

[James B. Comey. (Sep. 15, 2012). Testimony, Senate Judiciary Committee, 113th Congress. U.S. Senate.]

FBI nominee reports net worth tops \$11 million



Washington(CNN) – FBI nominee James Comey reported a net worth of more than \$11 million in documents filed with the Senate committee due to weigh his confirmation on Tuesday.

Comey also reported to the Judiciary Committee that he will get a profit-sharing payout of more than \$3 million from the hedge fund, Bridgewater Associates, if confirmed.

He was the firm's general counsel from September 2010 to this past January.

Comey and his wife, Patrice, listed about \$5 million in stocks. Their investments include a Schwab government money fund, Exxon Mobil, Pepsico, Berkshire Hathaway, Verizon Communications, Proctor & Gamble Co. and Hormel Foods.

The couple also said that they own a home worth around \$3 million in Westport, Connecticut.

Comey has spent the bulk of his career as a federal prosecutor and was deputy attorney general in the George W. Bush administration.

In addition to Bridgewater, he was general counsel at defense giant Lockheed Martin for five years.

Comey also reported charitable work.

He and his wife are licensed foster care parents in Connecticut. In late 2011, Comey said he and his wife

took in "a newborn boy born prematurely with cocaine in his blood stream and cared for him for six months until he could be placed with a foster-adoptive mother."

The Comeys also donated money to create a foundation to help children who age out of the foster care system but are not ready to make it on their own.

Comey, James B

- [Employment History](#)



Columbia University

Bio

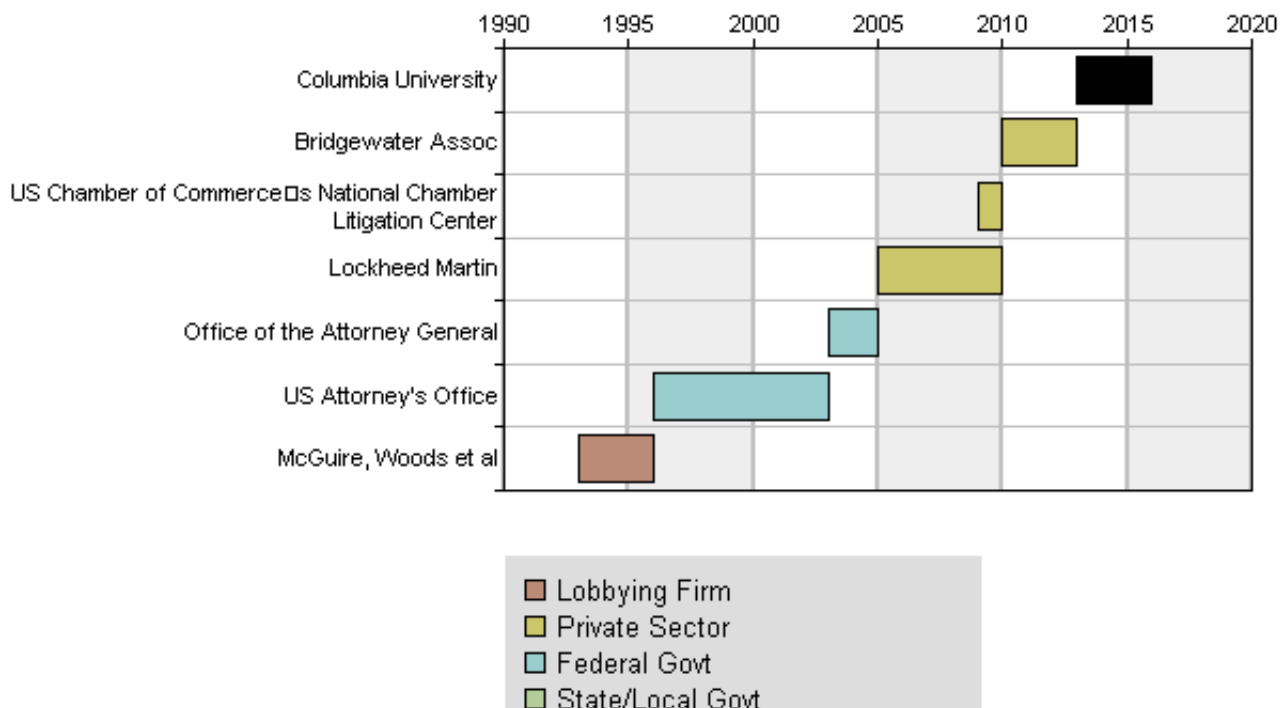
It will likely be a round trip through the revolving door for [James B. Comey](#), reportedly President Obama's [choice](#) to be the next FBI director. He would replace Robert Mueller, who has occupied the post for 12 years.

Comey has a long history in the Department of Justice, but has also had several jobs in the private sector. President George W. Bush appointed him Deputy Attorney General in 2003; he served for two years that included a short stint as Acting Attorney General while John Ashcroft recovered from surgery. Among other accomplishments in his public service career, he ran a successful program to reduce the homicide rate in Richmond, Va., while in the U.S. Attorney's office there, and expedited the indictment of 14 men allegedly involved in the 1996 terrorist bombing of Khobar Towers in Saudi Arabia that killed 19 American service members. As U.S. Attorney in the Southern District of New York, he led the investigations of Martha Stewart, who was convicted of perjury in connection with an insider trading case, and Adelphia Communications founder John Rigas, who went to prison for bank fraud, wire fraud and securities fraud.

In 2005, Comey left law enforcement for the defense industry, joining money-in-politics powerhouse [Lockheed Martin](#). As senior vice president and general counsel he [earned more than \\$6 million](#) in compensation in his last full year with the company.

[+ Show More Information About Comey, James B](#)

Employment Timeline



Employment History

Period	Employer	Title	Additional Info
2013-	Columbia University Revolving Door Personnel: (10)	Senior Research Scholar, School of Law	
2010- 2013	Bridgewater Assoc Revolving Door Personnel: (1)	Counsel	
2009- 2010	US Chamber of Commerce's National Chamber Litigation Center Revolving Door Personnel: (2)	Chairman of Board of Directors	
2005- 2010	Lockheed Martin Revolving Door Personnel: (42)	Senior Vice President/General Counsel	 Client lobbying profile  Major Donor profile
2003- 2005	Office of the Attorney General Revolving Door Personnel: (113)	Deputy Attorney General	
1996- 2003	US Attorney's Office Revolving Door Personnel: (106)	US Attorney	
1993- 1996	McGuire, Woods et al Revolving Door Personnel: (12)	Partner	 Firm lobbying profile
 Lobbying Firm  Private Sector  Federal Govt.  State/Local Govt.			

