national security investigations.

b. If confirmed, will you continue to follow the Department's revised News Media Policy and policy on congressional investigations, including that, "if a non-disclosure notice would delay notice to a Member of Congress, Congressional Office, or a Congressional Staffer, the prosecutor must disclose such information in the application to the Court?"

RESPONSE: If confirmed, I will familiarize myself with the Department's policies in these areas, consult with the appropriate officials, and make a determination as to the best course forward.

Senate Judiciary Committee
Hearing on The Nomination of the Kashyap Pramod Patel
to be Director of the Federal Bureau of Investigation
January 31, 2025
Questions for the Record
Senator Amy Klobuchar

1. The FBI plays a critical role in investigating and prosecuting criminal price fixing cartels. It is a key partner in the Justice Department’s Procurement Collusion Task Force. It has also helped secure criminal price fixing convictions in markets from ocean shipping to air cargo to auto parts, recovering billions in criminal fines.

- Will you commit to continuing to investigate and break-up price fixing cartels that rip off consumers and defraud the government in violation of our antitrust laws?

RESPONSE: While I have not had the occasion to study this particular issue, I can commit that the FBI will launch investigations using the following qualification: a factual, articulable, legal basis to do so. Independent behavior will be the only guiding light of my work. If confirmed, I look forward to discussing the issue of price fixing cartels with appropriate officials within the FBI.

2. At your hearing, you expressed how countering Chinese espionage will be a priority if you are confirmed as FBI Director. Former FBI Director Christopher Wray and the ODNI have warned that China remains “the most active and persistent threat” to our national security. If you are confirmed as FBI Director, you will be responsible for keeping us safe from the ongoing cyber threat posed by China.

- What are your plans to counter Chinese cyber-espionage?

RESPONSE: If confirmed, I look forward to consulting with various FBI officials to ensure that we appropriately address various threats, including threats from China.

3. I am very concerned about the rise in hate crimes, including against members of both the Muslim and Jewish communities following the Hamas terrorist attack in Israel. Unfortunately, we have seen thousands of hate crimes motivated by antisemitism and anti-Muslim bias over the last decade, including at the Dar Al-Farooq Islamic Center in my home state of Minnesota, which was the target of a bombing in 2017. This is unacceptable.

- If confirmed as FBI Director, will you commit to ensuring that the FBI will thoroughly investigate hate crimes against all communities, including the Muslim and Jewish communities?

RESPONSE: Yes.

- Do you agree that federal law enforcement officials must work with state and local law enforcement to combat crimes against every community that is victimized by hate crimes, including the Muslim and Jewish communities?

RESPONSE: Yes.

4. In addition to cracking down on the flow of fentanyl through our border, I believe we need to focus our attention on the online sale of this deadly drug. Recently, the DEA found that one-third of drug cases had direct ties to social media.

I've worked to advance a bipartisan bill led by Senators Roger Marshall and Jeanne Shaheen to require social media companies to report fentanyl and other dangerous drug sales on their platforms to the DEA.

- Do you believe tech companies are doing enough to keep fentanyl out of the hands of our kids?

RESPONSE: As I stated at my hearing, if confirmed, the FBI will focus on fentanyl and drug overdoses. If confirmed, I will examine this issue closely with Bureau officials and ensure that the FBI takes appropriate steps to address the various distribution methods for fentanyl.

- Will you prioritize stopping drug trafficking on social media platforms and will you commit to working with us to help get the bill signed into law?

RESPONSE: Please see my response to the first part of question 4. immediately above.

5. Fighting human trafficking has been a priority for me. I have worked in a bipartisan manner with Senator Cornyn and Senator Blackburn to support survivors of trafficking and provide resources to federal, state, and local law enforcement officials on the front lines.

The U.S. Attorney's Office in Minnesota has prioritized this issue. Last year, prosecutors and agents in Minnesota won the Justice Department's highest award for dismantling a massive international sex trafficking criminal organization that forced hundreds of women to engage in commercial sex across the United States.

- Will you make combating human trafficking a priority if confirmed, and how do you believe you can strengthen enforcement of human trafficking laws?

RESPONSE: As I said at my hearing, criminals intentionally traffic and exploit children. If confirmed, it will be a top priority to ensure that this trafficking does not happen in this country. I also commit that we will use our investigative resources and authorities to find the thousands of missing children that are still missing.

6. An estimated 1 in 12 American adults has had explicit images distributed of them without their consent. The rise of AI-generated deepfakes is making these problems worse. FBI Director Wray testified that the Bureau has reported a massive increase in sexual extortion scams, mostly targeting young people. In 2022 alone, those scams resulted in at least 20 young victims committing suicide.

I am leading bipartisan efforts, with Senator John Cornyn and with Senator Ted Cruz on separate bills that together would prohibit the nonconsensual online distribution of actual and deepfake explicit and intimate images, and will give the Justice Department the tools they need to hold perpetrators accountable.

- Will you invest resources at the Justice Department to protect young people from predators trying to exploit them in sexual exploitation cases?

RESPONSE: If confirmed, I will ensure that child exploitation crimes are appropriately investigated by the FBI.

- Do you agree that a federal criminal law prohibiting the nonconsensual distribution of intimate images would help protect victims?

RESPONSE: Like you, I am troubled by the rise in nonconsensual distribution of intimate images and the rise of AI-generated deepfakes and agree that young women and girls are especially vulnerable. While I cannot commit at this time to supporting any particular legislation, I look forward to working with officials including within the FBI's Office of Congressional Affairs and the Department of Justice's Office of Legislative Affairs as well as you and Senators Cruz and Cornyn to discuss how we can best move forward together.

7. The FBI manages the National Instant Criminal Background Check System (NICS), which federal firearms licensees such as gun shops use to determine whether a prospective buyer can legally own or purchase a firearm. The NICS system ensures that people who have been convicted of domestic abuse and are prohibited from owning guns, do not unlawfully purchase them.

If the FBI fails to complete a background check within three business days, the purchase may move forward even if the background check has not been completed or if the person purchasing the gun is legally prohibited from having a gun.

- If confirmed as the FBI Director, will you commit to ensuring that the NICS system has the resources necessary to conduct background checks in a timely manner?

RESPONSE: While I have not studied the NICS system in detail, if I am confirmed I will work to ensure that NICS staff continue to diligently conduct background checks in the states in which the FBI provides services to FFLs.

8. The FBI works in collaboration with tribal police and other law enforcement agencies to investigate and enforce laws related to major crimes, such as homicides, kidnappings, and drug trafficking, that occur within its jurisdiction on tribal lands. This is essential to ensuring the safety of Americans on tribal land.

- If confirmed as FBI Director, will you ensure that there are sufficient resources dedicated to investigate crimes on tribal lands?

RESPONSE: Yes.

9. According to the Washington Post on January 30, 2025, “Multiple senior FBI officials have been ordered to leave the bureau within days or be fired.” This includes officials who oversee criminal, national security, and cyber investigations. You testified that “All FBI employees will be protected against political retribution.”

- At any time, have you been involved in any conversations or decisions relating to personnel at the FBI prior to your confirmation as Director?

RESPONSE: Of course I have had conversations relating to personnel at the FBI. As a nominee for Director of FBI, it would be irresponsible not to discuss the needs of the FBI regarding personnel. For example, I discussed these matters with you in your office and in the hearing before this Committee.

- Have you been in contact with any member of the Trump transition team, or the Trump administration, regarding FBI personnel?

RESPONSE: Yes, of course, I have had conversations with the transition team regarding FBI personnel needs in preparation for the hearing before this Committee.

- Do you believe asking Bureau officials who have worked apolitically on criminal, national security, and cybersecurity to resign or retire will enhance the rule of law and keep our country safe?

RESPONSE: I cannot comment on the experience of any personnel without the opportunity to review on a case-by-case basis. Personnel decisions should be based on performance and adherence to the law. If I’m confirmed, every FBI employee will be held to the absolute same standard.

10. At the Conservative Political Action Conference on February 23, 2024, you referred to the media as: “the most powerful enemy the United States has ever seen.”

You also stated on a podcast on September 13, 2023 that “We’re going to come after the people in the media who lied about American citizens who helped Joe Biden rig presidential elections. We’re going to come after you, whether it’s criminally or civilly. We’ll figure that out. But yeah, we’re putting you all on notice.” When I asked you about this statement you merely said, “that’s a partial statement.”

And in Appendix B of your book *Government Gangsters* which lists the members of the deep state, as well as on a podcast on August 21, 2023, you referred to the media as “the entire fake news mafia press corps.”

- What exactly did you mean when you said you were going to “come after” the President’s enemies in the media, “whether it’s criminally or civilly.”

RESPONSE: I made those comments in a television interview. I did not make them in a court of law or before the Committee. As I stated in my hearing, while I believe private citizens have the right to pursue defamation cases against the media, there is no role for the FBI to pursue defamation cases on behalf of such individuals.

- What specific crimes do you think members of the media committed?

RESPONSE: Please see my response to the first part of Question 10 immediately above.

- Is it a crime for a member of the media or the general public to criticize President Trump?

RESPONSE: No.

- What will you do if President Trump receives critical media coverage and asks you to investigate a reporter or media organization?

RESPONSE: This is a hypothetical question, and one I have no reason to believe would actually occur. In the event it was necessary to consider the situation posed in this hypothetical, I would uphold the oath every FBI Director takes to support and defend the Constitution. Any investigative activity started or ended by the FBI would only occur if properly justified by the facts and the law.

11. Have you ever threatened revenge or retribution, orally or in writing, to any colleague, the press (in general), or any specific members of the press? If so, when and how?

RESPONSE: To the best of my recollection, I have not.

**Nomination of Kashyap Pramod Patel
to be Director of the Federal Bureau of Investigation
Questions for the Record
Submitted January 31, 2025**

QUESTIONS FROM SENATOR COONS

1. If President Trump asked you to do something you judged to be illegal or unethical, would you resign? Please answer yes or no.

RESPONSE: While I understand your desire for a succinct answer, I believe accurately answering the question requires a more detailed explanation. This is a hypothetical question, and one I have no reason to believe would actually occur. In the event it were necessary to consider the situation posed in this hypothetical, I would uphold the oath every FBI Director takes to support and defend the Constitution. Any investigative activity started or ended by the FBI would only occur if properly justified by the facts and the law.

a. If you would not resign, what would you do?

RESPONSE: Please see my response to Question 1.

2. If President Trump directed the Federal Bureau of Investigation (FBI) to stop investigating a member of his cabinet in order to hide alleged misconduct, is that illegal?

RESPONSE: Please see my response to Question 1.

a. How would you respond to that directive?

RESPONSE: Please see my response to Question 1.

b. Would you resign? If not, why not?

RESPONSE: Please see my response to Question 1.

3. During your confirmation hearing, you testified that, should you lead the FBI, the Bureau would be “busy going forward” preventing violent crime and that you have no intention of “going backwards” to investigate President Trump’s political opponents. However, on January 20, 2025, President Trump issued Executive Order 14147, “Ending the Weaponization of the Federal Government,” which explicitly directs agency heads, like the FBI Director, to “identify and take appropriate action to correct past misconduct by the Federal Government related to the weaponization of law enforcement” over the previous four years.

a. If confirmed, how do you intend to comply with Executive Order 14147 without “going backwards”?

RESPONSE: If confirmed, I will direct the FBI to comply with all lawful Executive Orders. In accordance with EO 14147, it is appropriate for the FBI Director to ensure that the FBI is not weaponized or politicized. To correct the weaponization of law enforcement, I will ensure that FBI personnel are focused on tackling violent crime going forward

4. You testified during your hearing that “all FBI employees will be protected against political retribution,” but in the last 24 hours, scores of senior FBI officials and rank-and-file agents assigned to the federal cases brought against President Trump and the January 6 defendants have been told to resign or be fired.

a. Did you know that these employment actions were about to begin before you testified to the Senate Judiciary Committee?

RESPONSE: Not that I recall.

b. Will you commit to investigating whether these employment actions were politically motivated?

RESPONSE: If confirmed, I will take the opportunity to review employment decisions on a case-by-case basis. Personnel decisions should be based on performance and adherence to the law. If I’m confirmed, every FBI employee will be held to the absolute same standard.

c. Will you commit to asking the Department of Justice Inspector General to investigate whether these employment actions were politically motivated?

RESPONSE: If confirmed, I will seek the advice of counsel to determine whether it is appropriate for me to ask the Department of Justice Inspector General to investigate whether these employment actions were politically motivated. And I will review these matters to determine whether it is warranted to ask the DOJ Inspector General to investigate.

d. If these employment actions were politically motivated, do you commit to reinstating the terminated FBI employees with full back pay?

RESPONSE: While it would be inappropriate to commit to supporting any personnel decision without the opportunity to review on a case-by-case basis, I will review these employment actions to determine whether these actions were politically motivated. Based on that review, I will take the appropriate steps.

e. If not, why not?

RESPONSE: Please see my response to Question 4.d. above.

5. Does the President have the authority to order the FBI to initiate an investigation into a specific individual?

RESPONSE: Please see my response to question 1.

6. What is the remedy if the President violates his constitutional duty to faithfully execute the laws?

RESPONSE: If confirmed as FBI Director, my primary role would be to lead the investigation of crimes that plague and endanger our local communities. It is outside the purview of the FBI Director to opine on the legal remedies applicable if a President were to violate particular constitutional duties.

7. The President has claimed that millions of people voted illegally in the 2020 presidential election.

a. Do you agree, and if so, on what evidence do you rest your claim?

b. How—if at all—do you plan on using the resources of the FBI to investigate alleged instances of voter fraud in the 2020 presidential election?

RESPONSE: 7a. and 7b. As I explained at the hearing, millions of Americans have expressed concerns, going back to multiple elections, over election integrity. I have expressed those concerns in public appearances based upon what I saw. If confirmed, I will fully and fairly investigate all violations of election-related laws so that all Americans can have faith in the results of our elections. As I stated at the hearing, the only thing that matters at the FBI is that the law is followed. This includes our election laws, where it is vitally important that any investigations are de-politicized and conducted without favoritism.

8. What will you do to investigate violations of, and help the Department of Justice ensure vigorous enforcement of, the Ethics in Government Act, bribery and honest services laws, and anti-nepotism laws?

RESPONSE: I will ensure that FBI personnel are held to the highest standards on these matters. As an investigatory matter, I will ensure that the FBI efficiently and effectively utilizes resources to open investigations where lawful.

9. During your confirmation hearing, I asked you if “it would be your intention to fire the career civil servants—the lawyers—in FBI’s General Counsel office?” You responded, “No.”

However, in your 2023 book, *Government Gangsters*, on page 213, you wrote:

“Federal Bureau of Investigation Reforms: Cut the General Counsel: Instead of operating as a purely investigatory body, the General Counsel office within the FBI has taken on prosecutorial decision-making. In effect, they are centralizing power to both investigate and prosecute crimes, even though it is the job of

Department of Justice alone to prosecute crimes. The General Counsel office should be significantly reduced in size.”

a. What do you understand the responsibilities of the FBI’s Office of the General Counsel to be?

RESPONSE: The FBI’s Office of the General Counsel’s responsibilities include providing sound advice to all agents and personnel so they may enforce federal law appropriately and in accordance with facts and DOJ policy.

b. Should you be confirmed, which statement represents your true position on reducing the number of career civil servants that work in the FBI’s Office of the General Counsel—your statement during your hearing that you would not fire lawyers in that office, or your statement in your book that the office “should be significantly reduced in size”?

RESPONSE: In my confirmation hearing, I testified that career employees in counsel’s offices must continue their work so long as no employee politicizes the work and mission of the FBI. I also testified that it would not be my intention to fire career civil servants in the General Counsel’s office.

10. During your nomination hearing, you stated “With IGs [Inspectors General], as you know, I believe and have shown throughout this proceeding that IGs [Inspectors General] have provided valuable service in Republican and Democratic administrations, and I think they’re critical and we must have competent IGs [Inspectors General] going forward.”

a. Do you commit to protecting the independence of the Department of Justice Inspector General?

RESPONSE: The Department of Justice Inspector General reports directly to the Attorney General, not to the FBI Director.

b. Would you direct the FBI to fully comply with any requests for interviews or documents that the FBI receives from the Department of Justice Inspector General?

RESPONSE: I believe it would be inappropriate for me to make any commitment with respect to fulfilling requests for interviews or documents without having first consulted with appropriate officials within the FBI as well as with other relevant authorities in other affected agencies.

c. Do you think the FBI should have its own Inspector General?

RESPONSE: As I am not currently at the Bureau, I am not familiar with the FBI’s need for its own Inspector General. If confirmed, I will familiarize myself with the Bureau’s needs in these areas, consult with the appropriate officials, and make a determination as to the best course forward.

11. Research by the U.S. Patent and Trademark Office has found that intellectual property (IP)-intensive industries account for more than 40% of U.S. economic activity and support 44% of the U.S. workforce, or 63 million jobs. IP drives the U.S. economy and strong IP protections inspire confidence in the U.S. market. Can you provide assurances that the FBI will prioritize the investigation and prosecution of IP theft in the United States?

RESPONSE: I share your concern in this important area. I understand that the Department of Justice has identified intellectual property crime as a priority area due to the wide-ranging economic impact on U.S. businesses and, in some situations, the health, safety, and security of the American public. If confirmed, I will ensure the FBI continues to combat these significant harms.

12. The total volume of worldwide piracy in counterfeit products was estimated in 2019 to be 2.5% of world trade (USD \$464 billion). Counterfeit products such as fake pharmaceutical drugs or faulty electronics can cause direct physical harm to Americans, and the profits from these illicit sales often go directly to the coffers of organized crime. How will you deploy FBI resources to address this growing threat?

RESPONSE: I share your concerns in this area. The Department of Justice has identified intellectual property crime as a priority area due to the wide-ranging economic impact on U.S. businesses and the health and safety of the American public. If confirmed, the FBI will continue to focus on investigating the most serious cases of trademark counterfeiting, trade secret theft, copyright piracy, and the related criminal statutes protecting intellectual property.

13. The U.S. Chamber of Commerce estimates that digital piracy costs the American economy between \$29.2 billion and \$70.1 billion and between 230,000 and 560,000 jobs every year. According to the International Intellectual Property Alliance, the core copyright industries—which include film and television, music, publishing, and video games—employ 9.6 million American workers.

a. How would you fight to protect American IP in the face of increasing digital piracy?

RESPONSE: If confirmed, the FBI will continue to focus on investigating the most serious cases of trademark counterfeiting, trade secret theft, copyright piracy, and the related criminal statutes protecting intellectual property .

b. Numerous foreign websites illicitly stream U.S. copyrighted material. Is there a role for the FBI to play in ensuring that U.S. copyrighted materials retain U.S. copyright protection?

RESPONSE: Please see my response to Question 13.a.

14. Studies show that 5% of gun dealers sell 90% of guns that are subsequently used in criminal activity. How will you work to crack down on dealers that funnel thousands of guns to city streets?

RESPONSE: While I am not familiar with the studies to which this question refers, if I am confirmed, I will fully and fairly enforce federal firearms trafficking laws, consistent with the protections of the Second Amendment.

15. How will you work to prevent guns from being funneled from the United States into Mexico?

RESPONSE: The prior administration's open border policies resulted in tens of thousands of American deaths due to fentanyl and an influx of violent illegal aliens affiliated with transnational cartels and terrorist organizations. If I am confirmed, I will work with the Department of Homeland Security and other federal, state, and local law enforcement partners to address all threats to Americans that are being funneled into the country from Mexico.

16. Last year, Congress reauthorized Section 702 of the Foreign Intelligence Surveillance Act. The bill included the codification of several internal FBI measures that the agency had adopted to prevent the unauthorized, warrantless searches of Americans' private data.

a. If confirmed, how will you ensure that the FBI is actually implementing these reforms?

RESPONSE: As both as public defender and a national security prosecutor, I understand the balance between constitutional due process and appropriately tailored measures to address legal violations. I will work with appropriate FBI officials to ensure that the FBI complies with legal requirements in accordance with Congress's reauthorization of Section 702 of the Foreign Intelligence Surveillance Act.

b. Section 702 comes up for reauthorization next year—do you support reauthorizing Section 702 and for how long?

RESPONSE: In my testimony on Thursday, I talked extensively with my 702 experience and how it is a necessary tool to protect this country. That being said, the FISA Court themselves issued a report in 2022 or 2023, where 255,000 illegal, improper queries of American citizens had occurred. That does concern me. I think that 702 is a necessary and critical tool. While I am proud of the reforms that have been implemented, I am ready to work with Congress moving forward to implement additional reforms.

c. What reforms, if any, do you think Congress should include in a Section 702 reauthorization bill?

RESPONSE: Please see my response to question 16.c. above.

d. Would you support a legislative reform to Section 702 that would require the FBI to obtain a warrant before searching an American's private data?

RESPONSE: Please see my response to question 16.c. above.

17. If you are confirmed, what will be your strategy to make sure that all witnesses and victims feel safe in reporting hate crimes and other crimes that the FBI investigates?

RESPONSE: If confirmed, I would welcome the opportunity to meet with appropriate FBI officials and discuss what steps, if any, the Department can take to ensure that witnesses and victims feel safe in reporting hate crimes as well as other crimes that the FBI investigates.

18. What steps would you take to encourage and incentivize participation in the FBI's Hate Crime Statistics Act data collection program?

RESPONSE: Accurate data collection helps the FBI understand the nature and scope of crimes committed against Americans. If confirmed, I welcome the opportunity to study these methods as well as areas to improve.

19. Based on your knowledge, do you believe country of origin is a reliable indicator of the national security risk an individual poses?

RESPONSE: Any law enforcement investigation will be launched on the following qualification: a factual, articulable, legal basis to do so. Independent behavior will be the only guiding light of my work.

20. Based on your knowledge, do you believe that religion is a reliable indicator of the national security risk an individual poses?

RESPONSE: Any law enforcement investigation will be launched on the following qualification: a factual, articulable, legal basis to do so. Independent behavior will be the only guiding light of my work.

21. I am concerned about violent crime rates, especially in my hometown of Wilmington. If confirmed, how would you work to improve the safety of our communities while improving relationships between law enforcement and the communities they serve?

RESPONSE: If confirmed, I look commit to improving the relationships that the FBI has with law enforcement partners and the many communities within which the FBI operates. I look forward to not only meeting with FBI leaders, but also federal, state, and local law enforcement agency partners to determine how we can improve community safety.

22. Since 2022, you have served as a director and have sat on the board of Trump Media & Technology Group, the company that owns Truth Social.

a. Do you plan on divesting your ownership or stake in the company should you be confirmed?

RESPONSE: I have never accepted compensation for serving as a board member for Trump Media and Technology Group, and as such, I do not have any ownership or stake in this company.

23. On Truth Social, you have repeatedly promoted supplements from a company called “Warrior Essentials” that, the company claims, will reverse the effects of mRNA vaccines like the COVID vaccine.

a. Do you know if the Food and Drug Administration assessed those supplements for efficacy before you promoted them on social media?

RESPONSE: Although my social media posts were intended to highlight alternative health and wellness products that individuals may choose to explore, to the best of my knowledge, I am not aware of any FDA assessment regarding the efficacy of the supplements sold by Warrior Essentials.

Senator Richard Blumenthal
Member, Senate Committee on the Judiciary
Written Questions for Kashyap Pramod Patel
Nominee to be Director of the Federal Bureau of Investigation
January 30, 2025

1. On the evening of January 30, 2025, shortly after the conclusion of your nominations hearing, it was reported that several senior F.B.I. officials, including officials who worked on investigations relating to President Trump, had been told to resign or face dismissal.

a. At the time of your testimony, were you aware of these personnel decisions?

RESPONSE: Not that I recall.

2. On January 31, 2025, it was reported that David Sundberg, the Assistant Director in charge of the FBI Washington Field Office, was notified that he would be terminated.

a. At the time of your testimony, were you aware of this planned personnel decision?

RESPONSE: Not that I recall.

3. On January 31, 2025, it was reported that Spencer Evans, the Special Agent in Charge of the FBI Las Vegas Field Office, was notified that he would be terminated.

a. At the time of your testimony, were you aware of this planned personnel decision?

RESPONSE: Not that I recall.

4. At the time of your testimony, were you aware of any other plans to dismiss any F.B.I. personnel? If so, please describe the personnel plans of which you were aware.

RESPONSE: Not that I recall.

5. At the time of your testimony, were you aware of any other plans to conduct evaluations or reviews of F.B.I. personnel who had worked on January 6 cases or on cases related to President Trump? If so, please describe the personnel plans of which you were aware.

RESPONSE: Not that I recall.

6. On March 10, 2023, you made a post on Truth Social, promoting the release of the January 6 Choir's song "Justice for All." Please identify all individuals you were aware had sung on the recording as of that date.

RESPONSE: I do not know which individuals sang on the recording.

7. Will you commit to providing any consent required to permit this Committee to obtain your full, unredacted testimony before the grand jury investigating President Trump's retention of classified documents following his first term?

RESPONSE: It is my understanding that testimony is subject to a seal order, and litigation is ongoing over the release of Jack Smith's report regarding classified documents. I do not believe I have unilateral authority to authorize release of or share any underlying testimony.

8. On March 10, 2023, you made a post on Truth Social, promoting the release of the January 6 Prison Choir's song "Justice for All." Please identify all individuals you were aware had sung on the recording at the time you made that post.

RESPONSE: Please see my response to Question 6 above.

9. Also on March 10, 2023, you appeared on the War Room podcast, where you said "we captured that audio, and of course have the greatest president, President Donald J. Trump, recite the Pledge of Allegiance. Then we went to a studio and recorded it, mastered it, and digitized it, and put it out as a song..."

a. Please describe what steps you took to create and release "Justice for All."

RESPONSE: I did not record the song.

b. You testified that you did not personally record the song. To your knowledge, who was responsible for making the recording?

RESPONSE: I am not sure.

c. Please identify all individuals who you know were involved in creating and releasing "Justice for All?" Please describe their roles.

RESPONSE: Producers were John Rich, Ed Henry, LF Fino and myself.

10. Did you receive any money, whether as payment, remuneration for production costs, or for any other reason, from the proceeds from sales of "Justice for All"?

a. If so, please provide details of the amount, date(s) received, and reason(s) for receipt.

RESPONSE: I did not receive any money from the proceeds from the song *Justice for All*.

11. Throughout your hearing, and in various Truth Social posts and appearances, you have claimed that the money earned from the song "Justice for All" was given to so-called "January 6th families."

a. Please provide details of all disbursements of money earned from the song's release, including dates, amounts, and recipients.

RESPONSE: To the best of my knowledge, the proceeds from the song *Justice for All* were directed to charitable efforts supporting families of non-violent offenders affected by legal proceedings related to January 6th. The financial details regarding the proceeds and use of funds in the Kash Foundation are provided in its public disclosures.

12. I have worked on a bipartisan basis with Senator Ron Johnson through my role on the Permanent Subcommittee on Investigations to push the FBI for greater transparency regarding the September 11th attacks, and specifically around disclosure of evidence held by the FBI to representatives of 9/11 victims. In fact, we wrote to then-Director Wray in July and September 2023 urging for the FBI to furnish unredacted records of Saudi Arabia's role in the attacks and requested a full explanation of any ongoing need for classification of any portions of these records. The documents we did receive contained hundreds of redactions.

In June 2024, new evidence became public that includes video footage of Saudi national who had links to Saudi intelligence services, casing the U.S. Capitol, and sketches in the notebook of the same individual that show mathematical calculations for crashing a plane into a building. This evidence was made public as part of court filings made by the 9/11 families in their lawsuit, and was obtained from U.K. security officials even though all the evidence was transmitted to the FBI soon after the attacks.

a. If confirmed, will you commit to supporting the declassification and release of 9/11-related materials, particularly related to Saudi Arabia's role, subject to withholding only for legitimate national security concerns?

RESPONSE: I believe it would be inappropriate for me to make any commitment with respect to the declassification of any government records without having first consulted with appropriate officials within the FBI as well as with other relevant authorities in other affected agencies.

b. What steps can you commit to that will lead to that outcome and how long will that process take?

RESPONSE: Please see my response to Question 12(a) above.

13. It has been widely reported that the Trump Administration plans to continue the Biden Administration's efforts to secure a normalization agreement between Israel and Saudi Arabia. I have advocated that any such agreement that garners support from the United States should include a resolution to the 9/11 families claims against the Kingdom.

a. If confirmed, will you commit to working with me to advocate for such a resolution in the course of these negotiations?

RESPONSE: I believe that the families of the victims of the attacks on September 11 deserve justice. I would welcome the opportunity to meet with you to discuss how this can best be achieved.

14. At your hearing, Senator Schmitt asked you: “Would you rather the FBI prosecute and persecute parents who voice legitimate concerns at school board meetings or investigate domestic terrorists who commit school shootings and threaten the lives of American children?” You answered: “Absolutely investigate and prioritize the safety of our children and any actual and real domestic terrorist.”

In 2019, the U.S. Secret Service’s National Threat Assessment Center (NTAC) [found](#) that more than 60-percent of attackers responsible for incidents of targeted school violence use firearms. Over three-quarters of those attackers “acquired a firearm from the home of a parent or another close relative,” and, in half of those cases, the firearm was “either readily accessible, or it was not secured in a meaningful way.”

a. Do you believe that firearms should be stored in a secure manner to prevent unauthorized access by minors? If not, please explain why not.

RESPONSE: Yes.

NTAC also found that, of attackers responsible for targeted school violence, all exhibited concerning behaviors, most communicated their intent to attack, most experienced psychological, behavioral, or developmental symptoms, and half had interests in violent topics.

b. Do you believe that individuals who exhibit concerning behaviors, communicate an intent to attack, experience psychological, behavioral, or developmental symptoms, and have interest in violent topics should have firearms removed from their possession through a judicial process that provides due process protections? If not, please explain why not.

RESPONSE: As I stated during my hearing, we must prioritize the safety of our children. I have not studied the NTAC report, but if I am confirmed, I will seek to ensure that the FBI prioritizes protecting America’s schools.

15. Section 12004(h)(1)(B) of the Bipartisan Safer Communities Act (P.L. 117-159) required the Attorney General to issue regulations allowing Federal Firearms Licensees (FFLs) to, at no cost to them, use the National Instant Criminal Background Check System (NICS) to conduct background checks on FFL employees and prospective employees to ensure they are not prohibited from handling guns. Last December, the DOJ and FBI proposed regulations to implement this statutory requirement, and the comment period on the proposed rulemaking has now closed.

a. If confirmed, will you commit to finalizing the proposed rulemaking? If not, please explain why not.

RESPONSE: I am not familiar with the specifics of this proposed rulemaking. If I am confirmed, I will work to review the proposed regulations and I will ensure that the FBI faithfully enforces federal law and Department of Justice regulations.

Once the proposed regulations are finalized, there will likely be a significant increase in NICS background check requests, which will increase the workload for the FBI NICS Section.

b. If you are confirmed and if the proposed rule is finalized, will you commit to provide the FBI NICS Section with the resources and personnel it needs to handle the additional volume of NICS background check requests that come in as a result of this regulation?

RESPONSE: If I am confirmed, I will work to ensure that the FBI complies with applicable federal law and regulations.

The National Shooting Sports Foundation (NSSF) has long supported this measure “to help ensure firearms remain out of the hands of individuals who shouldn’t possess them,” and has described employee background checks as “an essential component of . . . overall security planning.”

c. Do you agree that employee background checks “help ensure firearms remain out of the hands of individuals who shouldn’t possess them?” If not, please explain why not.

RESPONSE: I am not familiar with the National Shooting Sports Foundation’s position on the proposed regulation. While I have not studied the proposed measure, if I am confirmed, I will work to ensure that the FBI complies with regulatory and statutory requirements relating to background checks.

d. Do you agree that employee background checks are “an essential component of . . . overall security planning?”

RESPONSE: Please see my response to Question 15.c. above.

i. If so, please describe other essential components of overall FFL security planning.

RESPONSE: I have not studied proposed measure’s provisions relating to FFL security planning. If confirmed, I will work to ensure that the FBI complies with regulatory and statutory requirements relating to FFL security planning.

ii. If not, please explain why not.

RESPONSE: Please see my response to Question 15.d.i. above.

16. Under federal law, federal departments or agencies that have records on individuals who are prohibited from receiving firearms must “not less frequently than quarterly” provide the

“pertinent information in such record” to the FBI’s National Instant Criminal Background Check System (NICS). In 2018, Congress passed and President Trump signed the Fix NICS Act (P.L. 115-141) into law to improve information-sharing between federal departments or agencies and NICS.

Senator Cornyn, the law’s lead sponsor, [explained](#): “Just one record that’s not properly reported can lead to tragedy,” referring to the November 2017 mass shooting in Sutherland Springs, Texas, in which 26 individuals were killed and 22 more were wounded at the First Baptist Church of Sutherland Springs. Senator Cornyn [continued](#): “This bill aims to help fix what’s become a nationwide, systemic problem so we can better prevent criminals and domestic abusers from obtaining firearms.”

a. Do you agree that “[j]ust one record that’s not properly reported [to NICS] can lead to tragedy?”

RESPONSE: The shooting at First Baptist Church was a national tragedy. While I am not familiar with Senator Cornyn’s statements relating to the Fix NICS Act, if I am confirmed I will work to ensure that the FBI complies with federal law relating to the National Instant Criminal Background Check System.

i. If so, please describe the steps federal departments or agencies should take to ensure that records on prohibited persons are provided to NICS.

RESPONSE: Federal departments or agencies should work to comply with applicable federal laws and regulations relating to the National Instance Criminal Background Check System.

ii. If not, please explain why not.

RESPONSE: Please see my response to Question 16.a.i. above.

During the first Trump Administration, in August 2019, the Department of Justice published The Attorney General’s Semiannual Report of the Fix NICS Act per Fix NICS Act requirements. In it, the Department stated: “To function effectively, the NICS must have access to complete, accurate, and timely information submitted by relevant agencies in all levels of government across the country.”

b. Do you agree that for NICS “[t]o function effectively” it “must have access to complete, accurate, and timely information submitted by relevant agencies in all levels of government across the country?”

RESPONSE: While I am not familiar with the 2019 Semiannual Report, relevant agencies should work to comply with applicable Fix NICS Act provisions.

i. If so, please describe the steps “relevant agencies in all levels of government across the country” should take to ensure that NICS has “access to complete, accurate, and timely information.”

RESPONSE: I have not studied the Fix NICS Act’s provisions. If I am confirmed, I will work to ensure that the FBI complies with the Act’s requirements.

ii. If not, please explain why not.

RESPONSE: Please see my response to Question 16.b.i. above.

17. In June 2015, a gunman shot and killed nine Black people at the Emanuel African Methodist Episcopal Church in Charleston, South Carolina. The shooter acquired the gun he used from a Federal Firearms Licensee (FFL) in the Columbia, South Carolina, area. While the FFL had initiated a background check through the FBI’s National Instant Criminal Background Check System (NICS), the background check was not completed within three business days and the FFL subsequently transferred the firearm. Under federal law, FFLs may transfer firearms to a purchaser—whether or not a background check is completed—after three business days so long as a background check was initiated.

Since the mass shooting in Charleston, this loophole has become known as the “Charleston Loophole,” and it enables illegal gun sales to be made to prohibited purchasers. Each year, [hundreds of thousands](#) of NICS background checks take longer than three business days to complete and those sales are allowed to “default proceed” even though law enforcement is allowed up to 90 days to finish the background check process.

a. Do you agree that, under current law, when a firearm is transferred to a prohibited person when a background check is not completed, it is still a violation for the transferee to possess the firearm? If not, please explain why not.

RESPONSE: The shooting in Charleston was a national tragedy. While I have not studied the NICS background check process in detail, if I am confirmed I will work to ensure that NICS staff continue to diligently conduct background checks in the states in which the FBI provides services to FFLs. FFLs and transferees should comply with applicable laws and regulations that are consistent with the protections of the Second Amendment.

When an FFL makes a “default proceed” sale and transfer, and a subsequently completed background check shows that the purchaser was, in fact, prohibited from possessing the firearm, a firearm retrieval case is generated and referred to the appropriate ATF Field Division to enable retrieval of the firearm from the prohibited purchaser. In 2022, 4,112 of such cases were generated.

b. If confirmed, will you commit to work with ATF to ensure that firearms are retrieved from prohibited purchasers who obtain them via the Charleston Loophole?

RESPONSE: If I am confirmed, I will review this issue and will seek to ensure that the FBI and ATF work together to protect Americans and enforce applicable federal laws and regulations.

18. Since 1988, the Undetectable Firearms Act has prohibited the possession, manufacture, and sale of any firearm that is undetectable by X-ray machines and metal detectors. It also requires that firearms be made with at least 3.7 ounces of metal in order to be detectable. In March, Congress reauthorized the Undetectable Firearms Act through March 2031.

a. Please describe your familiarity and/or experience with undetectable firearms, including those that have been 3D-printed.

RESPONSE: I have not studied the Undetectable Firearms Act's definitions or the Act's applicability to 3D-printed firearms.

b. Do you agree that undetectable firearms, including those that have been 3D-printed, constitute a threat to public safety?

RESPONSE: The Second Amendment protects the right of the people to keep and bear arms. Consistent with that fundamental right, people who are not lawfully disqualified from buying or possessing firearms have always been free to build or customize their own firearms. As with all firearms, any government restriction on the production or possession of 3D-printed firearms must comply with the protections the Second Amendment affords.

i. If so, please describe the steps the FBI will take under your leadership, if confirmed, to address this threat, and how the FBI will support ongoing federal, state, and local law enforcement efforts to do the same.

RESPONSE: If I am confirmed, I will work to ensure that the FBI enforces all applicable laws that are consistent with the protections of the Second Amendment.

ii. If not, please explain why not.

RESPONSE: Please see my response to Question 18.b.i. above.

19. Federal law requires licensed importers and manufacturers to "identify by means of a serial number engraved or cast on the receiver or frame of the weapon . . . each firearm imported or manufactured by such importer or manufacturer." Federal, state, and local law enforcement use these serial numbers to trace firearms recovered at crime scenes. Firearms that lack serial numbers, which can be constructed out of parts, from kits, or even 3D-printed, are considered untraceable.

Between 2017 and 2023, law enforcement recovered [92,702 untraceable firearms](#). The number of these firearms recovered in 2022 and 2023 was 44% greater than the total recovered in the previous five years.

- a. Please describe your familiarity and/or experience with untraceable firearms.

RESPONSE: I have not studied the application of the quoted statutory language to firearms that lack serial numbers, which can be constructed out of parts or kits, or that are 3D-printed.

- b. Do you agree that untraceable firearms constitute a threat to public safety?

RESPONSE: Please see my response to Question 18.b. above.

- i. If so, please describe the steps the FBI will take under your leadership, if confirmed, to address this threat, and how the FBI will support ongoing federal, state, and local law enforcement efforts to do the same.

RESPONSE: Please see my response to Question 18.b.i. above.

- ii. If not, please explain why not.

RESPONSE: Please see my response to Question 18.b.i. above.

**Senator Mazie K. Hirono
Senate Judiciary Committee**

**Nominations Hearing | January 30, 2025
Questions for the Record for Kashyap Pramod Patel**

1. Today, minutes before the deadline to submit these questions to you, reporting indicated that hundreds or thousands of FBI special agents, analysts, and other employees will be purged because they were assigned to work on matters that have displeased President Trump. **If you are confirmed to lead the weakened FBI that remains, will you take responsibility when our country suffers from an attack, hack, or crime wave that could have been prevented by these experienced and dedicated agents?** (President Trump, of course, will also be to blame.)

RESPONSE: I have no knowledge of these matters outside of the public reporting. As such, my response is not a confirmation of whether or not the reporting is accurate. If I'm confirmed, I will absolutely take responsibility for the effectiveness of the FBI. I will work tirelessly to ensure that it is and remains the world's premier law enforcement agency.

2. On the day of your confirmation hearing, news broke that several FBI officials holding the rank Executive Assistant Director or Special Agent in Charge (collectively, "Senior FBI Officials") had been asked to resign and told they will be fired if they did not do so. Political ~~hacks~~ appointees will apparently be taking their place.

a. **How will replacing dedicated, career civil servants with political appointees make the FBI less politicized, as you claim is your intention?**

RESPONSE: My understanding is that there is and will be only one political appointee at the FBI; the Director.

b. **When did you first learn of any potential personnel changes related to Senior FBI Officials (as defined above)?**

RESPONSE: On Thursday, January 30th.

c. **How did you learn of these potential personnel changes?**

RESPONSE: I learned about this when I was asked about this in the hearing before this Committee.

d. **Provide a list of all people with whom you have discussed these potential personnel changes.**

RESPONSE: I have discussed these matters with the transition team for the purposes of providing answers to these questions for the record.

3. In response to a question from Senator Booker, you said that it would be “news to me” if any of five people he listed were to take positions as political appointees at the FBI. One of the people Senator Booker listed is named Tom Ferguson, who you admitted knowing.

a. How did you meet Mr. Ferguson?

RESPONSE: As best I can recall, I believe I met him when he was a staffer for the House Judiciary Committee.

b. When did you last have contact with Mr. Ferguson?

RESPONSE: Please see my response to Question 3.e. below.

c. Have you seen Mr. Ferguson on any occasion since November 30, 2024? If so, provide the date and location of each occasion on which you have seen him. For each entry, provide details of any discussions you had regarding the FBI.

RESPONSE: Not that I recall.

d. Have you spoken with Mr. Ferguson on any occasion since November 30, 2024, that is not listed in your response to part c of this question? If so, provide the date on which and method (e.g., telephone) by which you had each conversation. For each entry, detail any discussions you had regarding the FBI.

RESPONSE: Other than a brief call of congratulations for my nomination, there is nothing else that I recall or can find in my records.

e. Have you sent any written messages to or received any written messages from Mr. Ferguson on any occasion since November 30, 2024? If so, provide the date and time on which and method (e.g., e-mail) by which you sent or received each message. Provide a copy of each entry related to the FBI.

RESPONSE: Yes, in December or January. As best I can recall, amidst other ordinary and friendly messages, he informed me that he may return or already had returned to his prior career in government service at the FBI. (Though, in reference to the question above, it would have been “news to me” if he were a political appointee as there is only one political appointee at the FBI and I was nominated for that position.) The method of communication was the application Signal. As my previous phone was recently hacked by an adversarial nation state, I regularly and ordinarily use Signal as one of my primary means of communication, which auto deletes messages.

f. Have you sent any oral or written messages to or received any oral or written messages from Mr. Ferguson via an intermediary or intermediaries on any occasion since November 30, 2024? If so, provide the approximate date(s) and the identity or identities of each intermediary for each of these messages. Detail anything in each oral message related to the FBI. Provide a copy of each written message related to the FBI.

RESPONSE: Not that I recall. We have many mutual friends, it's possible that I've asked a mutual friend to tell him "hello."

4. Section 702 of the Foreign Intelligence Surveillance Act (FISA) authorizes broad surveillance of foreigners outside the United States. Because Americans communicate with foreigners, this surveillance inevitably sweeps in large amounts of Americans' communications. To prevent Section 702 from being used as an end-run around the Fourth Amendment, Congress required the government to minimize the retention and use of these "incidentally" collected communications and to certify annually that it is not using Section 702 to spy on Americans. Despite these mandates, the FBI routinely searches through the communications acquired under Section 702 for the express purpose of finding and accessing Americans' phone calls, text messages, and emails. It conducts tens of thousands of these "backdoor searches" each year. In your book, *Government Gangsters*, you advocated for several reforms to the Foreign Intelligence Surveillance Act (FISA) to strengthen privacy and security for Americans.

a. **If confirmed as FBI Director, will you support legislative reforms to FISA?**

RESPONSE: I have used FISA and 702 as a national security prosecutor, a civilian at JSOC, as an intelligence official, and as the Deputy Director of National Intelligence. The issue has been its abuse by those in government service. The FBI must work with Congress to provide protections necessary for American citizens dealing with these matters, including hostage rescue operations. I am open to working together with Congress to appropriately protect national security, but to make sure that the system cannot be abused by people who are willing to cross a line they should not cross. As I alluded to in my testimony, the FISA court put out a report in 2022 or 2023, where 255,000 illegal, improper queries of American citizens had occurred. This is unacceptable. Coordination with Congress will ensure that Americans have trust again in surveillance measures that we utilize to protect our country. I welcome the opportunity to discuss the matter further with appropriate officials at the FBI. As I stated in my testimony, I understand that there have been several positive legislative reforms to 702 in the past several years. I am committed to working with Congress to ensure that 702 is not abused.

b. **What is your understanding of the Fourth Amendment's application to these "incidentally" collected communications?**

RESPONSE: As a former public defender, I take very seriously the individual rights of all American citizens under the U.S. Constitution, including their right to be protected from unwarranted searches and seizures under the Fourth Amendment. As I mentioned in my testimony, I understand that there have been several positive legislative reforms to 702 in the past several years. I am committed to working with Congress to ensure that 702 is not abused.

c. **Regardless of whether the Fourth Amendment applies, do you agree that a statutory or administrative probable cause requirement could be placed on these "backdoor searches?"**

RESPONSE: Please see my responses to Questions 4.a & b above.

d. If confirmed as FBI Director, would you support reforming Section 702 to require some sort of probable cause finding in order to review Americans' communications?

RESPONSE: Please see my response to question 4.a. above.

5. A court ruling unsealed the day after President Trump took office held that querying the 702 database for a U.S. person's information were unreasonable under the Fourth Amendment. See Mem. & Order, ECF No. 219, *United States v. Hasbajrami*, No. 1:11-cr-623 (E.D.N.Y. Dec. 2, 2024). **Do you agree that 702 searches of U.S. persons can violate Americans' Fourth Amendment rights?**

RESPONSE: As I alluded to in my testimony, the FISA court put out a report in 2022 or 2023, where 255,000 illegal, improper queries of American citizens had occurred. This is unacceptable. As I stated in my testimony on Thursday, we need to work with Congress to reform this.