For registered lobbyists, employment histories may be incomplete prior to 1998 because the Senate Office of Public Records does not make registrations and reports available electronically for those years.

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PN586 — James B. Comey Jr. — Department of Justice

113th Congress (2013-2014)

NOMINATION

Hide Overview

Confirmed on 07/29/2013.

Description

James B. Comey, Jr., of Connecticut, to be Director of the Federal Bureau of Investigation for a term of ten years, vice Robert S. Mueller, III, term expiring.

Organization

Department of Justice

Latest Action

07/29/2013 - Confirmed by the Senate by Yea-Nay Vote. 93 - 1. Record Vote Number: 188.

Date Received from President

06/21/2013

Committee

Senate Judiciary

Actions: PN586 — 113th Congress (2013-2014)

Sort by

Newest to Oldest

GO

Date	Senate Actions
07/29/2013	Confirmed by the Senate by Yea-Nay Vote. 93 - 1. Record Vote Number: 188.
07/29/2013	Cloture motion withdrawn by unanimous consent in Senate.
07/29/2013	Considered by Senate.
07/25/2013	By unanimous consent agreement, debate and vote on cloture on 7/29/2013.
07/25/2013	By unanimous consent agreement, with respect to the cloture motion filed, mandatory quorum waived under Rule 22.
07/25/2013	Cloture motion presented in Senate.
07/18/2013	Placed on Senate Executive Calendar. Calendar No. 208.
07/18/2013	Reported by Senator Leahy, Committee on the Judiciary, without printed report.
07/18/2013	Committee on the Judiciary. Ordered to be reported favorably.
07/09/2013	Committee on the Judiciary. Hearings held.
06/21/2013	Received in the Senate and referred to the Committee on the Judiciary.



Department of Justice

**STATEMENT OF
JAMES B. COMEY
DIRECTOR
FEDERAL BUREAU OF INVESTIGATION**

**BEFORE THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE**

**FOR A HEARING REGARDING
OVERSIGHT OF THE FEDERAL BUREAU OF INVESTIGATION**

**PRESENTED
DECEMBER 9, 2015**

The New York Times

F.B.I. Pick Could Offer Look Into World of Ray Dalio

By Steven Davidoff Solomon on June 4, 2013 5:09 pm

In the revolving door between Washington and Wall Street, President Obama's planned F.B.I. nominee, James B. Comey, will be just the latest to spin through. And it's not unusual that the financial institution where Mr. Comey, a former deputy attorney general, had worked was a hedge fund — you may recall that Lawrence H. Summers, the former Treasury secretary, had a short spell at D. E. Shaw, making millions.

What may raise some eyebrows is the hedge fund itself: Bridgewater Associates, the largest hedge fund in the world, with some \$120 billion in assets under management.

The first thing that's remarkable is Bridgewater's success. Since its founding by Ray Dalio in 1975, it has reaped huge returns. Mr. Dalio was the second-highest-paid hedge fund manager last year, making \$1.7 billion despite his fund's so-so performance, and Forbes estimates his net worth at \$12.5 billion. Mr. Dalio, however, is known as much for the work culture he creates as the money he mints. He has written a 123-page manifesto titled "Principles" that is at the center of the distinct philosophy being "lived out" at the fund.

It's easy to poke fun at the 210 principles as a latter-day model of EST or another 1970s personal discovery group. Take for example the notation in Principle 18 of "pain + reflection = progress," the Christian-like maxim in Principle 122 to "teach your people to fish rather than give them fish" and the

last principle, which lets you know something your mother told you: “Don’t try to please everyone.”

Deal Professor

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It is phrases like these that led a writer for New York magazine to describe the principles as “written in a digressive, self-serious style that reads as if Ayn Rand and Deepak Chopra had collaborated on a line of fortune cookies.”

It’s not all about personal attitude. Some of the principles express the harsh type of Darwinian capitalism that financiers tend to love. Principle 131 states that “when people are ‘without a box,’ consider whether there is an open box at Bridgewater that would be a better fit. If not, fire them.”

I’m not really sure what the box is, but I think the principle is saying if you don’t fit inside it, you’re gone.

And of course, because the principles are about being a better person, there is some type of system intended to make you not just improve your life but make you a better employee of Bridgewater. Principle 166, “design your machine to achieve your goals,” sets up a number of objectives for running your life to produce maximum outcomes.

All of this would be sort of comedic except that they are lived out at Bridgewater. And all of the principles are subsumed to a fundamental “truth.” Bridgewater employees are supposed to live in a world of “radical honesty,” a concept that has raised controversy and something that most of us don’t even live out in our homes let alone in the workplace. Employees are encouraged to express their opinions and ideas without bar, criticize what they see as employee failings and search for ultimate truth. Meetings and phone conversations are recorded even at the highest level to make sure that there is a record and no dispute of what is said. And no one is allowed to talk behind the back of another. For those who want a taste, videos are made by young, bright-faced, mostly white employees about how Bridgewater changed their

lives.

In an article about the hedge fund, Institutional Investor's Alpha magazine stated that according to former employees at Bridgewater, "the focus is on an individual's flaws and mistakes rather than a balance between positives and negatives" and that constant criticism can hurt. Alpha wrote that one employee said that "what [Dalio] doesn't understand is that if you kick a dog enough ... [the dog] curls up and just whimpers. And he kicks pretty hard."

Because of all of this, The Daily Beast has called it the weirdest hedge fund out there, detailing how Harvard grads were running over themselves to work there, participating in the mock debates that Bridgewater uses to interview prospective employees. Because this is Bridgewater, these debates don't cover finance but rather topics like abortion.

When I asked Bridgewater to comment on its culture and Mr. Comey's tenure at the firm, I was referred to those videos online. Mr. Dalio also commented that "President Obama could not have picked a man with greater integrity or a stronger moral beacon than Jim Comey."

So, what was a prominent Justice Department lawyer and potential top G-man doing in a place like this?