6. When Section 702 is due for reauthorization, will you support legislation to ensure that review of U.S.-person communications contained in Section 702 databases must generally be preceded by a probable cause finding?

RESPONSE: Please see my response to question 4.a. above. I welcome the opportunity to discuss the matter further with appropriate officials at the FBI, as well as working with Congress to protect national security and provide protections necessary for American citizens.

7. Do you believe that approval by the director or deputy director of FBI should be necessary to conduct a U.S.-person query for certain sensitive persons? If so, which persons?

RESPONSE: All actions of FBI personnel – whether they are field agents or in senior leadership – should comport with the facts, evidence, law, and DOJ policies and ethics rules.

8. The FBI played an active role in violating civil rights of Japanese Americans during WWII. In the lead up to WWII, the FBI developed an enemies list of Japanese Americans who could be detained in the event of war. Once the U.S. entered WWII, the FBI executed arrests and detentions of the list and conducted warrantless raids and ransacking of Japanese American homes. The FBI assisted in the arrest of Japanese Americans who disobeyed evacuation orders. In Hawaii specifically, FBI surveillance and interrogation of Japanese Americans continued throughout WWII. In *Korematsu v. United States*, 323 U.S. 214 (1944), the Supreme Court upheld the internment of Japanese Americans during World War II.

a. Is *Korematsu* still good law?

RESPONSE: No.

- b. **If the answer to part a of this question is anything other than “No,” please explain your understanding of the effect of the opinion in *Trump v. Hawaii*, 585 U.S. 667 (2018), on the continuing force of *Korematsu*.**

RESPONSE: See 8a “No”.

- c. **Whether or not you believe he is likely to do so, if President Trump, the Attorney General, the Deputy Attorney General, or any other official ordered you as FBI director to assist in the detention of a group of American citizens based on their race, would you do it?**

RESPONSE: I do not expect that President Trump, the Attorney General, the Deputy Attorney General, or any other official would issue such an order. If confirmed, I will comport myself in a manner consistent with the facts, the law, and DOJ/FBI policies.

9. **The Native Hawaiian community is disproportionately impacted by sex trafficking. Native Hawaiian women and girls represent 67 percent of sex trafficking victims in Hawaii. Homeland Security Investigations (HSI) has been the primary federal law enforcement agency responsible for investigating sex trafficking in Hawaii, but recent Trump Administration actions have diverted HSI’s resources away from sex trafficking. If confirmed as FBI Director, will you increase the number of FBI agents focused on sex trafficking for communities that experience high levels of sex trafficking? If not, why not?**

RESPONSE: If confirmed, I will ensure that combatting human trafficking across the United States will be a top priority at the FBI.

10. **Native peoples, including Native Hawaiians and Alaska Natives, face disproportionately high rates of violence. If confirmed as FBI Director, will you do anything to address the ongoing problem of missing and murdered indigenous people and the persistent violence endured by Native American families across the country? If so, what will you do? If not, why not?**

RESPONSE: If confirmed, I will ensure that protecting all Americans from violent crime will be a top priority of the FBI.

11. **As a result of the COVID-19 pandemic, our country saw a dramatic increase in hate crimes and hate incidents against Asian American and Pacific Islander communities. In response to this increase, I sponsored the COVID-19 Hate Crimes Act, which Congress passed and pursuant to which the Department of Justice issued a guidance document to raise awareness of hate crimes. Critically, the guidance also noted the increase in hate incidents: acts of hate that do not meet the statutory definition of a hate crime but may be illegal (for example, discrimination) or, even if not illegal, nevertheless target a person or entire community’s race, religion, or other aspect of their identity. The guidance recognized the unique harms caused by all forms of hate, especially in a diverse and pluralistic country like ours, and the importance of raising awareness to report and respond to hate when it happens.**

a. Do you agree that the number of hate crimes against Asian Americans and Pacific Islanders reported to the FBI in 2021 more than doubled between 2020 and 2021?

RESPONSE: While I am not expressly familiar with the data you cite, crimes motivated by bigotry or prejudice cannot be tolerated. I am committed to ensuring that all Americans receive legal protections. I welcome the opportunity to meet with appropriate FBI officials to determine steps that the Department can take to increase awareness of hate crimes.

b. If the answer to part a of this question is anything other than “Yes,” please explain your reason for disagreeing with the data available from the FBI’s crime data explorer, which draws from the FBI’s uniform crime reporting program.

RESPONSE: See 11a. I do not disagree, though I am not expressly familiar.

c. During a May 21, 2021, appearance on the Greg Gutfeld Show on Fox News, you referred to “the Asian hate crime hoax.” Please explain what you meant by these words. (Note, you submitted the full transcript of your appearance to the Judiciary Committee. It appears at pages 158 to 176 of your initial attachments submitted in response to question 12e of your Senate Judiciary Questionnaire. You should review this entire transcript if you feel additional context is necessary and provide that context in your response to this question. Any response that the statement speaks for itself or is understandable based on its context will be treated as a statement that you believe the increase in hate crimes against Asian Americans in 2021 to have been a “hoax.”)

RESPONSE: Hate crimes and illegal discrimination will be investigated to protect all Americans from intimidation and violence. If confirmed, the Bureau will investigate crimes motivated by hate, bigotry, or prejudice. The FBI will use its resources to protect all Americans from violence and intimidation efforts. The FBI will enforce federal hate crime statutes and will utilize resources to ensure that victims feel safe in reporting hate crimes.

d. Please explain your response to part c of this question in light of the data referenced in part b of this question.

RESPONSE: Please see my response to Question 11.c. above.

e. Do you agree with a definition of hate that encompasses both hate crimes and hate incidents? Why or why not?

RESPONSE: Please see my response to Question 11.c. above.

f. Do you think the FBI’s current efforts to collect data on hate crimes are sufficient? If not, what steps would you take to improve them?

RESPONSE: Accurate data collection helps the FBI understand the nature and scope of crimes committed against Americans. If confirmed, I welcome the opportunity to study these methods as well as areas to improve.

g. What steps should the FBI take to increase awareness of hate crimes and illegal discrimination and improve reporting of these acts, especially for communities facing cultural or language barriers to reporting?

RESPONSE: Please see my response to Question 11.f. above.

h. Should the FBI work to improve the reporting of hate crimes and illegal discrimination among communities that are especially vulnerable to hate, such as communities of color and immigrant communities? If so, how should it do so? If not, why not?

RESPONSE: If confirmed, I welcome the opportunity to discuss the matter further with FBI officials.

12. If confirmed as FBI Director, will you do anything to address increased hate incidents, in addition to hate crimes? If so, what? If not, why not?

RESPONSE: Please see my responses to Question 11.c. above.

13. Some states have a record of failing to submit sufficient hate crime data to the federal government. If confirmed as FBI Director, will you do anything to encourage these states to submit timely and complete data in order to better address these crimes? If so, what will you do? If not, why not?

RESPONSE: Please see my responses to Question 11.f. above.

14. If confirmed as FBI Director, will you take any steps to support and promote community-oriented policing? If so, what steps will you take? If not, why not?

RESPONSE: If confirmed, I will take any steps necessary, and within the bounds of the law, ethical obligations, and DOJ policy, to protect Americans and to support our men and women of law enforcement around the country. I look forward to working with DOJ and FBI officials to promote public safety, including working with the Department of Justice's Community Oriented Policing Services (COPS) program to assist local law enforcement.

15. If confirmed as FBI Director and facing a conflict between your duties to the Constitution and a request from the President, the Attorney General, the Deputy Attorney General, or any other federal official, how will you resolve that conflict?

RESPONSE: This is a hypothetical question, and one I have no reason to believe would actually occur. In the event it was necessary to consider the situation posed in this hypothetical, I would uphold the oath every FBI Director takes to support and defend the Constitution. Any

investigative activity started or ended by the FBI would only occur if properly justified by the facts and the law.

16. How would you respond to an instruction, suggestion, or hint from the White House to open an assessment, preliminary investigation, or full investigation against any specific individual, or to conduct surveillance on any individual?

RESPONSE: Please see my response to Question 15.

17. How would you respond to information that the White House had instructed or suggested that the FBI open an assessment, preliminary investigation, or full investigation against any specific individual?

RESPONSE: Please see my response to Question 15.

18. Have you discussed with President Trump or anyone in his transition or campaign staff the possibility of using the FBI to investigate President Biden, members of his family, members of his administration, members of Congress, or any journalist?

RESPONSE: To the best of my recollection, no.

19. Should a politician be investigated by the FBI solely for taking policy positions contrary to President Trump's agenda?

RESPONSE: No.

20. Should a politician be investigated by the FBI for expressing their opinion on President Trump's fitness for office?

RESPONSE: No.

21. Should a Member of Congress be investigated by the FBI for conducting oversight in their official capacity?

RESPONSE: No, provided they did nothing illegal in the course of their oversight activities.

22. Under what circumstances is it appropriate for the FBI to seek reporters' communications during leak investigations?

RESPONSE: I am generally aware that the Department of Justice has procedures in place addressing this issue, but I am not particularly familiar with them. If confirmed, I would review the applicable Department rules and ensure FBI compliance with them.

23. In an appearance on Steve Bannon's *War Room* podcast you said, "We're going to come after the people in the media who lied about American citizens, who helped Joe Biden rig presidential elections." You then said, "Whether it's criminally or civilly, we'll figure that out." The full episode is available at <https://rumble.com/v3zrlia-patel-were-gonna-use-the->

[constitution-to-prosecute-those-destroying-the-rep.html](#), should you need to place that portion of your statement in context. Any answer to the below questions that refers to missing context without providing that context will be taken as an admission that you are unable to come up with an explanation for your remarks of which you can be proud.

a. What did you mean when you said “we’re going to come after the people in the media” in the statement referenced above?

RESPONSE: I made those comments in a television interview. I did not make them in a court of law or before the Committee. As I stated in my hearing, while I believe private citizens have the right to pursue defamation cases against the media, there is no role for the FBI to pursue defamation cases on behalf of such individuals.

b. If your answer to part a focuses on civil litigation, why did you use the word “criminally”?

RESPONSE: Please see my response to Question 23.a.

c. Do you have any concrete evidence that points to criminal wrongdoing by journalists or media organizations in regards to the 2020 election? If yes, please detail this evidence.

RESPONSE: Please see my response to Question 23.a.

d. Do you plan to use FBI resources to investigate members of the news media in regards to the 2020 election? Any answer that refers to looking forward rather than looking back will be taken as a refusal to answer the question asked.

RESPONSE: As the nominee to the FBI Director, I believe it is appropriate for me to withhold judgment about whether any particular circumstance warrants an FBI investigation until I have been confirmed and evaluated the FBI’s full documentation of the relevant facts and the law. If confirmed, I will follow my oath to support and defend the Constitution, including the First Amendment. Under my direction, the FBI will not initiate investigations for protected First Amendment activities.

24. In 2022, the DOJ established new procedures for seeking records from journalists, and the Inspector General report advised the DOJ to “ensure full and exacting compliance with its new policy in the future.”

a. If you are confirmed as FBI Director, will you commit to ensuring compliance with the revised news media policy?

RESPONSE: Yes.

b. Given your stated concerns about abuses of the FBI’s surveillance and investigative authorities, would you advocate for strengthening the existing news media policy if confirmed as FBI Director?

RESPONSE: If confirmed, I would consult with personnel within the FBI regarding the existing news media policy to determine whether changes need to be made to further protect against abuse.

25. If confirmed as FBI Director, do you commit to ensuring that the FBI does not target individuals for investigation to any degree based on protected characteristics, including race, ethnicity, national origin and nationality, religious beliefs, gender, sexual orientation, and disability?

RESPONSE: As I stated in my testimony, if I am confirmed as FBI Director, any law enforcement investigation will be launched on the following qualification: a factual, articulable, legal basis to do so. Independent behavior will be the only guiding light of my work.

26. If confirmed as FBI Director, do you commit to ensuring that the FBI does not target individuals for investigation to any degree based on First Amendment-protected speech or political activity, such as expressing opposition to a particular government or political leader?

RESPONSE: Please see my response to Question 25 above.

27. During the first Trump Administration, the Department of Justice initiated the China Initiative. DOJ, with extensive support from the FBI, engaged in racial profiling and wrongfully prosecuted hundreds of Chinese American scholars and scientists. Under the China Initiative, there were widespread concerns regarding the profiling and targeting of Asian Americans as DOJ and other agencies including the National Institutes of Health also participated in surveillance tactics and investigations. The widespread fear created a chilling effect on the scientific community that is still stifling American innovation and economic growth, and the wrongful prosecution of Chinese and Chinese American scholars cost people their jobs and livelihoods. If confirmed as FBI Director, will you ensure that the FBI's national security initiatives do not target people based on their race, ethnicity, familial ties, or national origin?

RESPONSE: As I stated during my testimony, if confirmed, any FBI investigation launched under my watch will be in response to an articulable factual and legal basis. The day after my testimony, we were all reminded of the threat of espionage by agents of the Chinese Communist Party, when FBI agents arrested and charged an ex-Federal Reserve advisor for selling trade secrets to China.

28. If confirmed as FBI Director, you will be responsible for administering the National Instant Criminal Background Check System (NICS). This system is used to determine if a person is prohibited from purchasing or possessing firearms.

a. What rules apply to the use of the National Crime Information Center?

RESPONSE: As I understand, the National Crime Information Center is an information system that contains records contributed by and accessible to criminal justice agencies nationwide. The NCIC serves to enhance officer and public safety. The NCIC serves

over 100,000 criminal justice and law enforcement partners. It is used during routine traffic stops, to find missing children, to identify terrorists and convicted sex offenders, and for numerous other purposes. An array of federal, state, and local rules, regulations, and policies apply to the use of the NCIC. As an example, NCIC policy requires that all information is encrypted to prevent unauthorized access, that each partner agency be authenticated to ensure proper access, that each partner agency regularly validate its records, and that agencies have periodic audits to ensure data quality and security. Partner agencies often adopt rules, standards, or guidelines relating to the use of the NCIC. To take one example, the Army limits the use of the NCIC to “authorized criminal justice purposes such as, stolen vehicle checks or wants and warrants.” 32 C.F.R. § 635.23.

b. What rules apply to the use of the Interstate Identification Index?

RESPONSE: As I understand, the Interstate Identification Index (“III”) is a computerized index system that ties criminal history record files of the FBI and files maintained by participating states into a national system. The III serves as a vehicle for data sharing relating to criminal records and the fingerprints of indexed federal and state offenders. As with the NCIC, use of the III is governed by various rules, policies, standards, and guidelines, including the National Crime Prevention and Privacy Compact, an agreement between the FBI and several participating states. *See* 34 U.S.C. § 40316.

c. What rules apply to the NICS Index?

RESPONSE: As I understand, NICS is a national system that checks available records in the NCIC, the III, and the NICS Index to determine if a prospective transferee is disqualified from receiving a firearm. The NICS Index contains information provided by local, state, tribal, and federal agencies of persons prohibited from receiving firearms under federal or state law. Generally, entities contributing information to the NICS Index are responsible for the accuracy and validity of the information they provide. An array of rules, regulations, policies, and guidelines apply to the NICS Index. *See, e.g.,* 28 C.F.R. § 25. As an example, the FBI takes extensive measures to ensure the security and integrity of the system information and agency use. Information about an inquiry resulting in a firearms receipt or transfer is destroyed in accordance with NICS regulations. The Index cannot be used to establish or maintain a federal firearm registry.

d. How does the FBI collect and access the information NICS uses?

RESPONSE: As I understand, local, state, tribal, and federal agencies provide the information that comprises the NICS Index. Contributing agencies may provide information using the NCIC interface or through secure data transfers through the Law Enforcement Enterprise Portal. Contributing agencies are generally responsible for the accuracy and validity of NICS Index information. Federal Firearm Licensees (“FFLs”) may ask the FBI to perform background checks on prospective firearm transferees. The FBI uses NICS to check available records and determine if prospective transferees are disqualified from receiving firearms by state or federal law.

e. How important is it for NICS to have access to complete information?

RESPONSE: NICS contains information provided by local, state, tribal, and federal agencies of persons prohibited from receiving firearms under federal or state law. In general, the accuracy of background checks performed using NICS information depends on the completeness and accuracy of that information. Complete and accurate information from contributing agencies is important to ensure that no prospective transferee who is constitutionally entitled to keep and bear a firearm is unlawfully denied his or her rights.

f. Why is it important for NICS to have access to complete information?

RESPONSE: Please see my response to subsection (e) above.

g. How will you ensure the full implementation of the 2022 Bipartisan Safer Communities Act?

RESPONSE: If I am confirmed, I will fully and fairly implement the Act and all relevant federal laws, consistent with the protections of the Second Amendment.

29. On March 12, 2018, the Trump White House announced that “President Trump supports legislation and reforms to strengthen background checks and law enforcement operations.”

a. If confirmed as FBI Director, will you work to ensure that the records in the National Instant Criminal Background Check System (NICS) are as complete, accurate, and up-to-date as possible? If not, why not?

RESPONSE: The NICS Index contains information provided by local, state, tribal, and federal agencies. If I am confirmed, I will ensure that the FBI works with these partner agencies to maintain NICS information consistent with all applicable federal laws and regulations, and consistent with the protections of the Second Amendment.

b. If confirmed as FBI Director, will you ensure that the number of FBI NICS Section personnel do not fall below current levels? If not, why not?

RESPONSE: While I have not studied NICS budget and personnel information in detail, if I am confirmed I will work to ensure that NICS staff continue to diligently conduct background checks in the states in which the FBI provides background check services.

30. In August of 2024, you spoke at the Gun Owners of America Conference in Knoxville, Tennessee. In December 2024, Gun Owners of America issued a press release applauding your nomination to be FBI Director. Gun Owners of America believes all background checks are unconstitutional and that machine guns are protected from regulation under the constitution. (Note, the questions before are about *your* beliefs and so are not dependent on any knowledge of the Gun Owners of America or its positions.)

a. Do you believe that background checks are unconstitutional?

RESPONSE: In *New York State Rifle & Pistol Association v. Bruen*, 597 U.S. 1, 38 n.9 (2022), the Supreme Court suggested that background checks preceding firearms purchases are presumptively constitutional. Bruen did not foreclose challenges to licensing requirements, including background checks, that “can be put toward abusive ends.” *Id.* As I stated during my hearing, the Constitution, as interpreted by the Supreme Court, is the law of the land.

b. Do you believe that civilian ownership of machine guns is protected by the Second Amendment?

RESPONSE: I believe that whatever the Supreme Court holds with respect to the scope of the Second Amendment is what is protected by the Second Amendment.

c. Do you believe bump stocks pose a threat to public safety?

RESPONSE: As the Supreme Court noted in *Garland v. Cargill*, 602 U.S. 406, 421 (2024), with respect to trigger function, “[n]othing changes when a semiautomatic rifle is equipped with a bump stock,” which “merely reduces the amount of time that elapses between separate ‘functions’ of the trigger.” Thus, a shooter committed to unlawfully firing multiple shots must engage the trigger of his firearm multiple times, regardless of whether the firearm is equipped with a bump stock.

31. You hosted a program called *Kash’s Corner* through the publication *The Epoch Times*. The CFO of *The Epoch Times* has recently been implicated in a large-scale money laundering operation—allegedly securing \$67 million by way of a cryptocurrency scam. **If confirmed as FBI Director, will you recuse yourself from any ongoing or future investigations relating to *The Epoch Times* or its senior officials?**

RESPONSE: If confirmed, I intend to consult the appropriate ethics officials at the Department of Justice about any investigation that could potentially implicate any conflicts of interests or other ethics concerns, as necessary, and to take all necessary steps to resolve any such conflicts that may arise including, if necessary, recusal.

32. Have you, or any entity under your control or in which you have a controlling interest (including your foundation), given any financial assistance to Enrique Tarrío, who is affiliated with the Proud Boys and recently endorsed your nomination? (Note, the financial records you submitted to the Committee do not include information about everyone to whom you or entities under your control or in which you have a controlling interest have given money. Nor do public filings. This question is to you directly, and any attempt to evade answering it by reference to public filings or documents you have submitted will be treated as a refusal to answer the question.)

RESPONSE: To the best of my knowledge, no.

33. Have you, or any entity under your control or in which you have a controlling interest (including your foundation), given any financial assistance to Stewart Rhodes, who

is affiliated with the Oath Keepers and recently endorsed your nomination? (Note, the financial records you submitted to the Committee do not include information about everyone to whom you or entities under your control or in which you have a controlling interest have given money. Nor do public filings. This question is to you directly, and any attempt to evade answering it by reference to public filings or documents you have submitted will be treated as a refusal to answer the question.)

RESPONSE: To the best of my knowledge, no.

34. Have you, or any entity under your control or in which you have a controlling interest (including your foundation), received any money from Warrior Essentials, LLC or any affiliated entities? (Note, the financial records you submitted to the Committee do not include any reference to Warrior Essentials, LLC. Any reference to those materials in this answer without directly providing a “Yes” or “No” will be taken as a statement under the penalty of perjury that you have not received any such money.)

RESPONSE: As part of my confirmation process, I have worked with officials from the Department of Justice and the Office of Government Ethics to prevent any conflicts of interests and items that might give rise to the appearance of a conflict of interest during my tenure, should I be confirmed. As part of that process, I provided itemized lists of assets and sources of income in my OGE Form 278e. I respectfully incorporate that form here by reference and refer to in answer to this question.

35. In your book, you identify 60 members of what you call the “Executive Branch Deep State.”

a. What was your basis for considering them a “dangerous threat to our democracy”?

RESPONSE: This language is taken out of context and does not accurately or fully represent my prior statements or positions. My book is well researched based on government documents; the appendix referenced is a result of that research. This is a commentary on inappropriate actions while in government service.

b. Are you alleging that any of them have committed a crime? If so, please identify the individual(s) and the alleged offense(s).

RESPONSE: No, this is a commentary on inappropriate actions while in government service.

c. Are you claiming that any of them should be investigated by the FBI? If so, please identify the individual(s) and the basis of any investigation(s).

RESPONSE: No.

d. Which people or categories of people were you referring to with the statement “other corrupt actors of the first order”?

RESPONSE: Please see my response to Question 35.a.

36. If confirmed as FBI director, you will lead the agency responsible for investigating domestic terrorism.

a. Have you ever managed a domestic terrorism investigation?

RESPONSE: I have served as the Senior Director of Counterterrorism at the National Security Council, deputy Director of National Intelligence, and Chief of Staff to the Acting Secretary of Defense. I also served in the Obama Justice Department as a terrorism prosecutor in the National Security Division. I received the 2017 Assistant Attorney General’s Award from Loretta Lynch for my work in helping the Ugandans bring members of Al-Shabaab to justice for murdering 74 innocent people, including an American.

b. How do investigations into domestic terrorism differ operationally from investigations into international terrorism?

RESPONSE: All investigations require independent fact-finders to follow the evidence and facts, wherever they may lead, rather than relying on biases and political views.

37. You contributed \$2,000 to Representative Max Miller’s campaign in 2022. Your donation followed reports that former Trump Press Secretary Grisham accused Miller of abuse in 2021. Your donation also followed reports that Miller had embellished his resume and failed to disclose multiple criminal offenses. **Were you aware of Grisham’s accusations against Miller when you donated to his campaign?**

RESPONSE: To the extent I provided contributions to Representative Max Miller’s 2022 campaign, my contributions at the time were based on his policy positions and commitment to national security and law enforcement priorities. I do not condone any form of abuse or criminal misconduct and, in accordance with constitutional due process rights and otherwise, I expect all elected officials to be held accountable for their conduct.

38. Do you agree that America is a country built by immigrants?

RESPONSE: Our nation’s strength comes from all who lawfully contribute to its prosperity, and law-abiding American citizen have played a pivotal role—including lawful immigrants like my parents. Throughout our history, lawful immigrants have contributed to our economy, national security, and culture while upholding the principles of law and order that define the American system.

39. Do you believe women are discriminated against in the United States?

RESPONSE: As with other Americans, women can be subject to discrimination.

40. What is your view of the “Me Too” movement?

RESPONSE: No one should be subjected to predatory sexual behavior or unwanted sexual advances. Every individual has the right to be treated with dignity and respect, and allegations of misconduct should be taken seriously, investigated thoroughly, and adjudicated fairly through due process. As I have stated throughout my career, the rule of law must be applied equally to all, and justice should not be politicized.

41. Can Donald Trump serve a third term as President of the United States?

RESPONSE: The 22nd Amendment to the United States Constitution limits a president to two terms in office.

42. Did you recommend to President Trump that he revoke any individuals' security clearances?

RESPONSE: No, not that I recall.

43. For what reasons can a President dismiss an FBI Director?

RESPONSE: There are no Constitutional or statutory conditions on the President's authority to remove an FBI Director.

44. If President Trump tells you to do something illegal, will you resign as FBI Director?

RESPONSE: This is a hypothetical question, and one I have no reason to believe would actually occur. In the event it was necessary to consider the situation posed in this hypothetical, I would uphold the oath every FBI Director takes to support and defend the Constitution. Any investigative activity started or ended by the FBI would only occur if properly justified by the facts and the law.

45. The FBI is the primary federal agency responsible for investigating possible violations of federal civil rights statutes. These laws are designed to protect the civil rights of every person within the United States—citizens and non-citizens alike. If you are confirmed as FBI Director, do you commit to investigating violations of the civil rights of all persons in the United States, regardless of the victim's citizenship status?

RESPONSE: Congress sets the scope of protections provided by federal civil rights laws. I commit to enforcing any currently existing law as appropriate and in accordance with the relevant facts and law. If confirmed, I look forward to discussing the matter further with FBI officials.

46. What is Operation Not Forgotten? If you are confirmed as FBI Director, will you continue the work of Operation Not Forgotten?

RESPONSE: In my testimony, I committed to continue the important work of Operation Not Forgotten—a program that addresses tribal issues and tribal crimes plaguing communities. My commitment stands.

**Nomination of Kashyap Pramod Patel
to be Director of the Federal Bureau of Investigation
Questions for the Record
Submitted January 31, 2025
QUESTIONS FROM SENATOR CORY A. BOOKER**

1. Do you believe that involvement in the federal criminal investigations and prosecutions of President Trump alone, without other evidence of wrongdoing, misconduct, or unsatisfactory job performance, is grounds for the demotion, reassignment, or termination of FBI personnel?

RESPONSE: Personnel decisions should be based on performance and adherence to the law. If I'm confirmed, every FBI employee will be held to the absolute same standard, and no one will be terminated for case assignments.

a. If you are confirmed as FBI Director, will you reverse the demotion, reassignment, or termination of any FBI personnel made under such circumstances since President Trump's inauguration?

RESPONSE: I cannot commit to reversing any personnel decision without the opportunity to review decisions on a case-by-case basis. Personnel decisions should be based on performance and adherence to the law. If I'm confirmed, every FBI employee will be held to the absolute same standard, and no one will be terminated for case assignments.

2. Do you believe that involvement in investigations or prosecutions of individuals related to the January 6 Capitol riot alone, without other evidence of wrongdoing, misconduct, or unsatisfactory job performance, is grounds for the demotion, reassignment, or termination of FBI personnel?

RESPONSE: Personnel decisions should be based on performance and adherence to the law. If I'm confirmed, every FBI employee will be held to the absolute same standard, and no one will be terminated for case assignments.

a. If you are confirmed as FBI Director, will you reverse the demotion, reassignment, or termination of any FBI personnel made under such circumstances since President Trump's inauguration?

RESPONSE: I cannot commit to reversing any personnel decision without the opportunity to review on a case-by-case basis. Personnel decisions should be based on performance and adherence to the law. If I'm confirmed, every FBI employee will be held to the absolute same standard, and no one will be terminated for case assignments.

3. Do you believe that political affiliation alone, without other evidence of wrongdoing, misconduct, or unsatisfactory job performance, is grounds for the demotion, reassignment, or termination of FBI personnel?

RESPONSE: Political affiliation alone is not grounds for the demotions, reassignment, or termination of FBI personnel. Such decisions should be based on performance and adherence to the law. If I'm confirmed, every FBI employee will be held to the absolute same standard.

a. If you are confirmed as FBI Director, will you reverse the demotion, reassignment, or termination of any FBI personnel made under such circumstances since President Trump's inauguration?

RESPONSE: I cannot commit to reversing any personnel decision without the opportunity to review on a case-by-case basis. Personnel decisions should be based on performance and adherence to the law. If I'm confirmed, every FBI employee will be held to the absolute same standard, and no one will be terminated for case assignments.

4. Do you believe that FBI personnel who participated in the federal criminal investigations of President Trump are part of the "Deep State"?

RESPONSE: FBI Agents are assigned cases. Fulfilling a mission as assigned does not make an FBI Agent part of the "Deep State."

5. Shortly after your hearing, FBI officials across headquarters and its 55 field offices were ordered to resign or retire or be fired.¹

a. In light of the firings and forced resignations of these officials, assuming standard processes, including review by the FBI Inspection Division did not occur in these circumstances, will you abide by your commitment to uphold those processes and reverse those firings and forced resignations until and unless those processes are properly followed?

RESPONSE: I cannot commit to reversing any personnel decision without the opportunity to review on a case-by-case basis. Personnel decisions should be based on performance and adherence to the law. If I'm confirmed, every FBI employee will be held to the absolute same standard and I will ensure that the appropriate processes are always followed.

b. Who was involved in the decision to remove these officials? Provide the names of the individuals involved.

RESPONSE: I was not involved in these decisions. As such, I cannot provide names of any individuals involved beyond the public reporting. I cannot verify the accuracy of the public reporting as I was not involved.

¹ See Ken Dilanian et al., *Several top FBI officials are told to resign or be fired as Trump continues federal purge*, NBC (Jan. 31, 2025), <https://www.nbcnews.com/politics/justice-department/several-top-fbi-officials-are-told-resign-face-demotion-trump-continue-rcna190095>; Evan Perez and Zachary Cohen, *Senior FBI leaders ordered to retire, resign or be fired by Monday*, CNN (Jan. 30, 2025), <https://www.cnn.com/2025/01/30/politics/senior-fbi-leaders-demoted-wray/index.html>.

c. Has anyone within the FBI ever spoken to you about, or mentioned, these terminations, forced resignations, or other adverse personnel changes?

RESPONSE: Not that I recall.

d. Has anyone on the presidential transition team ever spoken to you about, or mentioned, these terminations, forced resignations, or other adverse personnel changes?

RESPONSE: I have discussed these matters with the transition team for the purposes of providing answers to these questions for the record.

e. Has anyone in the White House ever spoken to you about, or mentioned, these terminations, forced resignations, or other adverse personnel changes?

RESPONSE: Not that I recall.

f. At your hearing you promised “All FBI employees will be protected against political retribution.” Are these actions a violation of that promise? Why or why not?

RESPONSE: As I have not been confirmed as FBI Director, I have not had the opportunity to fulfill that promise. Without the opportunity to review on a case-by-case basis, I cannot address the reasons for particular personnel decisions. If confirmed, I will ensure that all FBI employees are protected against political retribution.

6. Have you ever discussed FBI personnel or staffing with Elon Musk?

RESPONSE: I have discussed, as a general matter, with Elon Musk the need for reforms and effective use of the FBI’s greatest asset, its personnel.

7. Since your nomination in November 2024, have you met with any FBI Agents Association officials?

RESPONSE: Yes

If yes:

a. When and with whom?

RESPONSE: On January 14, 2025, I met with Natalie Bara, President of FBI AA and Jen Murrow, Vice President of FBI AA.

b. Describe what you discussed with these officials.

RESPONSE: While these were private conversations, I can answer generally that we discussed the great work that FBI AA does in advocating for FBI agents, ensuring an open

line of communication with leadership, and their charitable work in support of FBI agents.

c. Did these officials raise concerns about potential demotion, reassignment, or termination, or other retributive actions against personnel involved in the Trump cases or January 6 cases? Did they raise other concerns? Please provide a description of the concerns raised during this meeting.

RESPONSE: While it would be inappropriate to reveal the details of private conversations, I can say that we fully agreed that every FBI employee should be held to the absolute same standard, and should not be terminated for case assignments, as I said on the record in the hearing. We also shared the perspective that FBI leadership should understand the risks and dangers that FBI agents face to protect the American public.

8. During the hearing on your nomination, I asked you, “Have you had conversations with anyone on the transition team about pursuing any investigations or targets?” You responded, “Only following the Constitution.”

a. Please specify the members of the transition team with whom you discussed pursuing investigations or targets.

RESPONSE: I do not recall having conversations with the transition team about pursuing any particular investigations or targets.

b. Please specify individuals or targets that you discussed for potential investigations or targeting with members of the transition team.

RESPONSE: I do not recall having conversations with the transition team about pursuing any particular investigations or targets.

c. Please specify the constitutional grounds you discussed for pursuing investigations or targets.

RESPONSE: I do not recall having conversations with the transition team about pursuing any particular investigations or targets.

9. Have you had access to, or reviewed, FBI investigation materials, information, or other potential evidence about specific individuals or investigations? If so, since when have you had access? Have you discussed any of this information with current or former FBI personnel or anyone outside of the FBI?

RESPONSE: When I was a public defender in the Southern District of Florida, a terrorism prosecutor in the Justice Department’s National Security Division, a staffer on the House Permanent Select Committee on Intelligence, a senior director for counterterrorism on the National Security Council, and as the Deputy Director of National Intelligence, I regularly reviewed FBI materials and discussed them with appropriate personnel in and out of the FBI.

10. Your book, *Government Gangsters* includes a list of individuals who you identify as “Members of the Executive Branch Deep State”. You state that this list is “not exhaustive” and that it omits “other corrupt actors of the first order.”² Please provide the names of the “other corrupt actors” this refers to.

RESPONSE: This language is taken out of context and does not accurately or fully represent my prior statements or positions. My book is well researched based on government documents; the appendix referenced is a result of that research. The language referenced in this question is merely to indicate that the list is not exhaustive and does not indicate a reference to any specific individuals.

11. During the hearing on your nomination, you were asked whether you agreed with President Trump's pardons of individuals involved in the January 6 Capitol riot. You responded that you did not agree with commuting “any sentence of any individual who committed violence against law enforcement.”

a. Do you support President Trump’s pardons of individuals who did not commit violence against law enforcement officers but were otherwise involved in and convicted for crimes related to the January 6 Capitol attack?

RESPONSE: As I stated at my hearing, the pardon power belongs to the President, but I have always rejected violence against law enforcement. I do not agree with the commutation of any sentence of any individual who committed violence against law enforcement, including violence against law enforcement that occurred on January 6.

12. Have you—personally or through any of your affiliated companies or organizations, agents, or employees—provided financial support or other resources to Enrique Tarrio of the Proud Boys or Stewart Rhodes of the Oath Keepers for their legal fees or for other purposes? If yes, state the amount of financial support provided, dates provided, and for what purposes.

RESPONSE: To the best of my knowledge, I have not—either personally or through any of my affiliated companies or organizations, agents, or employees—provided financial support or other resources to these two individuals.

13. Have you ever spoken with any of the following individuals about the January 6 Capitol attack or the 2020 Presidential election? If yes, provide the dates these discussions occurred and a summary of each discussion.

- a. Enrique Tarrio
- b. Stewart Rhodes
- c. Julian Khater
- d. James McGrew
- e. Jordan Mink
- f. Ryan Nichols
- g. Ronald Sandlin

² KASH PATEL, *GOVERNMENT GANGSTERS* Appendix (2023).

h. Barton Shively

RESPONSE: To the best of my knowledge, no.

14. In your book, *Government Gangsters*, you discuss a counterterrorism case in Houston, Texas that you were assigned to as an attorney at DOJ. You describe an incident in which the federal judge overseeing that case reprimanded you for not wearing a suit and tie, which your colleagues in the U.S. Attorney’s Office had forgotten to bring to court for you.

a. Did you ever request for those colleagues in the U.S. Attorney’s Office to be fired?

RESPONSE: The language in this question does not accurately represent my prior statements or positions regarding this event as described in *Government Gangsters*—no colleagues in the U.S. Attorney’s Office forgot to bring a suit or tie to court in Houston for me—but in all events, I never requested any colleagues of mine in the U.S. Attorney’s Office be fired.

15. In your book you express disgust for individuals who “lie, leak, cover up, or twist the truth to accomplish their mission.”³ Please confirm the following:

a. Did you, as a staffer for the House Intelligence Committee, leak a story to a *Fox News* reporter?

RESPONSE: To the best of my recollection, as a staffer for the House Intelligence Committee I did not engage in any unauthorized disclosure of information to a Fox News reporter.

b. Did you, as a staffer for the House Intelligence Committee, leak Committee emails between former Deputy Attorney General Rod Rosenstein, and the Committee?

RESPONSE: To the best of my recollection, as a staffer for the House Intelligence Committee I did not engage in any unauthorized disclosure of Committee emails between Mr. Rosenstein and the Committee.

16. If you are confirmed as Director of the FBI, would you discipline personnel, including political appointees, for leaking information or documents?

RESPONSE: If confirmed, I will ensure that FBI personnel follow the appropriate guidelines and procedures in handling FBI material.

17. Describe the disciplinary actions the FBI would impose for leaking information or documents.

³ KASH PATEL, *GOVERNMENT GANGSTERS* 8 (2023).

RESPONSE: If confirmed, I will consult with counsel to ensure that the FBI follows all procedures to implement the appropriate disciplinary action for any inappropriate handling of FBI material.

18. Have you ever circumvented the chain of command or protocol for in a military, rescue, or intelligence operation? If so, please detail the circumstances.

RESPONSE: To the best of my knowledge, I have appropriately complied with the protocols regarding the chain of command in military, rescue, and intelligence operations.

19. Have you ever circumvented the chain of command or protocol as relates to any investigatory or prosecutorial efforts you've been involved in? If so, please detail the circumstances.

RESPONSE: No

20. In a letter dated December 9, 2024, from Chairman Grassley to then-Director Christopher Wray, Chairman Grassley wrote, "Contrary to the assurances you made to gain confirmation to your position, the FBI has shown outright disdain for congressional oversight during your tenure. By doing so, it has hindered Congress in the exercise of its constitutional duty to oversee the actions of executive branch agencies and officials." During your hearing, you also acknowledged that transparency by the FBI's is essential to Congress' oversight responsibilities on several occasions.

a. Do you commit to be responsive in a timely manner to Congressional requests? Describe the processes and practices that you will implement to ensure timely responses to Congressional requests.

RESPONSE: As I stated at my hearing, if confirmed, the FBI will be committed to full transparency. If confirmed, I will consult with officials in the FBI's Office of Congressional Affairs and the Department of Justice's Office of Legislative Affairs to ensure timely and appropriate responses to oversight inquiries.

b. Do you commit to open and frequent communication between the FBI and Congress members regarding oversight requests? Describe the processes and practices that you will implement to ensure open and frequent communication between the FBI and Congress members regarding oversight requests.

RESPONSE: Please see my response to Question 20.a. above.

21. During the hearing on your nomination, you testified that you knew some or all of the following individuals. For each, please describe the nature of your relationship with that individual, the length of time you have known that individual, and provide the date for and a description of the last written or oral communication you had with that individual:

a. Erica Knight

RESPONSE: Erica is my publicist in my work as a private citizen. I've known her for approximately 4 years. I communicate with Erica daily regarding my public relations.

b. Tom Ferguson

RESPONSE: As best I can recall, I believe I met him when he was a staffer for the House Judiciary Committee within the last couple of years. In December or January, as best I can recall, amidst other ordinary and friendly messages, he informed me that he may return or already had returned to his prior career in government service at the FBI.

c. Greg Mentzner

RESPONSE: As best I can recall, I first connected with Greg Mentzner in the last few months. In December or January, as best I can recall, he congratulated me on my nomination and informed me that he may return or already had returned to his prior career in government service at the FBI.

d. Carlos Fernandez

RESPONSE: As best I can recall, I met Carlos Fernandez around 2016, when he was working at the FBI and I was working at the Justice Department. In December or January, as best I can recall, he congratulated me on my nomination and informed me that he may return or already had returned to his prior career in government service at the FBI.

e. Steve Rees

RESPONSE: As best I can recall, I first connected with Steve Rees in the last few months. In December or January, as best I can recall, he congratulated me on my nomination and informed me that he may return or already had returned to his prior career in government service at the FBI.

22. When did you become aware of the placement of Erica Knight, Tom Ferguson, Greg Mentzer, Carlos Fernandez, and Steve Rees at the FBI? Please provide a date and how you became aware of each placement at the FBI.

RESPONSE: It is not my understanding that Erica Knight will join government service at the FBI. In December 2024 or January 2025, I learned from Tom Ferguson, Greg Mentzer, Carlos Fernandez, and Steve Rees that they intended to, or already have, rejoined government service at the FBI.

23. Under Rule 6(e) of the Federal Rules of Criminal Procedure, you may share any and all information related to the testimony you provided before the grand jury in President Trump's prosecution for the retention of classified documents. Will you provide that information to members of the Senate Judiciary Committee?

RESPONSE: My understanding is that testimony is subject to a seal order, and litigation is ongoing over the release of Jack Smith’s report regarding classified documents. I do not believe I have unilateral authority to authorize release of or share any underlying testimony.

24. If you are confirmed as FBI Director, will you investigate journalists who write or report information that you disagree with, dislike, or criticizes your or President Trump??

RESPONSE: If confirmed, I will follow my oath to support and defend the Constitution, including the First Amendment. Under my direction, the FBI will not initiate investigations for protected First Amendment activities.

25. Please detail your last conversations with members of the FBI, particularly its leadership. Please specify who you spoke to and what you discussed.

RESPONSE: The last conversation I had with members of the FBI involved conversations with my security detail regarding logistics.

26. During the hearing on your nomination, you pledged to drastically lower incidents of crime in the country.⁴ Please articulate your strategy for doing so.

RESPONSE: I believe that reordering the FBI’s priorities to more intently focus on violent crime, as opposed to focusing on, for example, traditional Catholics, concerned parents at school board meetings, and disfavored political groups, will help the Bureau lower violent crime.

27. Will you allow employee affinity groups to exist at the FBI? Under what circumstances would you prohibit affinity groups? Which ones, specifically?

RESPONSE: As I am not currently at the Bureau, I am not familiar with the details of employee affinity groups at the FBI. If confirmed, I will familiarize myself with the Bureau’s policies in these areas, consult with the appropriate officials, and make a determination as to the best course forward.

28. You have claimed that “DEI and white rage” have replaced intelligence and law enforcement activities as the chief priorities of the FBI and other agencies.⁵

⁴ See Steven Nelson and Ryan King, *FBI director hopeful Kash Patel tells senators US drug deaths, homicides and rapes should be cut in half*, N.Y. POST (Jan. 30, 2025), <https://nypost.com/2025/01/30/us-news/kash-patel-tells-senators-us-drug-deaths-homicides-and-rapes-should-be-cut-in-half-if-youre-not-ticking-off-some-people-you-arent-doing-your-job-right/> (noting your pledge to “make sure we don’t have 100,000 rapes in this country next year, make sure we don’t have 100,000 drug overdoses from Chinese fentanyl and Mexican heroin, and make sure we don’t have 17,000 homicides...[and stating that] those numbers need to be cut in half immediately, and the public will regain trust in the FBI and law enforcement.”).

⁵ Shawn Ryan Show, *#128 Kash Patel - FBI Spying on Americans, Russiagate and Biden’s Classified Documents*, YOUTUBE, at 1:23:46 (Sept. 2, 2024), <https://www.youtube.com/watch?v=pjWCnh42Sc4>.

a. The FBI workforce is comprised of 45.9% women, 27.5% racial or ethnic minorities, and 1.7% LGBTQIA+. ⁶ How will you ensure that the FBI is a place where your employees can be protected from discrimination, be welcome, and be able to safely and effectively serve the country without discrimination?

RESPONSE: Discrimination is illegal and morally wrong. If confirmed, I will faithfully apply and uphold the Constitution and laws of the United States, including those that prohibit discrimination.

b. Do you have any evidence supporting your claim that DEI efforts have taken away from the FBI's law enforcement priorities?

RESPONSE: As I stated at my hearing, if confirmed, the priority of the FBI will be to ensure that our communities are protected and safeguarded. Any resources that are directed to other efforts necessarily take away from achieving the FBI's law enforcement priorities.

29. At your hearing, you stated that the FBI would "focus on investigating interstate crime."

a. Do you agree that firearms trafficking can be, and often is, an interstate crime?

RESPONSE: Yes, firearms trafficking can be an interstate crime. I have not closely studied statistics relating to the frequency of interstate firearms trafficking.

b. If so, please describe the steps the FBI will take under your leadership, if confirmed, to address firearms trafficking, and how the FBI will support ongoing federal, state and local law enforcement efforts to do the same.

RESPONSE: If I am confirmed, I will work to ensure that the FBI enforces federal law relating to firearms trafficking, consistent with the protections of the Second Amendment.

c. If not, please explain why not.

RESPONSE: Please see my response to Question 29.b. above.

30. On your Senate Judiciary Questionnaire you stated that you are a member of the "Poodle Room," a private member's club situated in the 67-story hotel tower of the Fontainebleau in Las Vegas.

a. When did you become a member and under what circumstances?

RESPONSE: As indicated on my Senate Judiciary Questionnaire, my membership at the Poodle Room started in 2024 and was facilitated through the normal membership process.

⁶ See FEDERAL BUREAU OF INVESTIGATION, FBI DIVERSITY REPORT 1 (2024), https://fbijobs.gov/sites/default/files/2022-05/Report_Diversity.pdf.

b. How much is the membership, and did you pay for it yourself or did someone else pay for your membership? If so, who?

RESPONSE: I paid the Poodle Room membership fee myself, which to the best of my knowledge, was approximately \$10,000.

c. What was the last date you visited the Poodle Room and with whom?