First, for whatever reason, Mr. Dalio's philosophy works. Bridgewater makes real money, regularly making macroeconomic bets that beat the stock market for its clients, including many of the nation's pension funds. And this system is intended to solidify and keep together 1,300 people at Bridgewater headquarters in Westport, Conn.

On Wall Street, people don't mock money. They worship it. So, Mr. Dalio is often hailed as a genius. The New Yorker, in a glowing profile, doubted whether Bridgewater was a cult, saying no one was there against their will. So, maybe the rest of us are living a world of nonsense and Mr. Dalio is right.

The probable next director of the Federal Bureau of Investigation was part of this mind-set for about three years, from 2010 to 2013. Before that, Mr. Comey was general counsel at Lockheed Martin. There, he got decently rich, making \$6.1 million in 2009 alone.

He left to become Bridgewater's general counsel in charge of the legal, compliance and security departments. Presumably, it was for the money — when Mr. Comey discloses his Bridgewater earnings, it will almost certainly be a sum greater, perhaps far greater, than \$6 million a year.

But did he buy into the Bridgewater culture? Or was it all about the money?

If it is all about the money and Mr. Comey didn't believe in the firm or the culture, then this is perhaps a sad commentary on what people are willing to do not just to be rich, but to be superrich. Mr. Comey could have been quite comfortable in his previous job, yet he wanted more.

Or maybe not. Maybe the Bridgewater way is the way of the future and Mr. Comey bought into this belief when he was there. In the New Yorker profile, Mr. Comey was quoted as saying, "The mind control is working. I've come to believe that all the probing actually reduces inefficiencies over the long run, because it prevents bad decisions from being made." Perhaps the F.B.I. is about to experience what "radical honesty" means for government, as well as what it means to fire people who don't fit in.

Mr. Comey's reasons for going to Bridgewater and what he thought of the culture there are only speculation at this point. If he is nominated, though, Mr. Comey may want to go before the Senate and let the public know what he thinks of the hedge fund and why he worked there.

Steven Davidoff Solomon, a professor of law at the University of California, Berkeley, is the author of "Gods at War: Shotgun Takeovers, Government by Deal and the Private Equity Implosion."

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A version of this article appears in print on 06/05/2013, on page B11 of the NewYork edition with the headline: F.B.I. Pick Could Offer Look Into World of Ray Dalio.

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James B. Comey
Director
Federal Bureau of Investigation
Statement before the Senate Judiciary Committee
Washington, D.C.
December 9, 2015

Good morning Chairman Grassley, Ranking Member Leahy, and members of the committee. Thank you for this opportunity to discuss the FBI's programs and priorities for the coming year. On behalf of the men and women of the FBI, let me begin by thanking you for your ongoing support of the Bureau. We pledge to be the best possible stewards of the authorities and the funding you have provided for us, and to use them to maximum effect to carry out our mission.

Today's FBI is a threat-focused, intelligence-driven organization. Each FBI employee understands that to defeat the key threats facing our nation, we must constantly strive to be more efficient and more effective. Just as our adversaries continue to evolve, so, too, must the FBI. We live in a time of acute and persistent terrorist and criminal threats to our national security, our economy, and our communities. These diverse threats underscore the complexity and breadth of the FBI's mission.

Last week's tragic events in San Bernardino demonstrate these challenges. The FBI is leading a federal terrorism investigation that is on-going, wide-ranging and very complex. We continue to work closely with our federal, state and local partners as well as our foreign counterparts to review and analyze evidence to develop an understanding of the motives of the individuals involved. We are encouraging the public to channel understandable concern into an awareness and willingness to alert authorities to suspicious activities.

We remain focused on defending the United States against terrorism, foreign intelligence, and cyber threats; upholding and enforcing the criminal laws of the United States; protecting privacy, civil rights and civil liberties; and providing leadership and criminal justice services to federal, state, tribal, municipal, and international agencies and partners. Our continued ability to carry out this demanding mission reflects the support and oversight provided by this committee.

National Security

Counterterrorism

Counterterrorism remains the FBI's top priority. As we saw in Paris last month, the attack was not just an attack on Paris or the people of France – it was an attack on all of humanity and the universal values that we share. We are committed to doing everything within our power to assist our French law enforcement colleagues in bringing those responsible for this monstrous crime to justice.

The terrorist threat has changed in two significant ways. First, the core al Qaeda tumor has been reduced, but the cancer has metastasized. The progeny of al Qaeda—including AQAP, al Qaeda in the Islamic Maghreb, and the Islamic State of Iraq and the Levant (ISIL)—have become our focus. Second, we are confronting the explosion of terrorist propaganda and training on the Internet. It is no longer necessary to get a terrorist operative into the United States to recruit. Terrorists, in ungoverned spaces, disseminate poisonous propaganda and training materials to attract troubled souls around the world to their cause. They encourage these individuals to travel, but if they cannot travel, they motivate them to act at home. This is a significant change from a decade ago.

We continue to identify individuals who seek to join the ranks of foreign fighters traveling in support of ISIL, and also homegrown violent extremists who may aspire to attack the United States from within. These threats remain among the highest priorities for the FBI and the Intelligence Community as a whole.

Conflicts in Syria and Iraq continue to serve as the most attractive overseas theaters for Western-based extremists who want to engage in violence. We estimate approximately 250 Americans have traveled or attempted to travel to Syria to participate in the conflict. While this number is lower in comparison to many of our international partners, we closely analyze and assess the influence groups like ISIL have on persons located in the United States who are inspired to commit acts of violence. Whether or not the individuals are affiliated with a foreign terrorist organization and are willing to travel abroad to fight or are inspired by the call to arms to act in their communities, they potentially pose a significant threat to the safety of the United States and our citizens.

ISIL has proven relentless in its violent campaign to rule and has aggressively promoted its hateful message, attracting like-minded extremists to include Westerners. To an even greater degree than al Qaeda or other foreign terrorist organizations, ISIL has persistently used the Internet to communicate, and its widespread reach through the Internet and social media is most concerning. ISIL blends traditional media platforms, glossy photos, in-depth articles, and social media campaigns that can go viral in a matter of seconds. No matter the format, the message of radicalization spreads faster than we imagined just a few years ago.