RESPONSE: I last visited the Poodle Room in January 2025 where I had dinner with a few personal friends.

d. Who did you speak with during that visit and what was the nature of the conversation?

RESPONSE: I had dinner with a few personal friends discussing personal matters.

31. On your Senate Judiciary Questionnaire, you claim that between November 2022 and November 2024, you served as a surrogate for President Trump's campaign for reelection. Please describe the nature of your duties during your tenure.

RESPONSE: During this time as a surrogate, I made public and media appearances to campaign on behalf of President Trump's reelection by promoting and speaking about his political positions and policies.

32. How many times have you spoken with Elon Musk since your nomination in November 2024? What was the nature of those conversations? At any point, did you discuss the FBI or matters related to the FBI, including personnel matters. Did you ever discuss demotions, reassignments, or terminations of personnel, whether specific individuals or generally? Did you ever discuss potential personnel to be hired or appointed in any capacity at the Bureau, or potential consultants?

RESPONSE: To the best of my knowledge, since my nomination in November 2024, I have spoken with Mr. Musk twice, during which he generally offered congratulations and encouragement in my focus on, if confirmed, supporting the exemplary law enforcement officers in our communities as well as supporting aggressive constitutional oversight from Congress. During these two conversations, we did not speak about other matters related to the FBI, including personnel matters.

33. Please provide the name of the company or individual responsible for the graphic designs for the merchandise sold by the K\$H Foundation.

RESPONSE: To the best of my knowledge, I understand that Based Apparel LLC procures graphic designs for the merchandise sold by the Kash Foundation, including by contracts with third-party vendors.

**Questions for the Record from Senator Alex Padilla
Senate Judiciary Committee
“Nomination of Kash Patel to be Director of the Federal Bureau of Investigation”**

January 30, 2025

Questions for Mr. Kash Patel:

1. In your book *Government Gangsters*, you list individuals you claim are part of the Deep State, including current and former FBI officials. You have publicly called for retribution against political opponents, including members of the media, and stated your intent to shut down the FBI Hoover Building.

a. How will you ensure the FBI remains independent from political influence under your leadership?

RESPONSE: As I stated at my hearing, the FBI must be independent. If confirmed, I would report to the Deputy Attorney General in the Department of Justice. I would prevent politically motivated investigations by ensuring investigations are only brought where there is a proper basis under the facts and the law.

b. Your so-called “enemies list” includes current FBI officials. How will you assure both the public and Bureau employees that you can lead without bias or personal vendettas?

RESPONSE: I do not have an “enemies list.” The media has frequently referenced the appendix of my book as an enemies list. I have never called it that. I will assure the public and Bureau employees by holding the FBI to the highest standard of nonpoliticized law enforcement.

c. Do you plan to investigate or take action against individuals on your published list?

RESPONSE: As the nominee to be the Director of the FBI, it would be inappropriate for me to commit to the Senate to investigate, or not to investigate, any particular individual. I have no particular intentions of investigating any individual, whether such individuals are on a list I published or not. If I’m confirmed, all FBI investigations will be opened only if there is an articulable legal and factual basis.

d. What do you mean by the “Deep State” within the U.S. government and the FBI? Can you provide specific evidence supporting this claim?

RESPONSE: Many different people have used the term “Deep State” to mean different things, some much different than my understanding. I have used it to refer to government officials who have abused their positions to subvert our democratic republic. This could involve putting their own policy and partisan preferences above their constitutional obligation to follow lawful instructions from the elected President and his appointees. It

could involve improperly using their positions to target their political opponents. And it could involve lying to courts, thwarting Congressional oversight, and improperly leaking government information to the media to target political opponents. My carefully researched book “Government Gangsters” contains substantial evidence of these activities.

e. Have you discussed investigating, removing, or terminating any FBI personnel with President Trump or members of his team?

RESPONSE: Not that I recall. If I’m confirmed, all FBI investigations will be opened only if there is an articulable legal and factual basis.

f. Are you aware of any plans to remove FBI agents involved in investigations of President Trump?

RESPONSE: No

g. Do you believe FBI agents should collaborate with DOJ prosecutors, regardless of the case?

RESPONSE: It’s important that FBI agents have good collaborative working relationships with DOJ colleagues generally and when working on specific cases. The FBI should communicate with the DOJ early and often on any matter while leaving prosecutorial decisions to the DOJ.

h. Will you terminate FBI agents who worked with Special Counsel Jack Smith’s prosecutors? If so, on what basis?

RESPONSE: Personnel decisions should be based on performance and adherence to the law. If I’m confirmed, every FBI employee will be held to the absolute same standard, and no one will be terminated for case assignments. As I said in my hearing, if I’m confirmed, all FBI employees will be protected from political retribution.

i. Have you discussed using the FBI to investigate President Biden, his administration, members of Congress, or journalists?

RESPONSE: Not that I recall. If I’m confirmed, all FBI investigations will be opened only if there is an articulable legal and factual basis.

j. If President Trump directly or indirectly orders you to investigate political opponents, will you commit to notifying this Committee promptly?

RESPONSE: This is a hypothetical question. President Trump would not order me, directly or indirectly, to investigate his political opponents. In the event it were necessary to consider the situation posed in this hypothetical, I would uphold the oath every FBI Director takes to support and defend the Constitution. Any investigative activity started or ended by the FBI would only occur if properly justified by the facts and the law.

k. You have suggested that political opponents should be investigated or punished. How can you assure this Committee that you will not misuse the FBI's authority for political retribution?

RESPONSE: I respectfully disagree with the premise of your question. As I testified in my hearing, I believe the FBI has been improperly politicized in recent years, and if confirmed, I am committed to ending the politicization of the Bureau and refocusing it to fighting violent crime, terrorism, and drugs without consideration of politics.

2. There is significant concern about the politicization of the FBI and DOJ, especially after the hiring freeze led to the revocation of many job offers and internship positions that were extended before President Trump took office.

a. What will you do to ensure that hiring is fair and nonpartisan within the FBI?

RESPONSE: If I'm confirmed as FBI Director, I will ensure that hiring is based on merit and conducted without political bias.

b. If you were brought a factual and legal basis to conduct an investigation, but the White House asked you not to proceed, what would you do?

RESPONSE: Please see my answer to Question 1.j.

c. If the White House pressures you to engage in illegal, unethical, or unconstitutional acts, will you refuse and/or resign?

RESPONSE: Please see my answer to Question 1.j.

d. If presented with a factual and legal basis to investigate President Trump or members of his administration, would you pursue the investigation impartially?

RESPONSE: If confirmed, I will pursue all investigations impartially.

i. How would you respond if President Trump asked you to halt, interfere with, or conceal aspects of the investigation?

RESPONSE: This is a hypothetical question. President Trump would not ask me to do any of that. In the event it was necessary to consider the situation posed in this hypothetical, I would uphold the oath every FBI Director takes to support and defend the Constitution. Any investigative activity started or ended by the FBI would only occur if properly justified by the facts and the law.

ii. If the investigation uncovered evidence of a crime, would you ensure appropriate legal action was taken, regardless of political considerations?

RESPONSE: Please see my response to Question 2.d.i.

iii. If President Trump asked you to destroy evidence, how would you respond?

RESPONSE: Please see my response to Question 2.d.i

e. Who does the Director of the FBI work for?

RESPONSE: The Director of the FBI directly reports to the Deputy Attorney General of the Justice Department.

f. Would you pledge under oath that you will not use the FBI to pursue personal or political grievances on behalf of President Trump?

RESPONSE: Please see my response to Question 2.d.i

3. On January 30, while you were testifying before this Committee, at least six senior FBI employees were reportedly ordered to resign or be terminated by Monday. During your testimony, you were asked whether you were aware of any plans to remove FBI agents or personnel based on their case assignments or their association with Trump-related investigations. You stated that you were not aware of such plans.

a. Did you approve or have any role in the decision to terminate these senior FBI employees?

RESPONSE: No.

b. Prior to or following your testimony, did you discuss the removal of these employees with anyone in the administration, transition team, or outside advisors? If so, please provide details of those communications.

RESPONSE: I have discussed these matters with the transition team for the purposes of providing answers to these questions for the record.

c. Do you support the firing of these individuals? Please explain your reasoning

RESPONSE: Without the opportunity to review on a case-by-case basis, I cannot comment on whether I support the termination of any FBI employees.

d. Will you commit to appearing before this Committee again to provide a full accounting of any further removals of career law enforcement officers or FBI staff under your leadership?

RESPONSE: If confirmed, I would be happy to commit to testify before this committee. Though, it would be inappropriate to commit to discussing hypothetical personnel

decisions, I will certainly answer questions before the Committee on all matters where the Committee directs its oversight.

4. You have previously described the media as a “dangerous enemy” of President Trump. The Supreme Court has long held that the First Amendment protects press freedom, particularly in reporting on matters of public concern, and imposes a high bar for defamation suits brought by public officials or public figures.

a. Do you acknowledge and commit to upholding Supreme Court precedent protecting press freedom under the First Amendment?

RESPONSE: Yes.

b. Do you support the Protect Reporters from Exploitative State Spying Act (PRESS Act), which was introduced as S. 2074 in the last Congress?

RESPONSE: I believe it would be inappropriate to commit at this time with respect to any proposed federal legislation. If confirmed and called upon to provide my position, I would do so after careful consideration and consultation with relevant FBI officials.

5. You helped create and promote a song portraying January 6 rioters as victims, despite reports that at least six members of the choir pleaded guilty to assaulting law enforcement officers with a dangerous weapon.

a. How do you respond to concerns that your promotion of the “J6 Prison Choir” undermines law enforcement and damages morale?

RESPONSE: I did not participate in any way with the recording. I have always respected law enforcement and have repeatedly stated since January 6, 2021, both publicly and privately, that there cannot be tolerance for violence against law enforcement. I am proud to have received the endorsement of law enforcement groups representing 310,000 officers, including the National Association of Police Organizations, National Police Association, United Federation of Police Officers, Police Benevolent Association, United Coalition for Public Safety, and the National Sheriff’s Association, to be the next Director of the FBI.

b. You have dedicated time and effort to raising money on behalf of individuals convicted of attacking the U.S. Capitol, including those who assaulted police officers. Have you made any similar efforts or taken the time to support law enforcement officers who were injured on January 6 or their families?

RESPONSE: The Kash Foundation’s mission is to support educational and legal efforts needed to facilitate government transparency between the U.S. federal government and American citizens. It has focused on supporting veterans, active-duty military, and law enforcement financial assistance. The Foundation has raised \$1.3 million to support families in need across the country, including active-duty service members, police officers putting their children through school, and individuals in disaster relief areas. I do

not know if any of the law enforcement officers who served on January 6 or their families applied for grants through the foundation.

c. Do you believe those who committed violence against law enforcement on January 6 should be held fully accountable? If so, what consequences do you think are appropriate?

RESPONSE: I condemn all violence against law enforcement. I believe that those who committed violence against law enforcement on January 6 should have been prosecuted swiftly and fairly for the crimes they committed. The President has the sole authority under the Constitution to issue pardons and commutations, and the FBI Director does not play a role in issuing pardons and commutations.

d. You claimed that proceeds from the song benefited the families of January 6 defendants. Can you provide details on how these funds were distributed and whether any went to families of individuals who assaulted police officers?

RESPONSE: All the proceeds from the song were distributed through a 501(c)(3) to the non-violent offenders' families and other groups in need.

e. Many January 6 participants were affiliated with extremist groups like the Proud Boys and Oath Keepers. How should the FBI investigate domestic terrorism when perpetrators justify their actions through political motivations?

RESPONSE: There is no place in this country for political violence, against either political party. If I am fortunate enough to be confirmed, the FBI will protect American citizens and uphold the Constitution. The only thing that will matter if I am confirmed is a de-weaponized, de-politicized system of law enforcement completely devoted to rigorous obedience to the Constitution and a singular standard of justice. I am committed to that goal and will direct resources as needed to ensure that happens every day.

f. Did you vet members of the "J6 Prison Choir" before producing and promoting the song? Why or why not?

RESPONSE: I did not record the song. I do not know which individuals sang on the recording.

g. Did you personally receive any financial benefit from the "J6 Prison Choir" song? If not, will you provide documentation of how the proceeds were distributed?

RESPONSE: No, I received no financial benefit. All the proceeds from the song were distributed through a 501(c)(3) to the non-violent offenders' families and other groups in need.

h. How will you restore trust among FBI agents and law enforcement officers who question your judgment after your involvement in this project?

RESPONSE: I am proud to have received the endorsement of current FBI agents and to have heard directly from many who are hopeful for the direction of the FBI if I am fortunate enough to be confirmed. The men and women of the FBI do the most courageous work on this earth, and in my 16 years of public service, I have worked to have their back. If confirmed, I will empower FBI agents to do the good work they have been tasked with to keep our nation safe and help restore the trust of the American people in the FBI's mission and officers.

i. Do you believe the attack on the Capitol on January 6, 2021, was an insurrection?

RESPONSE: Based on what I saw as the Chief of Staff at the Department of Defense on that day, President Trump sent the order to prepare all necessary steps for the presidential transition months before the election certification. Prior to January 6, President Trump authorized National Guard troops to defend the Capitol, and we deployed them as quickly as possible once the legal request came in. However, in the lead up to January 6, we reached out to relay the President's authorization of national guard and seek whether the Mayor of Washington D.C. and the Capitol Police would make the legal request- they both refused until on January 6 itself. While January 6 was a national tragedy, the actions by the Trump administration were consistent with efforts to ensure a peaceful presidential transition.

j. Do you consider the certification of the 2020 election results on January 6 a peaceful transfer of power?

RESPONSE: Please see my response to Question 5.i. above.

6. President Trump pardoned over 1,500 individuals charged or convicted in connection with the events of January 6, 2021, including hundreds who assaulted police officers.

a. Do you believe that pardoning these individuals undermines accountability for violence against police?

RESPONSE: I am not familiar with the details of each of the 1,500 cases. As I stated at my hearing, I have always advocated for imprisoning those who cause harm to our law enforcement and civilian communities.

b. What steps would you take to prevent further erosion of public trust in the justice system's handling of domestic terrorism cases?

RESPONSE: If I am fortunate enough to be confirmed, I am committed to a de-weaponized, de-politicized system of law enforcement completely devoted to rigorous obedience to the Constitution and a singular standard of justice. I will ensure that everyone working at the FBI is focused on the FBI's core mission: that is, to investigate fully wherever there is a constitutional factual basis to do so and to never make a prosecutorial decision. Investigating terror threats, whether foreign or domestic, will continue to be an essential function of the FBI.

c. Some of the individuals pardoned have reportedly threatened retaliation against those involved in their prosecution or incarceration. How would you propose law enforcement address the risks posed by pardoned individuals who continue to espouse violent rhetoric?

RESPONSE: I have always advocated accountability for those who cause harm to our law enforcement. If confirmed, we will fully investigate wherever there is a constitutional factual basis to do so. The FBI's investigative power requires ensuring that constitutional rights, especially to free speech, are protected, while taking the necessary, lawful steps to investigate threats that could lead to violence.

d. In light of these pardons, what steps would you take to prevent further erosion of public trust in the justice system's handling of domestic terrorism cases?

RESPONSE: Please see my response to Question 6.b. above.

e. Do you believe that pardoning those who violently attacked the Capitol on January 6, 2021, to overturn the results of the 2020 election constitutes one tier of justice?

RESPONSE: As I stated at my hearing, the pardon power belongs to the President. If confirmed, my role will be to investigate fully wherever there is a constitutional factual basis to do so, based on a singular standard of justice, and to never make a prosecutorial decision.

f. Would you investigate or discipline FBI agents who refuse to pursue cases of legitimate election crimes due to political pressure?

RESPONSE: If I'm confirmed, where FBI agents violate the standards of the FBI, appropriate disciplinary action will be taken. FBI agents should open cases, not based on political pressure or bias, but on the basis of the law and the facts.

7. You've been a vocal critic of the Foreign Intelligence Surveillance Act, arguing that it "has been turned into a political weapon" and that "corrupt bureaucrats" have "weaponized the national security apparatus to spy on Americans.

a. The authorization for FISA Section 702 is set to expire in April 2026. What specific reforms do you believe are necessary to address the issues you have highlighted?

RESPONSE: As I mentioned during the hearing, the issue is not with FISA and 702. I have used FISA and 702 as a national security prosecutor, a civilian at JSOC, as an intelligence official, and as the Deputy Director of National Intelligence. The issue has been its abuse by those in government service. The FBI must work with Congress to provide protections necessary for American citizens dealing with these matters, including hostage rescue operations. I am open to working together with Congress to appropriately

protect national security, but to make sure that the system cannot be abused by people who are willing to cross a line they should not cross. As I alluded to in my testimony, the FISA court put out a report in 2022 or 2023, where 255,000 illegal, improper queries of American citizens had occurred. This is unacceptable. Coordination with Congress will ensure that Americans have trust again in surveillance measures that we utilize to protect our country. As I stated in my testimony, I understand that there have been several positive legislative reforms to 702 in the past several years. I am committed to working with Congress to ensure that 702 is not abused.

b. You have repeatedly claimed that the FBI has “weaponized” FISA for political purposes. If confirmed, how would you address these concerns while ensuring that FBI agents retain the necessary tools to investigate legitimate national security threats?

RESPONSE: Please see my response to Question 7.a. above.

c. You have accused the FBI of improperly using FISA surveillance authorities to spy on Americans. What specific safeguards would you put in place to prevent alleged abuses while maintaining the FBI’s ability to track foreign threats?

RESPONSE: Please see my response to Question 7.a. above.

d. Would you support enhanced congressional or judicial oversight of the FBI’s use of FISA warrants? If so, what specific oversight mechanisms would you recommend or support?

RESPONSE: Please see my response to Question 7.a. above.

e. The FBI is responsible for counterintelligence efforts against foreign influence operations, including those from adversarial nations like Russia and China. Given your past statements downplaying Russian election interference, how will you ensure that counterintelligence investigations are pursued rigorously and without political interference?

RESPONSE: As I stated at my hearing, if I am confirmed at the FBI, any law enforcement investigation will be launched on the following qualification: a factual, articulable, legal basis to do so. Independent behavior will be the only guiding light of my work.

8. The FBI faces significant challenges in morale, with accusations of politicization and bias eroding trust within the agency.

a. What specific experiences do you have that qualify you to lead the FBI, given your limited background in law enforcement operations?

RESPONSE: I have 16 years of relevant government experience. For eight years I was a public defender, first for Miami-Dade County and later for the Southern District of

Florida. I later served in the Obama Justice Department as a terrorism prosecutor in the National Security Division. I received an Assistant Attorney General's Award for my work in that position. I also worked on the House Permanent Select Committee on Intelligence, conducting extensive oversight of the FBI. I was also on the National Security Council as the Senior Director for Counterterrorism, and served as the Deputy Director of National Intelligence, among other positions.

b. Given your past statements referring to FBI leadership as 'corrupt' and 'gangsters,' how would you expect rank-and-file agents to trust your leadership?

RESPONSE: Rank-and-file agents, who bravely take on the nation's most dangerous criminals, deserve leadership that holds the FBI to the highest standard of nonpoliticized law enforcement, which I intend to provide, if confirmed.

i. Mr. Patel, who in FBI leadership—past or present—do you believe is corrupt? If so, can you say specifically who?

RESPONSE: While it's no indication that I believe there was or was not criminal activity or a basis for an investigation, and it is also no indication of my intention to pursue any action, some previous directors have acted improperly and provided poor leadership that has greatly damaged the nation and the institution of the FBI. J. Edgar Hoover abused surveillance authority, particularly against Civil Rights leaders like Dr. Martin Luther King, Jr., losing the trust of many Americans. James Comey improperly usurped Department of Justice prosecutorial authority, blurring the important distinction between investigatory and prosecutorial authority. Under Christopher Wray, the FBI improperly handled the Hunter Biden laptop, declaring it Russian disinformation and pressuring social media companies to censor news stories regarding the laptop. Each of these actions caused members of the public to lose confidence in the FBI. If confirmed, I will be vigilant to ensure that the FBI earns the trust of the American people.

c. Do you currently have plans to investigate particular individuals if you are confirmed?

RESPONSE: As the nominee to the FBI Director, I believe it is appropriate for me to withhold judgment about whether any particular circumstance warrants an FBI investigation until I have been confirmed and evaluated the FBI's full documentation of the relevant facts and the law.

d. What steps will you take to ensure that internal decision-making is transparent and that FBI leadership, including yourself, remains accountable for its actions?

Response: If confirmed, I will appropriately respond to every oversight request from this committee, including to letters and in hearing testimony.

9. As Senior Director for Counterterrorism at the National Security Council, you were involved in a SEAL Team rescue mission to recover a 27-year-old American hostage in Nigeria.

According to former Secretary of Defense Mark Esper, you falsely informed senior leadership that the U.S. had secured permission to fly over other nations' airspace en route to Nigeria.

a. Can you explain your decision to falsely claim airspace permissions had been secured for the mission? What steps, if any, did you take to mitigate the risks created by this misinformation?

RESPONSE: I respectfully reject the premise of your question. As I noted in my testimony, both the National Security Advisor and Undersecretary of Defense at the time of this mission have stated that I acted appropriately, relayed information provided to me, and never jeopardized the safety of the hostages.

b. Do you believe that former Secretary Esper was lying when he said that you falsely informed senior leadership about securing permission to fly over other nations' airspace?

RESPONSE: I do not know Secretary Esper's subjective intent, but his statement is mistaken. Please see USDP Tony Tata's statement submitted for the record.

10. As FBI Director, you would oversee critical responsibilities related to firearm regulation, including administering the National Instant Criminal Background Check System and regulating the distribution of machine guns to prevent them from falling into the wrong hands.

a. Do you commit to enforcing existing federal gun laws, including background checks and the regulation of machine guns?

RESPONSE: If I am confirmed, I will work to ensure that the FBI enforces applicable federal firearms laws, consistent with the protections of the Second Amendment.

b. Do you believe that background checks for firearm purchases are unconstitutional?

RESPONSE: In *New York State Rifle & Pistol Association v. Bruen*, 597 U.S. 1, 38 n.9 (2022), the Supreme Court suggested that background checks preceding firearms purchases are presumptively constitutional. Bruen did not foreclose challenges to licensing requirements, including background checks, that "can be put toward abusive ends." *Id.* As I stated in response to your questions during the hearing, the Constitution, as interpreted by the Supreme Court, is the law of the land.

c. Do you believe that civilian ownership of machine guns is protected by the Second Amendment?

RESPONSE: As I stated in response to your question during the hearing, I believe that whatever the Supreme Court holds with respect to the scope of the Second Amendment is what is protected by the Second Amendment.

d. Do you commit to making FBI gun violence data more accessible to policymakers and the public?

RESPONSE: If I am confirmed, I commit to working with Congress to provide you with relevant FBI data as appropriate.

e. Do you support the use of red flag laws to temporarily remove firearms from individuals who pose a threat?

RESPONSE: I have not sufficiently reviewed the use of existing red flag laws to have an opinion about whether they effectively reduce threats to public safety. I am committed enforcing federal laws and applicable regulations, consistent with the Second Amendment.

f. Would you support any expansion in background checks for firearms or ammunition purchases? If so, in which instances?

RESPONSE: I have not studied legislative or regulatory proposals relating to expanding background checks for firearms or ammunitions purchases. Should Congress introduce such legislation, I commit to working with you and providing you with input on any such proposals.

g. Would you support repealing all federal gun laws and leaving firearm regulation entirely to the states?

RESPONSE: I am not aware of any legislative proposal that seeks to repeal all federal gun laws and leave firearm regulation entirely to the states. Should Congress introduce such legislation, I commit to working with you and providing you with input on any such proposals.

h. President Trump has suggested instituting “concealed carry reciprocity.” Under your leadership, would you and the FBI advocate for such a policy?

RESPONSE: Under my leadership, the FBI would work to fully enforce any applicable federal law or Executive Order by President Trump relating to concealed carry reciprocity.

i. Would you support any regulation or limitation in “ghost gun” production or possession?

RESPONSE: I have not studied legislative or regulatory proposals relating to “ghost guns.” Should Congress introduce such legislation, I commit to working with you and providing you with input on any such proposals.

j. Gun violence increased after the federal assault weapons ban expired. Do you support reinstating a federal assault weapons ban?

RESPONSE: I am committed to fully and fairly enforcing the federal laws within the FBI's jurisdiction, including federal firearms laws. Should Congress introduce legislation relating to a federal weapons ban, I commit to working with you and providing you with input on any such proposal.

11. The FBI is required to perform a background check on each individual who purchases a gun, yet from 2020 to 2021, 734,604 background checks were never completed because the background check process surpassed the 88-day period required of the FBI to complete the check.

a. What resources or procedural changes would you implement to ensure the FBI completes a higher percentage of background checks within the required timeframe?

RESPONSE: While I have not studied the NICS background check process in detail, if I am confirmed I will work to ensure that NICS staff continue to diligently conduct background checks in the states in which the FBI provides background check services.

12. During the first Trump administration, you played a key role in declassification efforts and were reportedly involved in reviewing sensitive materials related to classified investigations.

a. Can you provide specific examples of how you ensured the secure handling of classified information in your previous roles?

RESPONSE: During many of my 16 years of government service, I have been entrusted by the government with high level security clearances. When the government granted me these clearances, I was briefed on the proper handling and storage requirements for the different levels of classified information. I complied with those requirements.

b. What improvements would you recommend to the FBI's protocols for safeguarding classified materials?

RESPONSE: If confirmed, I will consult with personnel within the FBI regarding its protocols for safeguarding classified materials to determine whether changes are appropriate.

c. How would you handle politically sensitive declassification requests as FBI Director?

RESPONSE: If confirmed, I will consult with relevant FBI personnel regarding declassification requests and determine the appropriate course of action.

d. What steps would you take to enhance the FBI's training, oversight, and compliance programs for managing classified information?

RESPONSE: If confirmed, I will consult with personnel within the FBI regarding the FBI's training, oversight, and compliance programs for managing classified information to determine whether changes are appropriate.

13. You have defended the first Trump administration's decision to unlawfully withhold military aid to Ukraine. Phone records and testimony indicate that you communicated with Rudy Giuliani, then-President Trump's personal attorney, weeks before U.S. military aid to Ukraine was withheld.

a. Can you explain the nature of your conversations with Rudy Giuliani during this time and how they align with your statements denying involvement in Ukraine-related matters?

RESPONSE: Although I have spoken to Mr. Giuliani a number of times over the years, to the best of my recollection, none of the conversations were about this issue.

b. Do you support maintaining the United States' commitment to providing necessary assistance to help Ukraine defend its sovereignty and secure its future?

RESPONSE: As the nominee for Director of the FBI, it would be inappropriate for me to comment on this matter. If confirmed, I will have no role in determining foreign aid.

c. Do you believe that Russia interfered with the 2020 election and continues to attempt to interfere in our democratic processes?

RESPONSE: If confirmed, I will review these matters to ensure that the FBI remains vigilant in ensuring our elections remain free from interference.

14. Testimony from Fiona Hill and Lt. Colonel Alexander Vindman during the 2019 impeachment inquiry alleged that you misrepresented your role on the National Security Council, falsely portraying yourself as a Ukraine expert, and bypassed official channels to deliver Ukraine-related materials directly to President Trump.

a. Do you stand by your past representations regarding your role in Ukraine-related matters?

RESPONSE: This question provides context of another person's representation of my role in Ukraine-related matters, but not my representation. Without that context, I cannot comment on the particular representations to which this question refers. I can confirm that I have not portrayed myself as a Ukraine expert. And, while at NSC, I followed all appropriate procedures. My supervisor at the NSC, Robert O'Brien wrote to the Wall Street Journal that, "Mr. Patel handled some of the nation's most sensitive issues with care and discretion."

b. What specific steps would you take as FBI Director to ensure strict adherence to proper channels in handling sensitive information?

RESPONSE: If confirmed, I will consult with current FBI and DOJ employees to ensure that the FBI follows all procedures to implement the appropriate accountability for any inappropriate handling of FBI material.

15. The Department of Justice established the Election Threats Task Force to combat threats and violence against election workers, ensuring they can perform their duties free from intimidation. The FBI plays a key role in this effort by investigating threats, increasing visibility, and reassuring election workers of their safety.

a. Will you commit to maintaining the FBI's engagement with the Election Threats Task Force and ensuring threats against election workers are properly investigated?

RESPONSE: Yes. If confirmed, I will fully and fairly investigate all violations of election-related laws so that all Americans can have faith in the results of our elections. As I stated at the hearing, the only thing that matters at the FBI is that the law is followed. This includes our election laws, where it is vitally important that any investigations are de-politicized and conducted without favoritism.

b. Do you consider threats against election officials a national security concern, and what steps will you take to prevent politically motivated investigations or retaliation?

RESPONSE: Please see my response to Question 15(a) above.

c. Will you ensure that FBI resources are not used to advance baseless claims of election fraud or target officials solely for certifying the 2020 election?

RESPONSE: Please see my response to Question 15(a) above.

d. How would you respond to efforts—whether from the White House or elsewhere—to use the FBI to interfere with election processes or undermine free and fair elections?

RESPONSE: Please see my response to Question 2.d.i.

e. Would you discipline agents who refuse to pursue legitimate election crime cases due to political pressure?

RESPONSE: Yes.

16. Under President Trump, the FBI has been directed to reallocate resources toward mass deportations, including the use of Joint Terrorism Task Forces, which are traditionally focused on counterterrorism efforts. Meanwhile, the U.S. faces a growing domestic terrorism threat, particularly from extremist groups targeting immigrant communities.

a. Do you believe FBI resources should be prioritized for mass deportation efforts over investigating terrorism and violent extremism?

RESPONSE: The issue of illegal immigration is intertwined with terrorism and violent extremism, as exemplified by the government's own data regarding the numbers of special interest aliens and terrorist watchlist individuals who have illegally entered the country in the last four years, as well as by the President's recent designation of certain drug cartels, which utilize illegal immigration, as foreign terrorist organizations.

b. How will you ensure that the FBI remains focused on combating domestic terrorism, particularly threats against immigrant communities, while balancing other national security priorities?

RESPONSE: If confirmed, I will consult with personnel within the FBI about how the FBI utilizes its resources to address competing priorities and will determine what changes are necessary to best ensure the safety of the American public.

c. Will you ensure that FBI policies protect the civil liberties of all individuals in the U.S., regardless of immigration status?

RESPONSE: If confirmed, I will ensure that the FBI policies follow the Constitution and all applicable laws regarding the civil liberties of individuals within the U.S.

d. Do you agree with the intelligence community's assessment that domestic violent extremism, particularly from far-right groups, poses a significant national security threat? If so, what actions will you take to address it?

RESPONSE: To properly evaluate any intelligence assessment, I would first need to familiarize myself with the relevant classified and unclassified information on which it was based. If confirmed, I will ensure the FBI is addressing violent extremism, both domestic and foreign.

17. As FBI Director, you would oversee a wide range of high-profile investigations while managing internal oversight mechanisms to ensure accountability.

a. What specific internal oversight mechanisms would you strengthen or implement to ensure that high-profile investigations are conducted with integrity and remain free from political interference?

RESPONSE: If confirmed, I will consult with appropriate personnel in the FBI and Justice Department to evaluate the current internal oversight mechanisms and will determine if changes are warranted to ensure investigations are conducted free from political interference.

b. If confirmed, how would you ensure accountability for investigative errors, ethical violations, or bias within the Bureau while maintaining the trust of its agents and the public?

RESPONSE: If confirmed, I will consult with appropriate personnel in the FBI and Justice Department to evaluate the current accountability practices and will determine if changes are warranted to ensure accountability while maintaining the trust of agents and the public.

c. In the Supreme Court case *Seila Law v. Consumer Financial Protection Bureau*, 591 U.S. 197 (2020), the Court held that Congress has the power to restrain the executive’s removal of inferior officers with limited duties and no policymaking portfolio. What do you understand the holding of *Seila Law* to be with respect to inferior officers in the executive branch?

RESPONSE: In *Seila Law v. Consumer Financial Protection Bureau*, 591 U.S. 197 (2020), the Court did not revisit its prior decision in *Morrison v. Olson*, 487 U.S. 654 (1988), allowing certain limitations on the President’s removal power regarding inferior officers.

i. Do you believe the Civil Service Reform Act of 1978 places any restrictions upon the FBI director’s ability to take adverse action against employees at the FBI? If yes, what restrictions do you believe this law imposes upon the FBI director when it comes to removing or seeking reprisals against staff?

RESPONSE: Yes, any adverse action against employees must go through a specific process as outlined in the Civil Service Reform Act of 1978, which includes particular steps and opportunities for the employee to present their case. If confirmed, I will seek the advice of counsel to ensure that the FBI complies with all applicable laws.

ii. Do you think *Seila Law* places any restrictions on the ability of the FBI director to remove career employees at the FBI?

RESPONSE: *Seila Law*, addresses whether to extend limitations on the President’s power to fire employees to the single director of an independent agency, which the Court declined to do. *Morrison v. Olson*, 487 U.S. 654 (1988), upholds limitations on firing inferior officers who do not have a policymaking or administrative role. If confirmed, I will respect the law and limitations regarding hiring and firing.

iii. Do you think that the FBI director may lawfully fire or take adverse action against FBI employees due to the political beliefs of employees?

RESPONSE: No

iv. Do you think that FBI employees have the right to unionize? As FBI Director, how would you respond to any efforts to unionize?

RESPONSE: While I am not an expert in labor and employment law, I understand that there are certain restrictions on unionizing for federal employees engaged in national security and intelligence work. It would be inappropriate for me to answer hypothetical questions, however, I can commit that I will consult with counsel to ensure that the FBI and its employees act in accordance with the law.

v. What action will you take if you learn that senior staff at the FBI are taking or have taken adverse action against career employees on account of the employees' political beliefs?

RESPONSE: As I said in the hearing before this committee, every FBI employee will be held to the absolute same standard. No FBI employee should face adverse action based on partisan politics. I will ensure that appropriate disciplinary action is taken anytime employees violate the standards of the FBI

d. Would you support or oppose legislative efforts to strengthen whistleblower protections for FBI personnel who report misconduct?

RESPONSE: Whistleblowers play an important role within the Federal Bureau of Investigation, the federal government, and the public. By coming forward with evidence of waste, fraud, abuse, and misconduct, whistleblowers improve government operations and strengthen the public's trust in our institutions. While I cannot commit at this time to support any particular piece of legislation, if confirmed and called upon to provide my position, I will do so after careful consultation with appropriate officials at the FBI.

18. The Department of Justice's Office of the Inspector General (OIG) plays a crucial role in investigating misconduct, waste, fraud, and abuse within DOJ agencies, including the FBI. Inspectors general are intended to operate independently, free from political influence. However, last week, President Trump dismissed inspectors general from over a dozen federal agencies without prior congressional notification, which is required by law to protect their independence.

a. Do you believe President Trump violated the law by dismissing these inspectors general without congressional notification?

RESPONSE: In my 16 years of government service, I have not previously considered the issue of the constitutionality of the reporting requirements involved in dismissing inspectors general. Moreover, as the nominee to be the Director of the FBI, it would be inappropriate for me to speculate on whether any individual has violated that law. As I understand it, the Department of Justice's Inspector General, Michael Horowitz, remains in place.

b. How will you ensure that the FBI remains accountable and that the Inspector General can conduct oversight free from political interference?

RESPONSE: If confirmed, I will ensure the FBI is accountable by appropriately cooperating with Congressional oversight and with the Inspector General, as well as by

being more transparent with the public when it can. I would also ensure that the Bureau investigates, when justified by the facts and the law, violations of public corruption laws.

c. As FBI Director, what specific steps would you take to protect the independence of inspectors general and prevent political interference in their work?

RESPONSE: Please see my response to Question 18.b.

19. The FBI is an important source of information for crime statistics nationwide. Many of these statistics come from various data collections that the FBI maintains and provides to the public. These data collections include, but are not limited to, The Uniform Crime Reporting Program, the National Incident-Based Reporting System, the Hate Crime Statistics Data Collection, the Law Enforcement Officers Killed and Assaulted Data Collection, the National Use-of-Force Data Collection, and the Law Enforcement Suicide Data Collection. Further, some of these data are displayed through the FBI's Crime Data Explorer.

a. Do you commit to preserving the integrity, transparency, and public availability of all FBI data collections, including crime statistics, hate crime reporting, and use-of-force data?

RESPONSE: As I am not currently at the Bureau, I am not familiar with the details of data collections at the FBI. If confirmed, I will familiarize myself with the Bureau's policies in these areas, consult with the appropriate officials, and make a determination as to the best course forward.

b. Do you have any plans, or have you discussed with anyone, changes to the FBI's methodology for collecting, analyzing, or reporting crime data? If so, what are those changes?

RESPONSE: Please see my response to Question 19(a) above.

c. Do you commit to notifying this Committee within 30 days of any changes the FBI makes to its data collection, analysis, or reporting methods?

RESPONSE: Please see my response to Question 19(a) above.

20. The FBI's credibility and effectiveness rely on strict adherence to ethical standards and robust accountability mechanisms. As Director, your ability to maintain these principles would be central to the Bureau's success and public trust.

a. What specific steps would you take to ensure ethical standards are upheld at all levels of the FBI and to address instances of misconduct among agents or senior leadership?

RESPONSE: I would welcome the opportunity to meet with the appropriate officials within the FBI to discuss what specific steps could be taken, over and above those currently being taken, to address instances of misconduct so the FBI can focus on its important mission. As I stated at my hearing, wherever there has been corruption, I have

been the first to call it out, and if confirmed, I will continue to call out corruption in government service.

b. Given your close association with Donald Trump and your prior involvement in politically sensitive matters, how would you handle potential conflicts of interest in investigations involving political figures, campaigns, or issues?

RESPONSE: I would consult the appropriate ethics officials and make a decision regarding my recusal from any matter based on the particular facts and applicable law and rules.

c. Would you recuse yourself from any investigation related to President Trump or his associates? If not, why?

RESPONSE: Please see my response to Question 20.b above.

d. Would you propose any changes to the FBI's existing internal accountability structures, such as the Office of Professional Responsibility, to enhance impartiality, transparency, and effectiveness?

RESPONSE: As I am not currently at the FBI, I have not had the opportunity to review the details of its internal accountability structures. If confirmed, I welcome the opportunity to consult with the appropriate FBI officials regarding any needed reforms.

e. What measures would you take to ensure that agents and staff feel empowered to report ethical violations or misconduct without fear of retaliation?

RESPONSE: Please see my response to Question 20.d above.

f. What role should the FBI play in investigating state and local law enforcement agencies accused of systemic civil rights violations?

RESPONSE: If confirmed, I will ensure the FBI investigates violations of civil rights laws where justified by the facts and the law.

g. Would you support continuing federal oversight of police departments found to engage in unconstitutional practices?

RESPONSE: Please see my answer to 20. f. above.

21. You have proposed significant changes to the FBI's structure and operations, including relocating the FBI's headquarters out of the Capitol area decentralizing the agency's operations to emphasize field offices, and restructuring leadership to address what you describe as "institutional capture."

a. How would relocating the FBI’s headquarters out of the Washington, D.C. area, and decentralizing its operations enhance the Bureau’s effectiveness in combating national security threats?

RESPONSE: The FBI headquarters should not be moved out of the DC area. On a podcast, I used hyperbole about opening a museum in the Hoover building to make a broader point, which is that too many FBI resources are centralized in the National Capitol Region while crime is dispersed across the country in states from Maine to Hawaii, Florida to Alaska, and everywhere between. If I’m confirmed, I will ensure that more FBI agents are in the field addressing crime.

b. What cost and logistical challenges would such a move present, and how would you ensure these changes do not harm morale or disrupt ongoing investigations?

RESPONSE: Please see my response to Question 21.a. above.

c. You’ve suggested “purging” FBI leadership to address perceived political bias. How would you define the criteria for such actions?

RESPONSE: While I don’t have the context to address the specific claims of this question, if confirmed, I will ensure that all FBI employees, including leadership, operate without political bias. Decisions will be made based on the facts and the law.

i. How would you ensure these steps are conducted fairly and do not undermine the Bureau’s independence and nonpartisan mission?

RESPONSE: While I don’t have the context to address the specific claims of this question, if confirmed, I will ensure that all FBI employees, including leadership, operate without political bias. Decisions will be made based on the facts and the law.

ii. Have you sought input from current or former FBI personnel on these proposals?

RESPONSE: I don’t have the context of the specific proposals to provide an answer. Since my nomination, however, many FBI agents I’ve worked with as a prosecutor have reached out to share their view that the Director should ensure the FBI is non-political and that FBI agents are instead focused on stopping violent crime and narco-trafficking, which is a perspective that I share.

iii. How would you ensure transparency and engagement with key stakeholders during their implementation?

RESPONSE: I don’t have the context of the specific proposals to provide an answer. However, I will respond to all oversight requests from this Committee and Congress generally.

22. You participated in the American Bar Association’s Judicial Intern Opportunity Program, a diversity initiative, while a law student at Pace University. The program states that it “provides opportunities to students who are members of groups that are traditionally underrepresented in the profession, including students from minority racial and ethnic groups, students with disabilities, veterans, students who are economically disadvantaged, students who identify as LGBTQ+, women and others.”

a. Please describe your experience in this program. Would you consider establishing a similar initiative within the Bureau if confirmed as Director?

RESPONSE: As part of this program, I enjoyed interning for a Federal Judge in Chicago, where I learned about federal pleadings and procedure. I believe that there are brave people of every race, color, and background in this country who are qualified to meet the high standards of the FBI and will be excited to take on the mission of the FBI. And, we will need people of every race and background in communities throughout the country to tackle the violent crime and drug epidemics facing the American people.

23. As FBI Director, you would oversee the Bureau’s public communications, a critical responsibility for maintaining trust in its work.

a. How would you balance responding to misinformation and disinformation campaigns while avoiding political partisanship in your public communications?

RESPONSE: If confirmed, I am committed to restoring the rule of law at the FBI without regard to partisan affiliation or politics. That commitment extends to the Bureau’s public communications.

b. How would you ensure that FBI communications remain transparent without compromising the integrity of ongoing investigations or releasing misleading information?

RESPONSE: If confirmed, I will consult with appropriate FBI personnel about FBI’s communications policies to determine whether changes are necessary to balance transparency with investigative integrity. Under my watch, the FBI will be held to the highest standards regarding the accuracy of information it releases.

c. Both Director Comey and Special Counsel Hur have been criticized for tendering sensitive or negative characterizations about individuals whom they are choosing not to prosecute. Would you ever take similar actions to disparage an individual whom the Bureau has decided is not criminally liable or is not the subject of an ongoing investigation?

RESPONSE: In my 16 years of government service as a public defender, prosecutor, and national security official, I have been guided by only the facts and the law. As I stated at my hearing, if confirmed, my focus will be on the FBI’s core mission, that is, to

investigate fully wherever there is a constitutional factual basis to do so and to never make a prosecutorial decision.

d. You recently “Re-Truthed” a video depicting you using a chainsaw on representations of your political opponents. During the hearing, you claimed your statements were taken out of context. In what context do you believe this video is appropriate for a nominee for FBI Director to post?

RESPONSE: I re-truthed that 2022 meme in question as a private citizen. It was clearly intended as humor. A chainsaw as a symbol of government reform is not unusual; Argentine President Javier Milei famously used one for this purpose as well. The video also shows a depiction of me chain sawing an “ultra maga” graphic, the logo for Truth Social where I serve on the board of the parent company TMTG, and a graphic with the “K\$H” logo representing brands associated with me. While I acknowledge a diverse range of perspectives in political discourse, reposting an individual’s perspective on a specific issue does not constitute my endorsement of how their views or other positions may be interpreted.

24. You have publicly asserted that President Trump was permitted to take classified records under the Presidential Records Act, a claim that the Justice Department has dismissed as meritless. However, when testifying before a grand jury under an immunity deal, you reportedly failed to substantiate this claim.

a. Do you stand by your claim that President Trump had a standing order to declassify all materials he took with him, including those later seized at Mar-a-Lago? If so, can you provide any evidence that such an order existed?

RESPONSE: My understanding is that my grand jury testimony regarding the classified documents prosecution is subject to a seal order, and litigation is ongoing over the release of Jack Smith’s report regarding classified documents. I do not believe I have unilateral authority to authorize release of or disclose any underlying testimony.

b. When you testified before a federal grand jury under an immunity deal, did you provide any evidence or documentation to support your public claims about a declassification order?

RESPONSE: Please see my response to Question 24.a. above.

c. You initially invoked the Fifth Amendment when questioned about Trump’s handling of classified documents. Why did you believe answering could incriminate you?

RESPONSE: I utilized my constitutional rights during that process with the advice and consent of counsel and appeared before that grand jury.

d. How would you reassure the public and FBI personnel that your communications as Director would be accurate, impartial, and free from political bias?

RESPONSE: If I am fortunate enough to be confirmed, the FBI will protect American citizens and uphold the Constitution. The only thing that will matter if I am confirmed is a de-weaponized, de-politicized system of law enforcement completely devoted to rigorous obedience to the Constitution and a singular standard of justice. I am committed to that goal and will redirect resources as needed to ensure that happens every day.

25. The FBI Director must maintain a productive and transparent relationship with Congress to enable effective oversight, ensure proper resource allocation, and address pressing national security concerns. Your appointment comes at a time of heightened congressional scrutiny of the FBI, making your approach to collaboration with lawmakers a critical aspect of your potential leadership.

a. Do you commit to regular and transparent communication with Congressional oversight committees, including providing timely and accurate information on FBI operations and investigations?

RESPONSE: As I stated at my hearing, if confirmed, the FBI will be committed to full transparency. If confirmed, I will consult with officials in the FBI's Office of Congressional Affairs and the Department of Justice's Office of Legislative Affairs to ensure timely and appropriate responses to oversight inquiries.

b. How would you respond to Congressional subpoenas or information requests, particularly those involving politically sensitive or classified matters?