Unlike other groups, ISIL has constructed a narrative that touches on all facets of life—from career opportunities to family life to a sense of community. The message isn't tailored solely to those who are overtly expressing symptoms of radicalization. It is also seen by many who click through the Internet every day, receive social media push notifications, and participate in social networks. Ultimately, many of these individuals are seeking a sense of belonging.

There is no set profile for the susceptible consumer of this propaganda. However, one trend continues to rise—the inspired youth. We've seen certain children and young adults being drawn deeper into the ISIL narrative. These individuals are often comfortable with virtual communication platforms, specifically social media networks.

ISIL continues to disseminate their terrorist message to all social media users—regardless of age. Following other groups, ISIL has advocated for lone offender attacks.

In recent months, ISIL released a video, via social media, reiterating the group's encouragement of lone offender attacks in Western countries, specifically calling for attacks against soldiers and law enforcement, intelligence community members, and government personnel. Several incidents in the United States and Europe over the last few months indicate this “call to arms” has resonated among ISIL supporters and sympathizers.

The targeting of American military personnel is also evident with the release of names of individuals serving in the U.S. military by ISIL supporters. The names continue to be posted to the Internet and quickly spread through social media, demonstrating ISIL's capability to produce viral messaging. Threats to U.S. military and coalition forces continue today.

Social media also helps groups such as ISIL to spot and assess potential recruits. With the widespread horizontal distribution of social media, terrorists can identify vulnerable persons of all ages in the United States—spot, assess, recruit, and radicalize—either to travel or to conduct a homeland attack. The foreign terrorist now has direct access into the United States like never before.

The FBI is using all lawful investigative techniques and methods to combat these terrorist threats to the United States. Along with our domestic and foreign partners, we are collecting and analyzing intelligence about the ongoing threat posed by foreign terrorist organizations and homegrown violent extremists. We continue to encourage information sharing; in partnership with our many federal, state, local, and tribal agencies assigned to Joint Terrorism Task Forces around the country, we remain vigilant to ensure the safety of the American public. Be assured, the FBI continues to strive to work and share information more efficiently, and to pursue technological and other methods to help stay ahead of threats to the homeland.

Going Dark

While some of the contacts between groups like ISIL and potential recruits occur in publicly accessible social networking sites, others take place via encrypted private messaging platforms. This real and growing gap, which the FBI refers to as “Going Dark,” is an area of continuing focus for the FBI; we believe it must be addressed, since the resulting risks are grave both in both traditional criminal matters as well as in national security matters.

The United States government is actively engaged with private companies to ensure they understand the public safety and national security risks that result from malicious actors' use of their encrypted products and services. Though the Administration has decided not to seek a legislative remedy at this time, we will continue the productive conversations we are having with private industry, State, local, and tribal law

enforcement, our foreign partners, and the American people. The FBI thanks the committee members for their engagement on this crucial issue.

Intelligence

Integrating intelligence and operations is part of the broader intelligence transformation the FBI has undertaken in the last decade. We are making progress, but have more work to do. We have taken steps to improve this integration. First, we have established an Intelligence Branch within the FBI headed by an executive assistant director (EAD). The EAD looks across the entire enterprise and drives integration. Second, we now have special agents and intelligence analysts at the FBI Academy engaged in practical training exercises and taking core exercises together. As a result, they are better prepared to work well together in the field. Third, we've made it a priority to focus on intelligence integration training for all levels of the workforce to ensure they have the tools needed to implement, manage, and maintain successful integration of intelligence and operations. Our goal every day is to get better at using, collecting, and sharing intelligence to better understand and defeat our adversaries.

The FBI cannot be content to just work the matters directly in front of us. We must also look beyond the horizon to understand the threats we face at home and abroad and how those threats may be connected. Toward that end, we gather intelligence, consistent with our authorities, to help us understand and prioritize identified threats, and to reveal the gaps in what we know about these threats. We then seek to fill those gaps and learn as much as we can about the threats we are addressing and others on the threat landscape. We do this for national security and criminal threats, on both a national and local field office level. We then compare the national and local perspectives to organize threats into priorities for each of the FBI's 56 field offices. By categorizing threats in this way, we strive to place the greatest focus on the gravest threats we face. This gives us a better assessment of what the dangers are, what's being done about them, and where we should prioritize our resources.

The FBI intelligence program's most important asset is its workforce, and we are dedicated to expanding developmental and leadership opportunities for our analysts while fulfilling the FBI's mission needs. We recently added seven senior supervisory intelligence analyst (SSIA) positions in various offices around the country to provide additional leadership opportunities for our analyst cadre and enhance our management of field intelligence work. As SSIA, GS-15 analysts manage intelligence in the field, fulfilling a role that has traditionally been performed by an agent and demonstrating we are promoting effective integration throughout the organization.

We are also redesigning the training curriculum for another part of the intelligence program workforce—staff operations specialists (SOSs)—to aid in their performance of tactical functions in the field. In addition, a new development model clearly identifies SOS work responsibilities, tasks, training, and opportunities at the basic, intermediate, and advanced levels to guide the professional growth of SOSs across the organization at all points throughout their FBI careers.

Similarly, our language workforce continues to make important contributions to the mission. Our language professionals have recently supported numerous important investigations and operations, including Malaysia Airlines Flight 17 last summer, numerous ISIL-related investigations, the disruption of a nuclear threat in Moldova, and so many others. The National Virtual Translation Center (NVTC) also continues to provide excellent service, supporting hundreds of government offices each year. In September 2014, in recognition of the center's work providing timely, accurate, and cost-effective translation capabilities, Director of National Intelligence Clapper designated NVTC as a service of common concern to provide translation services to the Intelligence Community.

Counterintelligence

We still confront traditional espionage—spies posing as diplomats or ordinary citizens. But espionage also has evolved. Spies today are often students, researchers, or businesspeople operating front companies. And they seek not only state secrets, but trade secrets, intellectual property, and insider information from the federal government, U.S. corporations, and American universities. Foreign intelligence entities continue to grow more creative and more sophisticated in their methods to steal innovative technology, critical research and development data, and intellectual property. Their efforts seek to erode America's leading edge in business, and pose a significant threat to our national security.

We remain focused on the growing scope of the insider threat—that is, when trusted employees and contractors use their legitimate access to information to steal secrets for the benefit of another company or country. This threat has been exacerbated in recent years as businesses have become more global and increasingly exposed to foreign intelligence organizations.

To combat this threat, the FBI's Counterintelligence Division has undertaken several initiatives. We directed the development, deployment, and operation of the Hybrid Threat Center (HTC) to support Department of Commerce Entity List investigations. The HTC is the first of its kind in the FBI; it has been well-received in the U.S. Intelligence Community, multiple FBI divisions, and the private sector.

This past year, the Counterintelligence and Cyber Divisions partnered to create the new Cyber-Counterintelligence Coordination Section. This new section will increase collaboration, coordination, and interaction between the divisions and will more effectively identify, pursue, and defeat hostile intelligence services using cyber means to penetrate or disrupt U.S. government entities or economic interests.

Finally, the Counterintelligence Division and the Office of Public Affairs collaborated to conduct a joint media campaign regarding the threat of economic espionage. As a result of this collaboration, the FBI publicly released a threat awareness video called *The Company Man: Protecting America's Secrets*. This video is available on the FBI's public website and was shown more than 1,300 times across the United States by the

Counterintelligence Division's Strategic Partnership Coordinators to raise awareness and generate referrals from the private sector.

Cyber

An element of virtually every national security threat and crime problem the FBI faces is cyber-based or facilitated. We face sophisticated cyber threats from state sponsored hackers, hackers for hire, organized cyber syndicates, and terrorists. On a daily basis, cyber-based actors seek our state secrets, our trade secrets, our technology, and our ideas—things of incredible value to all of us and of great importance to the conduct of our government business and our national security. They seek to strike our critical infrastructure and to harm our economy.

Between 2012 and 2014, FBI Cyber Division worked with DOJ counterparts to build a body of evidence against individuals associated with Chinese state sponsored cyber intrusion activity. This effort resulted in the criminal indictment of five officers of the People's Republic of China People's Liberation Army, Third Department (3PLA), in *United States v. Wang Dong, et al.* This action was the first indictment of uniformed state actors for malicious cyber activity. This investigation touched approximately 47 of the FBI's 56 field offices and also required novel approaches to the FBI's holdings so that prosecutors could extract the most powerful proof by integrating different sources of information. Including law enforcement efforts like these in our response will also have the intended effect of broadly changing the adversary's cost-benefit analysis when deciding to target American companies and other U.S. interests through cyber means. Accordingly, the United States government will have sent a clear message regarding international norms in cyber space—primarily that states should not conduct or knowingly support cyber-enabled theft of intellectual property, including trade secrets or other confidential business information, with the intent of providing competitive advantages to companies or commercial sectors— and that it considers such activities to be criminal in nature and the subject of future and long-lasting attention by law enforcement.

We continue to see an increase in the scale and scope of reporting on malicious cyber activity that can be measured by the amount of corporate data stolen or deleted, personally identifiable information compromised, or remediation costs incurred by U.S. victims. For example, as the committee is aware, the Office of Personnel Management (OPM) discovered earlier this year that a number of its systems were compromised. These systems included those that contain information related to the background investigations of current, former, and prospective federal government employees, as well as other individuals for whom a federal background investigation was conducted. The FBI is working with our interagency partners to investigate this matter.

The destructive malware attack against Sony Pictures Entertainment (SPE) in late 2014 was an unprecedented cyber event for the United States in its scope, destructiveness, and economic implications. The FBI responded to this attack with an investigation that was groundbreaking in its scope and collaboration. A joint effort by the FBI investigative team, which spanned multiple field offices and Legal Attaché offices abroad,

coordinated with private partners and other government agencies to quickly establish high confidence that the Democratic People's Republic of Korea was responsible for the attack. This assessment is based upon thousands of hours of collecting forensic evidence and conducting technical analysis. The investigative team also worked to prevent additional compromises of potential victims, stop the spread of leaked SPE data, and build trust and establish a working relationship with SPE. We published unclassified threat indicators associated with the attack for use by private sector companies attempting to defend their networks from similar adversaries, and provided classified context briefings to partners in order to better protect U.S. critical infrastructure from attack. The SPE investigation highlights the degree to which effective communication between the private sector, U.S. intelligence community, and U.S. government facilitates the government's response to and investigation of cyber incidents.

Another aspect of the cyber threat that concerns us is the so-called "dark web" or "dark market." Over the past few years, the Cyber Division infiltrated Darkode, an Internet based cyber crime underground forum where cyber criminals exchanged ideas and sold tools and services enabling cyber crime. The forum's infiltration was part of Operation Shrouded Horizon, an international investigation involving twenty countries' law enforcement agencies. In August 2015, the operation culminated in a major takedown operation that resulted in global charges, arrests, and searches of 70 Darkode members and associates; U.S. indictments against 12 individuals associated with the forum, including its administrator; the serving of several search warrants in the U.S.; and the FBI's seizure of Darkode's domain name and servers. This operation executed FBI Cyber Division's strategy to target shared services of cyber crime. It was also emblematic of FBI Cyber Division's mission to identify, pursue, and defeat cyber adversaries targeting global U.S. interests through collaborative partnerships and our unique combination of national security and law enforcement authorities.

Cyber criminals frequently alter their methods and use of technology to avoid detection by law enforcement. By way of example, Cryptolocker was sophisticated ransomware that encrypted the computer files of its victims and demanded ransom for the encryption key. In May 2014, we worked with our international partners to successfully seize the domains and backend servers used to encrypt and decrypt victim machines. However, just before we did that, a new variant came into the picture.

This new ransomware, CryptoWall, is the first to use TOR— free software available to anyone online—to host the sites where victims pay their ransom. TOR—short for The Onion Router— disguises a users' identity by moving traffic between different TOR servers across the globe—one minute the traffic may be in France, the next in Russia, the next in Mexico. TOR encrypts that traffic from server to server so it is not traced back to the user. CryptoWall infections also pay ransom with Bitcoin, rather than with traditional currency.

All this gives cyber criminals an additional layer of anonymity that makes them even more difficult to track, and it shows how easily our adversaries can step up their game to avoid detection by law enforcement. Our estimates are that there are more than 800,000 victims worldwide, with demands for ransom ranging anywhere from \$200 to

\$5,000. We're working with our partners overseas to bring down CryptoWall, just like we brought down its predecessor.