RESPONSE: Please see my response to Question 25.a. above.

c. How would you ensure a constructive and cooperative working relationship with members of Congress from both parties?

RESPONSE: Please see my response to Question 25.a. above.

d. How would you work with Congress to secure the necessary resources to address critical national security and law enforcement challenges?

RESPONSE: As I stated at my hearing, the FBI represents the front line of defense for national security and crime. If confirmed, I look forward to working with officials in the FBI's Office of Congressional Affairs and the Department of Justice's Office of Legislative Affairs as well as you and all the members of the Judiciary Committee to discuss how we can best move forward.

e. Would you comply with all lawful congressional subpoenas, even if they involve politically sensitive information?

RESPONSE: Please see my response to Question 25.a. above.

f. If President Trump directed you to withhold information from Congress, would you comply or push back?

RESPONSE: I would not have accepted the nomination to serve as FBI Director if I believed President Trump would ask me to do this.

26. Law enforcement agencies across the country are grappling with a shortage of police officers. According to a DOJ report, there is a “historic crisis in recruiting and retaining” police officers. The FBI frequently works in partnership with state and local law enforcement agencies to coordinate their investigations and share information.

a. What steps will you take to strengthen partnerships between the FBI and local law enforcement agencies struggling with staffing shortages?

RESPONSE: As I stated at my hearing, I am committed to supporting local level law enforcement—they are critical partners in keeping our communities safe. If confirmed, I look forward to working with local law enforcement to explore how the FBI’s resources can be aligned to fully support them in protecting the public.

b. Do you believe the FBI has a role in supporting recruitment and retention efforts in state and local law enforcement? If so, what specific measures would you take?

RESPONSE: Please see my response to Question 26.a.

27. In September, the FBI revealed that there were 11,862 incidents of hate crimes in the United States. Hate crimes rooted in race, ethnicity, or ancestry were the most common. There were 5,900 reported incidents in 2023.

a. What steps will you take to reduce hate crimes, particularly those that are motivated by race, ethnicity, or ancestry?

RESPONSE: I commit to protecting Americans’ lives and liberties. All Americans deserve full legal protection as they exercise constitutionally protected activities, including freedom of speech and free exercise of religion. I will work with appropriate FBI officials to determine how the FBI is currently addressing hate crimes, and what efforts may be necessary to further combat hate crimes.

b. Hate crime rates sometimes spike rapidly, as they did against various religious and ethnic communities in 2023. How will you prepare the FBI to stop sudden, sharp increases in hate crimes?

RESPONSE: Please see my response to Question 27.a. above.

c. The FBI's Uniform Crime Reporting program compiles data collected from state and local law enforcement agencies to create national hate crime statistics. Do you commit to continue this program?

RESPONSE: While I have limited knowledge of the methods by which hate crimes are reported to the FBI from state and local law enforcement agencies, I will seek the guidance of FBI professionals who understand the efficacy of this program as well as ways that it can be improved.

d. White supremacist propaganda incidents are also rising. What steps will you take to address the proliferation of white supremacist propaganda and hate speech?

RESPONSE: If confirmed, I will discuss this matter with appropriate officials at the FBI to determine how any potential threats can be identified and curtailed by the FBI.

e. How will you prevent and combat the spread of hate speech against immigrants?

RESPONSE: Please see my response to Question 27.d. above.

f. How will you prevent and combat the spread of hate speech against the LGBTQ+ community?

RESPONSE: Please see my response to Question 27.d. above.

28. According to the Federal Trade Commission, consumers reported losing \$9 billion to fraud in 2022 – up from \$2.45 billion in reported fraud losses in 2019. The elderly is one of the most vulnerable groups to internet scams and fraudulent schemes, and scams targeting them are on the rise.

a. What resources and specialized units will you deploy to investigate elder fraud and scams?

RESPONSE: If confirmed, I will consult with the relevant FBI personnel to determine whether FBI resources are properly allocated to protect the elderly.

29. You have stated that you want to remove 11,000 FBI personnel.

a. On what grounds would you seek termination?

RESPONSE: I do not have enough context to answer this question. I do not want to remove 11,000 FBI personnel. Any suggestion otherwise must be a misunderstanding.

b. Do you commit to not terminating individuals based on their political belief or loyalty to President Trump?

RESPONSE: Yes.

c. Do you think reducing the number of people working for the FBI will make our country safer?

RESPONSE: If confirmed, I will review the allocation of personnel and resources to ensure that FBI personnel and resources are efficiently, effectively, and maximally able to address violent crime, terrorism, narco-trafficking, and other threats facing this nation.

d. Do you believe that the FBI's workforce should reflect the diversity of our nation?

RESPONSE: I have long been a champion of merit and high standards. I believe that there are brave people of every race, color, and background in this country who are qualified to meet those high standards and will be excited to take on the mission of the FBI. And, we will need people of every race and background in communities throughout the country to tackle the violent crime and drug epidemics facing the American people.

e. As someone who has faced racist attacks and discrimination in the past, what will you do to ensure that the FBI's hiring practices are fair and equitable?

RESPONSE: If confirmed, I will hold the FBI to the highest standards of fair hiring that is based on merit and fairness. There are brave people of every race, color, and background in this country who are qualified to meet those high standards and will be excited to take on the mission of the FBI. I will review current practices, and seek the advice of counsel, to ensure that all hiring practices are fair and comply with the law.

30. You have spoken about ending the weaponization of the FBI and ensuring a single tier of justice. The FBI is responsible for protecting all Americans, regardless of race, gender, class, political affiliation, or beliefs.

a. How do you define "one tier of justice," and how will you ensure it applies equally to all individuals, including critics of the President?

RESPONSE: "One tier of justice" means that all Americans have equality before the law. No one should be targeted for investigation or prosecution—or subjected to excessive sentences— based on their race, gender, class, political affiliation, or beliefs. Similarly, equality before the law requires that no one who would otherwise properly be targeted for investigation or prosecution is excused from it based on their race, gender, class, political affiliation, or beliefs. If confirmed, I would be committed to ensuring that the FBI only opens investigations where properly predicated on the facts and the law.

b. Do you commit to investigating and pursuing cases strictly based on legal and factual merit, regardless of the identity or political affiliation of those involved?

RESPONSE: Yes.

c. What steps will you take to reinforce the FBI's independence and prevent politically motivated investigations?

RESPONSE: As I stated at my hearing, the FBI must be independent. If confirmed, I would report to the Deputy Attorney General in the Department of Justice. I would prevent politically motivated investigations by ensuring investigations are only brought where there is a proper basis under the facts and the law.

31. President Trump has commuted the sentences of leaders of the Oathkeepers and the Proud Boys, both of which were convicted of planning violent attacks to keep President Trump in power unlawfully. Recently, Stuart Rhodes, the leader of the Oathkeepers, was given VIP seating behind President Trump at a rally in Las Vegas.

a. Do you commit to never working with, either explicitly or implicitly, members of militias, including but not limited to the Oathkeepers, the Proud Boys, the American Patriot Three Percenter (also known as the Three Percenters), and the Patriot Front?

RESPONSE: The FBI has a long history of utilizing confidential human sources in a wide variety of organizations as part of its law enforcement efforts. I do not believe it would be appropriate for me to commit to the FBI not having any working relationships with members of the organizations you mentioned prior to being confirmed and reviewing the relevant FBI files to understand the nature of the FBI's current relationships, if any, with the organizations you listed.

b. Do you commit to enforce the law against members of these and all militia and/or paramilitary organizations?

RESPONSE: Yes, I commit to impartially pursuing all investigations and enforcing the law.

32. Historically, the FBI Director has been the only political appointee at the Bureau. However, there are concerns that the Trump administration may attempt to fill the FBI ranks with politically aligned individuals.

a. Do you support expanding the number of political appointees within the FBI beyond the Director?

RESPONSE: No, but I will review this and work with Congress if any changes are appropriate.

b. Have you discussed potential FBI roles with Kyle Seraphin, Steven Friend, or Garret O'Boyle? If so, what positions were discussed?

RESPONSE: To the best of my knowledge, I have never discussed potential roles at the FBI for Kyle Seraphin, Steven Friend, or Garret O'Boyle.

c. Have you provided or facilitated financial assistance to any of these individuals? If so, how much and for what purpose?

RESPONSE: To the best of my knowledge, I have never personally provided financial assistance to these whistleblowers, but I understand that they received financial assistance through a nonprofit organization in which all relevant transactions have been reported as required by governing law.

d. Are you aware of allegations against Steven Friend, including violations of FBI gun safety policies, the use of derogatory language, or unauthorized release of government information? If so, do you believe these allegations disqualify him from employment at the Bureau?

RESPONSE: I have no personal knowledge regarding these allegations.

Senator Peter Welch
Senate Judiciary Committee
Written Questions for Kashyap Patel
Hearing on “The Nomination of Kashyap Patel to be Director of the Federal Bureau of
Investigation”
Thursday, January 30, 2025

On May 4, 2022, you gave an interview with Breitbart News. The purpose of the interview was to respond to a public disclosure by the National Archives and Records Administration that President Trump had classified documents from his presidency at his Mar-a-Lago residence. In that interview, you stated, “It’s yet another way to attack Trump and say he took classified documents when he did not.” You added, “The President has unilateral authority to declassify documents—anything in government. He exercised it here in full.”

1. Did you personally witness President Trump declassify the classified documents found at his Mar-a-Lago residence?

RESPONSE: My understanding is that grand jury testimony regarding the classified documents prosecution is subject to a seal order, and litigation is ongoing over the release of Jack Smith’s report regarding classified documents. I do not believe I have unilateral authority to authorize release of or disclose any underlying testimony.

a. If so, when did this occur.

RESPONSE: Please see my response to Question 1 above.

2. Did President Trump ever tell you he declassified the classified documents found at his Mar-a-Lago residence?

RESPONSE: Please see my response to Question 1 above.

a. If so, when did this occur.

RESPONSE: Please see my response to Question 1 above.

3. Did anyone ever tell you they personally witnessed President Trump declassify the classified documents found at his Mar-a-Lago residence?

RESPONSE: Please see my response to Question 1 above.

a. If so, when did this occur and who told you.

RESPONSE: Please see my response to Question 1 above.

4. Did anyone ever tell you they heard President Trump say he declassified the classified documents found at his Mar-a-Lago residence?

RESPONSE: Please see my response to Question 1 above.

- a. If so, when did this occur and who told you.

RESPONSE: Please see my response to Question 1 above.

Afterwards, federal prosecutors began an investigation into the recovery of classified documents at Mar-a-Lago. As part of that investigation, you were subpoenaed to testify before a federal grand jury. During your appearance, you invoked your Fifth Amendment right against self-incrimination. In order to invoke that right, you must have a reasonable belief that answering questions the government asks of you will place you in criminal liability.

5. Why did you invoke your Fifth Amendment right against self-incrimination?

RESPONSE: I utilized my constitutional rights during that process with the advice and consent of counsel and appeared before that grand jury.

6. What criminal liability did you have a reasonable belief you could face?

RESPONSE: Please see my response to Question 5 above.

- a. Please list each criminal statute you believe you may have violated.

RESPONSE: Please see my response to Question 5 above.

After invoking your privilege, you appeared ex parte with counsel to make a proffer before Chief Judge Beryl Howell regarding your invocation. Chief Judge Howell agreed you had a reasonable basis to fear criminal liability. Federal prosecutors then provided you with immunity under 18 U.S.C. § 6002 and you were compelled by the Court to testify before the federal grand jury, which you subsequently did. As a reminder, pursuant to Federal Rule of Criminal Procedure 6(e), witnesses are not bound by Grand Jury secrecy rules.

7. What did you testify to before the grand jury?

RESPONSE: Please see my response to Question 1 above.

I remain deeply concerned about President Trump's repeated comments regarding the prosecution of individuals he disagrees with.

8. Have you made any commitments to President Trump, or members of his administration or transition team, about investigations you will undertake if confirmed as the Director of the FBI?

RESPONSE: To the best of my recollection, no.

- a. If so, what investigations have you committed to undertaking?

RESPONSE: See response to 8.

9. Have you had any conversations with President Trump, or members of his administration or transition team, about pursuing any specific individuals if confirmed as the Director of the FBI?

RESPONSE: To the best of my recollection, no.

a. If so, what individuals have you committed to pursuing?

RESPONSE: As the nominee to the FBI Director, I believe it is appropriate for me to withhold judgment about whether any particular circumstance warrants an FBI investigation until I have been confirmed and evaluated the FBI's full documentation of the relevant facts and the law.

10. What will you do if President Trump gives you an illegal or unconstitutional order?

RESPONSE: This is a hypothetical question, and one I have no reason to believe would actually occur. In the event it was necessary to consider the situation posed in this hypothetical, I would uphold the oath every FBI Director takes to support and defend the Constitution. Any investigative activity started or ended by the FBI would only occur if properly justified by the facts and the law.

In a May 2024 *War Room* article entitled, "The Constitutional Guillotine: The End of the Deep State," you heavily implied that Special Counsel Jack Smith and his staff are criminals.

11. Will you open an investigation into Special Counsel Jack Smith?

RESPONSE: As the nominee to be the Director of the FBI, it would be inappropriate for me to commit to the Senate to investigate, or not to investigate, any particular individual.

12. Will you open an investigation into any member of Special Counsel Jack Smith's staff?

RESPONSE: Please see my response to question 11.

In September 2023, you authored an op-ed in *Human Events*, entitled "The FBI Raid on Mar-a-Lago Makes Watergate Look Like the Teacup Ride at Disney World." In it, you asked, "Where's the prosecution of [James] Comey?"

13. Will you open an investigation into former FBI Director James Comey?

RESPONSE: Please see my response to question 11.

On August 21, 2023, you were interviewed on Benny Johnson’s podcast The Benny Show. During the interview, you stated, “And when we find out, like we are right now, that government gangsters like Wray and Garland have broken the law, we need to prosecute them.”

14. Will you open an investigation into former FBI Director Christopher Wray?

RESPONSE: Please see my response to question 11.

15. Will you open an investigation into former Attorney General Merrick Garland?

RESPONSE: Please see my response to question 11.

Shortly after you finished testifying, it was reported that several senior FBI leaders were told to either resign or retire by Monday, February 3, 2025, or they would be fired.

16. Did you know of these potential firings prior to testifying before our committee?

RESPONSE: Not that I recall.

17. Were you consulted about these potential firings in any way?

RESPONSE: Not that I recall.

18. Do you support these potential firings?

RESPONSE: I cannot commit to supporting any personnel decision without the opportunity to review on a case-by-case basis. Personnel decisions should be based on performance and adherence to the law. If I’m confirmed, every FBI employee will be held to the absolute same standard.

The following day, it was publicly reported scores of FBI agents are being presented with forced resignations or termination, including agents that investigated cases related to the January 6th insurrection.

19. Did you know of these potential firings prior to testifying before our committee?

RESPONSE: Not that I recall, and my response is not an indication of whether or not I believe the above referenced public reporting is accurate.

20. Were you consulted about these potential firings in any way?

RESPONSE: Not that I recall, and my response is not an indication of whether or not I believe the above referenced public reporting is accurate.

21. Do you support these potential firings?

RESPONSE: I cannot commit to supporting any personnel decision without the opportunity to review on a case-by-case basis. Personnel decisions should be based on performance and adherence to the law. If I'm confirmed, every FBI employee will be held to the absolute same standard. My response is not an indication of whether or not I believe the above referenced public reporting is accurate.

In *Government Gangsters*, you wrote that social media companies “had demonstrably rigged the 2020 election by throttling the Hunter Biden laptop scandal.”

22. Were the results of the 2020 Presidential election legitimate?

RESPONSE: As I explained at the hearing, millions of Americans have expressed concerns, going back to multiple elections, over election integrity. I have expressed my personal concerns in public appearances based upon what I saw. If confirmed as Director of the FBI, I will work to restore Americans' confidence in our electoral processes.

23. On what basis did you claim social media companies “demonstrably rigged the 2020 election?”

RESPONSE: In my book, I explained that during the 2020 election, the Department of Justice was investigating Hunter Biden's foreign deals in Ukraine and China that enriched him and might implicate other members of the Biden family, including President Biden, but that the DOJ hid the existence of the investigation until after the election. I likewise described how the FBI leveraged relationships with social media companies to stop the Hunter Biden laptop reporting from coming out or being shared. I also flagged how fifty-one members of the intelligence community issued a public letter declaring that the laptop story had all the hallmarks of a Russian information operation, even while the DOJ used the laptop as key evidence in ongoing investigations and prosecutions of Hunter Biden. Taken together, I argued that the Deep State, in coordination with social media companies, coordinated to prevent the American public from accessing truthful information that may have impacted their votes.

24. Do you believe the FBI is responsible for rigging the 2020 election?

RESPONSE: Please see my response to Question 23 above.

In a December 2023 interview with Steve Bannon on his *War Room* podcast, you stated, “We're going to come after the people in the media who lied about American citizens who helped Joe Biden rig presidential elections. We're going to come after you, whether it's criminally or civilly. We'll figure that out. But yeah, we're putting you all on notice.”

25. Was Joe Biden a legitimate President?

RESPONSE: President Biden was the President of the United States.

26. Who in the media lied about the 2020 presidential election?

RESPONSE: Please see my response to Question 23 above.

27. Please list all federal statutes you believe the media violated in relation to the above quote.

RESPONSE: Please see my response to Question 23 above. If confirmed, my role as FBI Director will not include making any prosecutorial decision. That is solely the province of the Department of Justice and the Attorney General.

In a November 4, 2022, opinion article for Fox News, you stated that “the FBI brazenly rigged the 2020 election.”

28. Who won the 2020 election?

RESPONSE: President Biden was certified and served as the President of the United States.

29. In what way did the FBI “brazenly rig[]” the election?

RESPONSE: Please see my response to Question 23 above.

During the 2024 campaign, President Trump stated on Truth Social, "I believe it is time to end needless arrests and incarcerations of adults for small amounts of marijuana for personal use. We must also implement smart regulations, while providing access for adults, to safe, tested product." In April 2024, the Biden Administration commenced a rescheduling process after the Department of Health and Human Services and Food and Drug Administration determined marijuana has “currently accepted medical uses.” It has proposed moving marijuana to Schedule III of the Controlled Substances Act.

30. Do you support placing marijuana on Schedule III?

RESPONSE: In my 16 years of government service, I have not previously considered the scientific and medical information regarding marijuana use that would be the basis of any rescheduling decision under the Controlled Substances Act. Moreover, as the nominee to be the Director of the FBI, it would be inappropriate for me to comment on the DEA’s ongoing regulatory process on this matter.

Section 702 of the Foreign Intelligence Surveillance Act (FISA) permits the government to collect communication of foreign persons located outside the United States. Agencies within the Intelligence Community can then query the collected communications. Communications of persons located in the United States, including U.S. citizens, are routinely incidentally collected as part of this process and queried by the Intelligence Community.

31. Do you support reauthorization of Section 702 of FISA as currently structured?

RESPONSE: I have used FISA and 702 as a national security prosecutor, a civilian at JSOC, as an intelligence official, and as the Deputy Director of National Intelligence. The issue has been

its abuse by those in government service. The FBI must work with Congress to provide protections necessary for American citizens dealing with these matters, including hostage rescue operations. I am open to working together with Congress to appropriately protect national security, but to make sure that the system cannot be abused by people who are willing to cross a line they should not cross. As I alluded to in my testimony, the FISA court put out a report in 2022 or 2023, where 255,000 illegal, improper queries of American citizens had occurred. This is unacceptable. Coordination with Congress will ensure that Americans have trust again in surveillance measures that we utilize to protect our country. I welcome the opportunity to discuss the matter further with appropriate officials at the FBI.

In your book *Government Gangsters*, you wrote about several reforms to the FISA process. These reforms include requiring FBI agents to work with Department of Justice prosecutors to submit a FISA warrant application, providing training and long-term appointments for FISA Court judges, placing a public defender at the FISA Court to advocate for the accused, and requiring a court reporter to transcribe every FISA Court hearing.

32. Do you still support requiring FBI agents work with DOJ prosecutors to submit FISA warrant applications?

RESPONSE: Please see my response to Question 32 above. I welcome the opportunity to discuss the matter further with appropriate officials at the FBI, as well as working with Congress to protect national security and provide protections necessary for American citizens.

33. Do you still support providing training and long-term appointments for FISA Court judges?

RESPONSE: Please see my response to Question 32 above.

34. Do you still support placing a public defender to represent the accused before the FISA Court?

RESPONSE: Please see my response to Question 32 above.

35. Do you still support requiring a court reporter transcribe every FISA Court hearing?

RESPONSE: Please see my response to Question 32 above.

On January 27, 2025, Acting Attorney General James McHenry fired about a dozen career Department of Justice employees who worked for Special Counsel Jack Smith.

36. Did anyone consult you regarding these terminations?

RESPONSE: Not that I recall.

a. If so, please provide the names of each individual and when they contacted you.

RESPONSE: Please see my response to Question 36 above.

37. Have you interacted with any of the terminated prosecutors in any capacity?

RESPONSE: Based on publicly available reporting, which is the only knowledge I have of the referenced terminated prosecutors, I'm unable to determine an accurate list of which prosecutors were terminated (or resigned). As such, I am unable to definitively determine whether I have interacted with any prosecutors who have been terminated. Though, as this Committee knows, as a witness in cases pursued by Jack Smith and his team, I may have interacted with members of his team.

a. If so, please describe your interaction.

RESPONSE: Please see my response to Question 37 above.

You spoke at the 2024 conference for Gun Owners of America. During that speech, you stated you oppose any federal regulation of bump stocks.

38. Do you believe that bump stocks pose a threat to public safety?

RESPONSE: As the Supreme Court noted in *Garland v. Cargill*, 602 U.S. 406, 421 (2024), with respect to trigger function, “[n]othing changes when a semiautomatic rifle is equipped with a bump stock,” which “merely reduces the amount of time that elapses between separate ‘functions’ of the trigger.” Thus, a shooter committed to unlawfully firing multiple shots must engage the trigger of his firearm multiple times, regardless of whether the firearm is equipped with a bump stock.

39. Do you oppose congressional efforts to ban bump stocks?

RESPONSE: In *Cargill*, the Supreme Court held that bump stocks are not unlawful “machineguns” as that term is defined by 26 U.S.C. § 5845. I am not aware of any subsequent congressional efforts to ban bump stocks. If Congress introduces legislation to that effect, I commit to working with you and providing you with input on any such proposal.

Gun Owners of America believes that all background checks are unconstitutional and that the federal government cannot constitutionally regulate machine guns.

40. Do you agree that background checks for gun purchases are unconstitutional?

RESPONSE: In *New York State Rifle & Pistol Association v. Bruen*, 597 U.S. 1, 38 n.9 (2022), the Supreme Court suggested that background checks preceding firearms purchases are presumptively constitutional. Bruen did not foreclose challenges to licensing requirements, including background checks, that “can be put toward abusive ends.” *Id.* As I stated during my hearing, the Constitution, as interpreted by the Supreme Court, is the law of the land.