FBI agents, analysts, and computer scientists are using technical capabilities and traditional investigative techniques—such as sources, court-authorized electronic surveillance, physical surveillance, and forensics—to fight the full range of cyber threats. We are working side-by-side with our federal, state, local, and tribal partners on Cyber Task Forces in each of our 56 field offices and through the National Cyber Investigative Joint Task Force (NCIJTF), which serves as a coordination, integration, and information sharing center for 19 U.S. agencies and several key international allies for cyber threat investigations.

Through CyWatch, our 24-hour cyber command center, we combine the resources of the FBI and NCIJTF, allowing us to provide connectivity to federal cyber centers, government agencies, FBI field offices and legal attachés, and the private sector in the event of a cyber intrusion. We also work with the private sector through partnerships such as the Domestic Security Alliance Council, InfraGard, and the National Cyber Forensics and Training Alliance. And we are training our state and local counterparts to triage local cyber matters, so that we can focus on national security issues.

Weapons of Mass Destruction

The FBI, along with its U.S. government partners, is committed to countering the threat of nuclear smuggling and ensuring that terrorist groups who may seek to acquire these materials are never able to do so. The FBI and Moldovan authorities have worked closely to combat this threat for a number of years. These efforts included investigative and technical assistance, as well as capacity-building programs with our U.S. government partners, to enhance the Republic of Moldova's ability to detect, investigate, and prosecute nuclear and radiological smuggling.

In the spring of 2014, the FBI supported two joint investigations targeting WMD trafficking in Moldova. These operations targeted two separate networks that were smuggling allegedly radioactive material into Moldova; the operations resulted in arrests by Moldovan Police in December 2014 and February 2015. Depleted and natural uranium were seized in December 2014, and an unknown, liquid metal contained in an ampoule, purported to be cesium, was seized in February 2015.

Criminal

We face many criminal threats, from complex white-collar fraud in the financial, health care, and housing sectors to transnational and regional organized criminal enterprises to violent crime and public corruption. Criminal organizations—domestic and international—and individual criminal activity represent a significant threat to our security and safety in communities across the nation.

Public Corruption

Public corruption is the FBI's top criminal priority. The threat—which involves the corruption of local, state, and federally elected, appointed, or contracted officials—strikes at the heart of government, eroding public confidence and undermining the strength of our democracy. It impacts how well U.S. borders are secured and neighborhoods are protected, how verdicts are handed down in court, and how well public infrastructure such as schools and roads are built. The FBI is uniquely situated to address this threat, with our ability to conduct undercover operations, perform electronic surveillance, and run complex cases. However, partnerships are critical and we work closely with federal, state, local, and tribal authorities in pursuing these cases.

One key focus is border corruption. The federal government protects 7,000 miles of U.S. land border and 95,000 miles of shoreline. Every day, more than a million visitors enter the country through one of the 327 official Ports of Entry along the Mexican and Canadian borders, as well as through seaports and international airports. Any corruption at the border enables a wide range of illegal activities along these borders, potentially placing the entire nation at risk by letting drugs, guns, money, and weapons of mass destruction slip into the country, along with criminals, terrorists, and spies. Another focus concerns election crime. Although individual states have primary responsibility for conducting fair and impartial elections, the FBI becomes involved when paramount federal interests are affected or electoral abuse occurs.

Civil Rights

The FBI remains dedicated to protecting the cherished freedoms of all Americans. This includes aggressively investigating and working to prevent hate crime, “color of law” abuses by public officials, human trafficking and involuntary servitude, and freedom of access to clinic entrances violations—the four top priorities of our civil rights program. We also support the work and cases of our local and state partners as needed.

Crimes of hatred and prejudice—from lynchings to cross burnings to vandalism of synagogues—are a sad fact of American history. When members of a family are attacked because of the color of their skin, it's not just the family that feels violated, but every resident of that neighborhood and beyond. When a teenager is murdered because he is gay, we all feel a sense of helplessness and despair. And when innocent people are shot at random because of their religious beliefs—real or perceived—our nation is left at a loss. Stories like this are heartbreaking. They leave each one of us with a pain in our chest. According to our most recent statistics, hate crime has decreased slightly in neighborhoods across the country, but the national numbers remain sobering.

We need to do a better job of tracking and reporting hate crime and “color of law” violations to fully understand what is happening in our communities and how to stop it. There are jurisdictions that fail to report hate crime statistics. Others claim there were no hate crimes in their community—a fact that would be welcome if true. We must continue to impress upon our state and local counterparts in every jurisdiction the need to track and report hate crime and to do so accurately. It is not something we can ignore or sweep under the rug.

Health Care Fraud

We have witnessed an increase in health care fraud in recent years, including Medicare/Medicaid fraud, pharmaceutical fraud, and illegal medical billing practices. Health care spending currently makes up about 18 percent of our nation's total economy. These large sums present an attractive target for criminals. Health care fraud is not a victimless crime. Every person who pays for health care benefits, every business that pays higher insurance costs to cover their employees, and every taxpayer who funds Medicare is a victim. Schemes can also cause actual patient harm, including subjecting patients to unnecessary treatment or providing substandard services and supplies. As health care spending continues to rise, the FBI will use every tool we have to ensure our health care dollars are used appropriately and not to line the pockets of criminals.

The FBI currently has over 2,700 pending health care fraud investigations. Over 70 percent of these investigations involve all government funded programs to include Medicare, Medicaid, CHIP, VA, DoD, and other U.S. government funded programs. As part of our collaboration efforts, the FBI maintains investigative and intelligence sharing partnerships with government agencies such as other Department of Justice components, Department of Health and Human Services, the Food and Drug Administration, the Drug Enforcement Administration, State Medicaid Fraud Control Units, and other state, local, and tribal agencies. On the private side, the FBI conducts significant information sharing and coordination efforts with private insurance partners, such as the National Health Care Anti-Fraud Association, the National Insurance Crime Bureau, and private insurance investigative units. The FBI is also actively involved in the Health Care Fraud Prevention Partnership, an effort to exchange facts and information between the public and private sectors in order to reduce the prevalence of health care fraud.

Violent Crime

Violent crimes and gang activities exact a high toll on individuals and communities. Today's gangs are sophisticated and well organized; many use violence to control neighborhoods and boost their illegal money-making activities, which include robbery, drug and gun trafficking, fraud, extortion, and prostitution rings. Gangs do not limit their illegal activities to single jurisdictions or communities. The FBI is able to work across such lines, which is vital to the fight against violent crime in big cities and small towns across the nation. Every day, FBI special agents work in partnership with state, local, and tribal officers and deputies on joint task forces and individual investigations.

FBI joint task forces—Violent Crime Safe Streets, Violent Gang Safe Streets, and Safe Trails Task Forces—focus on identifying and targeting major groups operating as criminal enterprises. Much of the Bureau's criminal intelligence is derived from our state, local, and tribal law enforcement partners, who know their communities inside and out. Joint task forces benefit from FBI surveillance assets and our sources track these gangs to identify emerging trends. Through these multi-subject and multi-jurisdictional investigations, the FBI concentrates its efforts on high-level groups

engaged in patterns of racketeering. This investigative model enables us to target senior gang leadership and to develop enterprise-based prosecutions.

In support of the Department of Justice, Bureau of Justice Assistance's Violence Reduction Network, the FBI developed a comprehensive 10-point crime reduction strategy in order to "unlock" all of the technical and investigatory resources of the FBI in assisting local and state agencies. The strategy highlights key technological and investigative capabilities which the FBI can deploy to assist local agencies. These services include the following: use of the FBI forensic, technology, and computer laboratories; use and deployment of the Cellular Analysis Survey Team and tracking teams; use of Video Recovery Teams and training in digital imaging; source development and payments; media strategies and billboard displays; intelligence training and analytical assistance; victim witness coordination and community impact; homicide reduction initiative/Save our Streets Initiative; National Center for the Analysis of Violent Crime and the Behavioral Analysis Unit; and the Violent Criminal Apprehension Program (ViCap).

These services have been effectively utilized by the initial five Violence Reduction Network (VRN) cities, Camden, New Jersey; Wilmington, Delaware; Chicago, Illinois; Oakland/Richmond, California; and Detroit, Michigan. During fiscal year 2016, five additional cities are being incorporated within the VRN, specifically Compton, California; Little Rock, Arkansas; West Memphis, Arkansas; Newark, New Jersey; and Flint, Michigan.

Despite these efforts, there is something deeply disturbing happening all across America. The latest Uniform Crime Reporting statistics, *Crime in the United States, 2014*, show that the number of violent crimes in the nation decreased, but this year we are seeing an uptick of homicides in some cities. The police chiefs in these cities report that the increase is almost entirely among young men of color, at crime scenes in neighborhoods where multiple guns are recovered. There are a number of theories about what could be causing this disturbing increase in murders in our nation's cities. We simply do not know for sure.

Need for Incident-Based Crime Data

We need more and better data related to officer-involved shootings and altercations with the citizens we serve, attacks against law enforcement officers, and criminal activity of all kinds. For decades, the Uniform Crime Reporting program has used information provided by law enforcement agencies to measure crime. While knowing the number of homicides, robberies, and other crimes from any given year is useful, the data is not timely, and it does not go far enough to help us determine how and why these crimes occurred, and what we can do to prevent them.

Furthermore, demographic data regarding officer-involved shootings is not consistently reported to us through our Uniform Crime Reporting program. We in the FBI track and publish the number of "justifiable homicides" by police officers. But such reporting by police departments across the country is not mandatory, and perhaps lacks sufficient

incentive, so not all departments participate. The result is that currently we cannot fully track incidents involving use of force by police. And while the *Law Enforcement Officers Killed and Assaulted* report tracks the number of officers killed in the line of duty, we do not have a firm grasp on the numbers of officers assaulted in the line of duty. We cannot address concerns about officer-involved shootings if we do not know the circumstances surrounding such incidents.

We need to improve the way we collect and analyze data so that we see the full scope of what is happening in our communities. One way to do this is to increase participation in the National Incident-Based Reporting System (NIBRS). NIBRS includes more than mere summary statistics—the numbers of robberies or homicides across the country each year. It gives the context of each incident, giving us a more complete picture. We can use it to identify patterns and trends, and to prevent crime.

We also need a system to capture the use of force statistics on all non-fatal/fatal police officer-involved incidents. We can use this information to tell us where we may have problems, and what we need to do to improve the way we police our communities.

Unfortunately, only a little more than one third of our state, local, and tribal partners submit data to NIBRS. One of the fears of police chiefs and sheriffs across the country is that by submitting data to NIBRS, they may see an increase in statistics on criminal activity. However, an increase in statistics is not the same thing as an actual increase in crime. It means we are more accurately reporting what is happening in our communities. We hope to resolve that issue by phasing in NIBRS over the next few years, and overlapping it with the summary reporting system.

Police chiefs and sheriffs also worry about the cost of implementing a new reporting system with new software, during a time when budgets are already tight. We are working with the Department of Justice to find funding, because NIBRS is important. It is a matter of short-term pain for long-term gain.

NIBRS will not have an immediate impact, and we know that it will take more than just data or more policing or even better policing to solve our nation's crime problems. We will continue to work with our partners in law enforcement to ensure that we can implement NIBRS to get the data we need to best serve our communities.

Transnational Organized Crime

More than a decade ago, the image of organized crime was of hierarchical organizations, or families, that exerted influence over criminal activities in neighborhoods, cities, or states, but organized crime has changed dramatically. Today, international criminal enterprises run multi-national, multi-billion dollar schemes from start to finish. These criminal enterprises are flat, fluid networks with global reach. While still engaged in many of the “traditional” organized crime activities of loan-sharking, extortion, and murder, new criminal enterprises are targeting stock market fraud and manipulation, cyber-facilitated bank fraud and embezzlement, identity theft, trafficking of women and children, and other illegal activities. Preventing and combating transnational organized

crime demands a concentrated effort by the FBI and federal, state, local, tribal, and international partners. The Bureau continues to share intelligence about criminal groups with our partners and to combine resources and expertise to gain a full understanding of each group.

Crimes Against Children

The FBI remains vigilant in its efforts to eradicate predators from our communities and to keep our children safe. Ready response teams are stationed across the country to quickly respond to abductions. Investigators bring to this issue the full array of forensic tools such as DNA, trace evidence, impression evidence, and digital forensics. Through improved communications, law enforcement also has the ability to quickly share information with partners throughout the world, and these outreach programs play an integral role in prevention.