41. Do you agree that federal regulations regarding machine guns are unconstitutional?

RESPONSE: I believe that whatever the Supreme Court holds with respect to the scope of the Second Amendment is what is protected by the Second Amendment.

42. Do you know Mr. Guan in a personal or professional capacity?

RESPONSE: As indicated in my OGE Form 278, I was as a Contributor for The Epoch Times, but I neither had a relationship nor interacted with Mr. Guan outside of this capacity.

a. If so, please describe your relationship with Mr. Guan.

RESPONSE: Please see my response to Question 42 above.

43. If confirmed, do you agree to recuse yourself any potential investigations concerning The Epoch Times and from Mr. Guan's case?

RESPONSE: If confirmed, I intend to consult the appropriate ethics officials at the Department of Justice about any investigation that could potentially implicate any conflicts of interests or other ethics concerns, as necessary, and to take all necessary steps to resolve any such conflicts that may arise including, if necessary, recusal.

In a 2022 interview, you stated, "I agree with a lot of what that movement says." The movement you were referring to is the QAnon movement.

44. Please describe what parts of the QAnon movement you agree with.

RESPONSE: This language is taken out of context and does not accurately represent my prior statements or positions regarding QAnon, including that it omits that I am not familiar with the reported tenets of QAnon, I have repeatedly disagreed with much of what QAnon reportedly advocates for, and I do not support or promote QAnon.

45. Please describe your relationship with Laura Loomer.

RESPONSE: I understand that Ms. Loomer attended one of my book events, at which time I took a photo with her.

Questions for the Record
Sen. Adam Schiff (CA)

1. As permitted under Rule 6(e) of the Federal Rules of Criminal Procedure, please explain in writing in specific detail the substance of what you testified to before the grand jury investigating President Trump’s retention of classified documents after leaving office.

RESPONSE: That testimony is subject to a seal order, and litigation is ongoing over the release of Jack Smith’s report regarding classified documents. I do not believe I have unilateral authority to authorize release of or share any underlying testimony.

2. During your confirmation hearing on January 30, 2025, in response to questions from Senator Booker, you responded: “Get my grand jury testimony.” You also testified that you asked the Department of Justice to make your testimony public.

a. Please confirm in writing that you have submitted a formal request to the Department of Justice (DOJ) that it take all necessary steps to release your grand jury testimony in full and without redactions to Members of the Senate Judiciary Committee *prior* to the Senate Judiciary Committee’s vote on your nomination, so that the Committee can review your testimony *prior* to the vote.

RESPONSE: Please see my response to Question 1 above.

3. Please confirm that you have submitted a formal request to the Department of Justice that it release any and all portions of Volume Two of the “Final Report of the Special Counsel’s Investigations and Prosecutions,” submitted by Special Counsel Jack Smith to the Attorney General on January 7, 2025, that refer or pertain to you or your actions to the Senate Judiciary Committee *prior* to the Committee’s vote on your nomination, so that the Committee can review this information *prior* to the vote.

RESPONSE: Please see my response to Question 1 above.

4. The position of Director of the Federal Bureau of Investigation is designed by law to be nonpartisan and apolitical. Prior FBI Directors have publicly committed in confirmation testimony before the Senate Judiciary Committee to always act free of political or partisan motive and resist requests or pressure from the President or others. Yet, in your book, “Government Gangsters,” you have written that “when the president asks you do something, you accept.”

a. Before or since the inauguration, has President Trump or any another official at the White House ever asked, suggested, or implied that you, the FBI, or DOJ should open or undertake a review or an investigation of anyone?

RESPONSE: No, not that I recall. President Trump would not do that.

b. Before or since the inauguration, has President Trump or any other official at the White House ever asked, suggested, or implied that you should open or undertake a review or an investigation of anyone on your list, titled “Members of the Executive Branch Deep State,” in your book “Government Gangsters”?

RESPONSE: No, not that I recall. President Trump would not do that.

c. Have you ever had a conversation with anyone at DOJ or the FBI about investigations involving or related to President Trump or his associates?

RESPONSE: As this committee is aware, I was a witness in a case involving President Trump.

d. Have you ever had a conversation with anyone at DOJ or the FBI about investigations involving or related to Special Counsel Smith’s investigation?

RESPONSE: Please see my answer to 4.c.

e. Are you aware of anyone at the White House having conversations with current DOJ officials, including in U.S. Attorneys Offices, about investigations involving or related to President Trump?

RESPONSE: I am not.

f. Are you aware of anyone at the White House having conversations with current DOJ officials, including in U.S. Attorneys Offices, about investigations involving or related to Special Counsel Smith’s investigation?

RESPONSE: I am not.

g. Do you agree it would be improper for the President or the White House to direct, task, or otherwise provide input on whether the FBI or DOJ should initiate or undertake a review of activities by current or former U.S. government officials or other private citizens?

RESPONSE: This is a hypothetical question, and one I have no reason to believe would actually occur. In the event it was necessary to consider the situation posed in this hypothetical, I would uphold the oath every FBI Director takes to support and defend the Constitution. Any investigative activity started or ended by the FBI would only occur if properly justified by the facts and the law.

h. Do you agree it would be improper for the President or the White House to direct, task, or otherwise provide input on whether the FBI or DOJ should initiate or undertake an investigation of current or former U.S. government officials or other private citizens?

RESPONSE: This is a hypothetical question, and one I have no reason to believe would actually occur. In the event it was necessary to consider the situation posed in this hypothetical, I would uphold the oath every FBI Director takes to support and defend the Constitution. Any investigative activity started or ended by the FBI would only occur if properly justified by the facts and the law.

i. Do you agree it would be improper for the White House to direct, task, or otherwise provide input on whether the FBI or DOJ should pursue criminal charges against current or former U.S. government officials or other private citizens?

RESPONSE: Please see my response to question 4.h.

j. Please guarantee in writing to this Committee that any and all investigative decisions taken by the FBI during your tenure as FBI Director, if confirmed by the Senate, will be free from any political, partisan, financial, or personal motive, including your own?

RESPONSE: If confirmed, I will uphold the oath every FBI Director takes to support and defend the Constitution. Any investigative activity started or ended by the FBI would only occur if properly justified by the facts and the law.

k. Please guarantee in writing to this Committee that any and all investigative decisions taken by the FBI during your tenure as FBI Director, if confirmed by the Senate, will not be informed in any way by the desires or direction of President Trump, the White House, or any associates of President Trump.

RESPONSE: Please see my answer to question 4.j.

l. Would you resign as FBI Director if asked or directed by the Department of Justice, the White House, or the President to take any actions that are unlawful or unconstitutional?

RESPONSE: This is a hypothetical question, and one I have no reason to believe would actually occur. In the event it was necessary to consider the situation posed in this hypothetical, I would uphold the oath every FBI Director takes to support and defend the Constitution. Any investigative activity started or ended by the FBI would only occur if properly justified by the facts and the law.

m. Will you recuse yourself from any reviews or investigations involving or related to President Trump, his family, or business activity tied to President Trump or his family?

RESPONSE: If confirmed, I will consult the appropriate ethics officials and make decisions regarding my recusal from any matter based on the particular facts and applicable law and rules.

n. Will you consult with and follow the advice of career DOJ or FBI ethics officials regarding whether to recuse yourself from any FBI activities or investigations, including any involving or relating to President Trump or his family?

RESPONSE: Please see my response to Question 4.m. above.

o. Please confirm in writing that you will inform the Senate Judiciary Committee of any and all recusal decisions you make.

RESPONSE: I cannot make any commitments regarding the disclosure of hypothetical recusal decisions until I have had the opportunity to review the FBI's policies and practices regarding the issue. If confirmed, I will act as appropriate and in accordance with the relevant policies and practices.

5. On July 21, 2021, Attorney General Garland issued a memorandum on the "Department of Justice Communications with the White House," more commonly referred to as the White House Contacts policy. Will you abide by the restrictions in this memorandum?

RESPONSE: If confirmed, I will abide by the restrictions in the Attorney General memo currently in force governing communications with the White House.

6. You worked as a Trial Attorney at the DOJ National Security Division's Counter Terrorism Section from 2014 to 2017. You understand the important role the Department plays in countering terrorism and protecting Americans. However, in your public statements, you have repeatedly accused the FBI of "artificially inflat[ing] data about domestic terrorism to make the problem seem much worse than it is." The number of domestic terrorist attacks and plots against government targets motivated by extreme political beliefs in the past five years is nearly triple the number of such incidents in the previous 25 years combined, according to analysis by the Center for Strategic and International Studies.

a. If confirmed as FBI Director, what steps will you take to reduce or end investigations of domestic terrorism, including actions by racially-motivated extremists?

RESPONSE: If confirmed, I will ensure that investigative activity started or ended by the FBI would only occur if properly justified by the facts and the law.

b. Would you comply by a direction by President Trump or his administration to reduce or end investigations involving domestic terrorism?

RESPONSE: Please see my response to Question 4.j.

7. Whistleblowers play a critical role in calling out waste, fraud, and abuse across government, including at the FBI.

a. If confirmed, do you commit to protecting and in no way adversely affecting the employment of FBI employees who report internal waste, fraud and abuse of authority,

including any activity that may involve you, through the proper channels to FBI management, to the DOJ Inspector General, and to Congress?

RESPONSE: Yes, if confirmed I will work to ensure the FBI protects lawful whistleblowers.

b. If confirmed, do you commit to not retaliating in any way against whistleblowers across the federal government if they disclose wrongdoing by the Trump Administration, including President Trump or you, as is required by law?

RESPONSE: Please see my response to question 7.a.

c. Will you cooperate with efforts at the Justice Department and in Congress to improve laws and policies regarding FBI whistleblowers to make sure they have stronger legal protections?

RESPONSE: Whistleblowers play an important role within the Federal Bureau of Investigation, the federal government, and the public. By coming forward with evidence of waste, fraud, abuse, and misconduct, whistleblowers improve government operations and strengthen the public's trust in our institutions. While I cannot commit at this time to support any particular piece of legislation, if confirmed and called upon to provide my position, I will do so after careful consultation with appropriate officials at the FBI.

8. You have called for “get[ting] the FBI the hell out of Washington,” “dramatically limit[ing] and refocus[ing] the scope of the FBI’s authority,” and the Bureau that you have been nominated to lead “utterly corrupt.” Stewart Rhodes, the recently pardoned founder of the far-right militia group, the Oath Keepers, who was sentenced to 18 years in prison for seditious conspiracy has called for you to “get in there and clean house.”

a. Are you currently, or have you ever been, in contact with Stewart Rhodes? If so, what have you discussed?

RESPONSE: To the best of my knowledge, I have not been in contact with Stewart Rhodes.

b. Do you intend to “clean house,” as Rhodes suggests?

RESPONSE: Regardless of Mr. Rhodes’ statement, I am committed to reforming the FBI to ensure it is not politicized and returns its focus to fighting violent crime, terrorism, and drugs.

c. Will you recuse yourself from any investigations involving the Oath Keepers?

RESPONSE: I am unaware of any basis to recuse myself from investigations involving Oath Keepers, but as a general matter I will consult with FBI ethics officials as

appropriate to determine the circumstances under which my recusal would be appropriate.

d. Do you plan to limit and refocus the scope of the FBI's authority in any way? If so, how?

RESPONSE: The FBI's authority is established by law. It is Congress's place to change its scope, not the Director's.

9. It has been reported that you provided financial support to witnesses who testified before the Republican-led House Select Subcommittee on the Weaponization of the Federal Government. Garret O'Boyle and Stephen Friend, two former FBI officials, testified before the Committee that the Department of Justice was "corrupt" and being weaponized against President Trump, but offered little firsthand knowledge of any wrongdoing or illegal activity. Mr. O'Boyle and Mr. Friend also both testified under oath that they received financial support from you. Additionally, it's been reported that your nonprofit organization "Fight with Kash" provided "thousands of dollars" to both men.

a. Did you or your nonprofit organization make any payments to Garret O'Boyle?

RESPONSE: To the best of my knowledge, I have never personally provided financial assistance to these whistleblowers, but I understand that they received financial assistance through a nonprofit organization in which all relevant transactions have been reported as required by governing law.

b. Did you or your nonprofit organization make any payments to Stephen Friend?

RESPONSE: To the best of my knowledge, I have never personally provided financial assistance to these whistleblowers, but I understand that they received financial assistance through a nonprofit organization in which all relevant transactions have been reported as required by governing law.

c. If confirmed as FBI Director, will you make payments to witnesses in congressional investigations?

RESPONSE: No.

d. If confirmed as FBI Director, will you make payments to witnesses in federal criminal investigations?

RESPONSE: No.

10. As part of our role in assessing your qualifications to serve as FBI director, we need assurance that you can be trusted to handle classified information.

a. Did you regularly handle classified information when you were a member of the executive branch and a staffer on the House Intelligence Committee?

RESPONSE: Yes

b. During your time holding a security clearance, are you confident that you always handled classified information appropriately?

RESPONSE: Yes.

c. During your time holding a security clearance, did you ever take classified information home with you?

RESPONSE: During my time holding a security clearance, I handled classified information according to the applicable handling and storage requirements.

d. During your time as an official in the prior Trump administration, were you aware of any instances of executive branch officials disclosing information that was marked classified to the press or others not authorized to receive such information?

RESPONSE: During my time as an official in the prior Trump administration, I was not aware of instances of executive branch officials engaging in authorized disclosures of classified information.

i. Did you ever authorize an individual to disclose classified information to the press?

RESPONSE: No.

ii. Did you ever claim to have granted authority to another to disclose classified information while you were a Trump official?

RESPONSE: I do not recall making such a claim.

iii. Did you ever disclose to the press or public, or authorize another to disclose to the press or public, information which at any point had been deemed classified by the Director of National Intelligence (DNI), the FBI Director, or any other agency with original classification authority without first receiving authorization?

RESPONSE: I did not engage in or direct any unauthorized disclosure of classified information.

iv. Were you ever the subject of a criminal investigation involving the improper disclosure of classified information?

RESPONSE: To the best of my knowledge, I was never the subject of a criminal investigation involving the improper disclosure of classified information.

v. Were you ever a witness in a criminal investigation involving the improper disclosure of classified information?

RESPONSE: I appeared before the grand jury in the Mar-a-Lago documents case.

11. It has been reported that senior career officials across DOJ have been reassigned or fired since President Trump's inauguration. More than a dozen officials who worked on the special counsel team that investigated Donald Trump in two separate criminal cases were [fired](#) by acting attorney general James McHenry. Within the FBI, senior leaders were [ordered](#) to retire, resign or be fired by February 3, 2025.

a. Were you aware of these personnel moves before they occurred?

RESPONSE: Not that I recall.

b. Were you consulted by anyone at the White House, DOJ, or the FBI about any of these personnel decisions?

RESPONSE: Not that I recall.

c. Have you had any communications with the White House, DOJ, or the FBI about these or other personnel moves at the FBI?

RESPONSE: Not that I recall.

d. Are you aware of who made these personnel decisions involving DOJ officials?

RESPONSE: As the first part of this question states, the public reporting is that the decisions referenced in this question were made by Acting Attorney General James McHenry. I am aware only of what has been publicly reported on this matter.

e. In your view, is it appropriate to reassign career officials because they, or their teams, played some role in the matters related to Special Counsel Jack Smith's cases against President Trump?

RESPONSE: Personnel decisions should be based on performance and adherence to the law. If I'm confirmed, every FBI employee will be held to the absolute same standard, and no one will be terminated for case assignments.

f. Do you commit to protecting from political retribution any FBI official who was involved with the Smith cases?

RESPONSE: As I stated in the hearing before this Committee, if I'm confirmed, all FBI employees will be protected from political retribution.

g. Will you commit to allowing the current EADs to complete their rotations?

RESPONSE: It would be inappropriate for me to commit to any particular personnel decisions before having the opportunity to review the current needs of the Bureau as the Director, if confirmed.

h. It is likely that these moves are improper and inconsistent with the FBI policy and civil service protections. If confirmed, do you commit to investigate who directed these reassignments?

RESPONSE: If confirmed, I will review all personnel decisions to ensure that those decisions were appropriate and in compliance with the law.

i. Do you commit to disclose to this Committee information regarding who directed these personnel decisions and why?

RESPONSE: I commit to appropriately respond to all oversight requests from this Committee.

ii. Do you commit to hold accountable the individuals who directed and enabled these personnel decisions?

RESPONSE: If I'm confirmed, all FBI employees will be held to the same standards. Any FBI employee who acts inappropriately will be held accountable to those standards.

i. Will you commit to select a current senior career FBI official to serve as the Deputy Director?

RESPONSE: It would be inappropriate for me to commit to any particular personnel decisions before having the opportunity to review the current needs of the Bureau as the Director, if confirmed. I look forward to the opportunity to review current senior career FBI officials for this role.

12. Former Secretary of Defense Mark Esper has written in stark detail about how you misled senior Trump Administration officials during a critical rescue operation on October 30, 2020, while you were serving as Chief of Staff to Acting Secretary of Defense Christopher Miller. Special forces were positioned to rescue American Philip Walton in Niger in West Africa, after he was abducted near the border with Nigeria just days before. Secretary Esper writes:

“I received word from my Policy shop that ‘the airspace issues are resolved; we have the clearances.’ Kash Patel at the NSC reportedly told Tony Tata, the retired

Army general who was the acting principal deputy undersecretary for policy, that Pompeo ‘got the airspace cleared.’”

Secretary Esper continues:

“Apparently, what Patel reported to Tata was wrong. Pompeo had not secured the clearances. Rather, State was still working the phones to get the proper approval. By the time Mike and I spoke an hour later, he still didn’t have the okay from the remaining country. He also didn’t know where Patel received this information. Pompeo never spoke with him.”

At the last possible moment, the State Department was able to secure the overflight rights and Philip Walton was rescued successfully. I have also read your account of this event in your book, “Government Gangsters,” in which you largely claim credit for the success of the operation and say that any delay was simply because “Esper swooped in and sent word through his channels that the operation was a no-go.”

a. Did you convey to Mr. Tata on October 30, 2020, that Nigeria had granted airspace clearance to the U.S. military prior to the rescue mission?

RESPONSE: As I noted in my testimony, both the National Security Advisor O’Brien and Undersecretary of Defense Tata have stated that I acted appropriately, relayed information provided to me, and never jeopardized the safety of the hostages in this mission.

b. Had Nigeria, in fact, granted that airspace clearance to the State Department when you conveyed the approval to DOD?

RESPONSE: Please see my response to Question 12.a. above.

c. How do you explain the stark discrepancy between Secretary Esper’s account of the events of this mission and yours?

RESPONSE: Secretary Esper was mistaken.

13. Have you ever received shares or other financial gifts or compensation from Trump Media and Technology Group (DJT) or other companies tied to President Trump or his family members?

RESPONSE: As part of my confirmation process, I have worked with officials from the Department of Justice and the Office of Government Ethics to prevent any conflicts of interests and items that might give rise to the appearance of a conflict of interest during my tenure, should I be confirmed. As part of that process, I provided itemized lists of assets and sources of income in my OGE Form 278e. I respectfully incorporate that form here by reference and refer to in answer to this question. I also consented to an ethics agreement, agreed to resign from positions, and agreed to divest a number of assets where legally and ethically necessary or appropriate. I

have never received compensation for serving as a board member for Trump Media and Technology Group. On January 28, 2025, the TMTG board convened without my presence or participation and awarded all board members—including myself—compensation for past services provided, including a monetary award and shares. Even though this represented compensation for past services I had provided, out of an abundance of caution and to avoid any appearance of any conflict, I did not and will not accept that compensation.

a. If so, how much were shares worth in U.S. dollars at the time of receipt, and how much are they worth upon completing this QFR?

RESPONSE: I have never accepted compensation for serving as a board member for Trump Media and Technology Group.

b. When specifically did you receive the most recent shares or other financial gift or compensation from Trump Media and Technology Group (DJT) or other companies tied to President Trump or his family members?

RESPONSE: Please see my response to Question 13.a.

c. Did you speak to President Trump, any other members of his family, or any persons associated with Trump Media and Technology Group (DJT) prior to receiving your most recent receipt of shares or other financial compensation from Trump Media and Technology Group (DJT) or other companies tied to President Trump or his family members?

RESPONSE: Please see my response to Question 13.a.

d. Given the appearance of impropriety of receiving any financial gift or compensation, including in the form of shares, from a company associated with President Trump or his family, will you return these shares immediately prior to the Committee's vote on your confirmation?

RESPONSE: Please see my response to Question 13.a.

e. Will you step down as from the Board of Directors of Trump Media and Technology Group if confirmed as FBI Director?

RESPONSE: Yes.

14. Machinegun conversion devices (MCDs) are—in general—illegal to use, own, and sell under 26 U.S.C. § 5845(b). In addition, to date, 23 states and Washington DC also have laws that prohibit or otherwise regulate MCDs, including Florida. Notwithstanding these prohibitions and regulations, law enforcement has, in recent years, recovered more and more MCDs than ever before. ATF recovered more than 5,450 MCDs between 2017 and 2021 compared to just 814 MCDs between 2012 and 2016—a 570% increase. In the last five years, ATF has recovered more than 31,000 MCDs.

a. Please describe your familiarity and/or experience with MCDs.

RESPONSE: I am generally familiar with MCDs and so-called Glock switches.

b. Do you agree that MCDs constitute a threat to public safety?

RESPONSE: Any unlawful use of a weapon directed at a person constitutes a threat to public safety.

i. If so, please describe the steps the FBI will take under your leadership, if confirmed, to address this threat, and how the FBI will support ongoing federal, state and local law enforcement efforts to do the same.

RESPONSE: If I am confirmed, I will work to ensure that the FBI fully and fairly enforces federal firearms laws, consistent with the protections of the Second Amendment. I will also work to ensure that the FBI partners with state and local law enforcement to address public safety threats, again consistent with the protections of the Second Amendment.

ii. If not, please explain why not.

RESPONSE: Please see my response to Question 14.b.i. above.

15. Between 2016 and 2023, Federal Firearms Licensees (FFLs) reported 72,776 lost firearms in 9,464 incidents. Over 20,000 of those firearms went missing in 2022 and 2023 alone. FFLs also reported 46,072 firearms stolen in 7,140 incidents between 2017 and 2023. Over 11,700 of those firearms were stolen in 2022 and 2023.

a. Please state your familiarity and/or experience with FFL losses and thefts.

RESPONSE: I have not studied the issue of FFL losses and thefts.

b. Do you agree that FFL losses and thefts constitute a risk to public safety?

RESPONSE: Yes.

i. If so, please describe the steps the FBI will take under your leadership, if confirmed, to address this threat, and how the FBI will support ongoing federal, state, and local law enforcement efforts to do the same.

RESPONSE: If I am confirmed, I will work to ensure that the FBI fully and fairly enforces applicable federal laws and regulations relating to firearm theft. I will also work to ensure that the FBI partners with state and local law enforcement to address FFL losses and thefts, consistent with state and local laws and the protections of the Second Amendment.

ii. If not, please explain why not.

RESPONSE: Please see my response to Question 15.b.i. above.