The FBI also has several programs in place to educate both parents and children about the dangers posed by predators and to recover missing and endangered children should they be taken. Through our Child Abduction Rapid Deployment Teams, Innocence Lost National Initiative, Innocent Images National Initiative, annual Operation Cross Country, Office for Victim Assistance, 71 Child Exploitation Task Forces, and numerous community outreach programs, the FBI and its partners are working to keep our children safe from harm.

Operation Cross Country, a nationwide law enforcement action focusing on underage victims of prostitution, completed its ninth iteration during the first full week of October. Over 300 operational teams from over 500 agencies across 135 cities and 53 FBI Field Offices were instrumental in recovering child victims of all races and arresting pimps and customers. Ninety victim specialists, in coordination with local law enforcement victim advocates and non-governmental organizations, provided services to child and adult victims. .

The FBI established the Child Sex Tourism Initiative to employ proactive strategies to identify U.S. citizens who travel overseas to engage in illicit sexual conduct with children. One such undercover investigation led to the conviction earlier this year of an Alaskan man who produced child pornography in Cambodia and brought it to the United States, and who helped others plan to abuse children abroad.

These strategies include a multi-disciplinary approach through partnerships with foreign law enforcement and non-governmental organizations to provide child victims with available support services. Similarly, the FBI's Innocence Lost National Initiative serves as the model for the partnership between federal, state, local, and international law enforcement partners in addressing child prostitution. Since its inception, more than 4,350 children have been located and recovered. The investigations and subsequent 1,950 convictions have resulted in lengthy sentences, including 15 life terms.

Indian Country

There are 566 federally recognized Indian tribes in the United States, with the FBI and the Bureau of Indian Affairs having concurrent jurisdiction for felony-level crimes on over 200 reservations. According to the 2010 Census, there are nearly five million people living on over 56 million acres of Indian reservations and other tribal lands. Criminal jurisdiction in these areas of our country is a complex maze of tribal, state, federal, or concurrent jurisdiction.

The FBI's Indian Country program currently has 124 special agents in 34 FBI field offices primarily working Indian Country crime matters. The number of agents, the vast territory, the egregious nature of crime being investigated, and the high frequency of the violent crime handled by these agents makes their responsibility exceedingly arduous. The FBI has 14 Safe Trails Task Forces that investigate violent crime, drug offenses, and gangs in Indian Country, and we continue to address the emerging threat from fraud and other white-collar crimes committed against tribal gaming facilities.

Sexual assault and child sexual assault are two of the FBI's investigative priorities in Indian Country. Statistics indicate that American Indians and Alaska Natives suffer violent crime at greater rates than other Americans. Approximately 75 percent of all FBI Indian Country investigations concern homicide, crimes against children, or felony assaults.

The FBI continues to work with tribes through the Tribal Law and Order Act of 2010 to help tribal governments better address the unique public safety challenges and disproportionately high rates of violence and victimization in many tribal communities. The act encourages the hiring of additional law enforcement officers for Native American lands, enhances tribal authority to prosecute and punish criminals, and provides the Bureau of Indian Affairs and tribal police officers with greater access to law enforcement databases.

Active Shooter Training

In response to the Sandy Hook school shooting, the president took steps to protect children and communities by reducing gun violence. He assigned the vice president to lead the effort with a focus on schools, institutions of higher education, and houses of worship. The FBI was assigned to lead law enforcement training to ensure coordination among agencies. To that end, we have trained more than 11,000 senior state, local, tribal, and campus law enforcement executives at conferences hosted by FBI field offices, and we have trained more than 7,000 first responders through tabletop exercises designed around facts similar to recent school shootings. To date, the FBI has provided our Advanced Law Enforcement Rapid Response Training course, an active shooter training program, to more than 31,500 officers from 5,600 agencies.

We have made a good start training our state, local, and tribal partners on how to handle these incidents, and we have built stronger partnerships along the way. In an effort to spread best practices and lessons learned more broadly, we produced a 40-minute film, *The Coming Storm*, that was distributed to more than 10,000 of our partners at the International Association of Chiefs of Police conference in October. The

film ultimately has the potential to reach more than three million law enforcement and emergency response personnel. Featuring first-person accounts from police chiefs, first responders, and victims involved in country's most tragic shooting scenes—including Virginia Tech, Sandy Hook, and Aurora—*The Coming Storm* aims to train viewers how best to respond to and recover from a large-scale incident.

Five Eyes Law Enforcement Group

This past August, the FBI began its two-year term as the chair of the Five Eyes Law Enforcement Group (FELEG). The FELEG is an international coalition of law enforcement and intelligence agency leaders and subject matter experts from the Federal Bureau of Investigation, Drug Enforcement Administration, U.S. Immigration and Customs Enforcement, Homeland Security Investigations, the UK's National Crime Agency, the Royal Canadian Mounted Police, the Australian Federal Police, Australian Crime Commission, and New Zealand Police. The FELEG coordinates government international responses to global organized crime, money laundering, and cyber crime. Key goals of the FELEG are to improve the ability of partners to share intelligence and conduct joint law enforcement operations, while ensuring that they leverage one another's capabilities and benefit from shared learning and best practices.

FBI Laboratory

The FBI Laboratory is one of the largest and most comprehensive forensic laboratories in the world. Operating out of a state-of-the-art facility in Quantico, Virginia, laboratory personnel travel the world on assignment, using science and technology to protect the nation and support law enforcement, intelligence, military, and forensic science partners. The Lab's many services include providing expert testimony, mapping crime scenes, and conducting forensic exams of physical and hazardous evidence. Lab personnel possess expertise in many areas of forensics supporting law enforcement and intelligence purposes, including explosives, trace evidence, documents, chemistry, cryptography, DNA, facial reconstruction, fingerprints, firearms, and WMD.

One example of the Lab's key services and programs is the Combined DNA Index System (CODIS), which relies on computer technology to create a highly effective tool for linking crimes. It enables federal, state, and local forensic labs to exchange and compare DNA profiles electronically, thereby connecting violent crimes and known offenders. Using the National DNA Index System of CODIS, the National Missing Persons DNA Database helps identify missing and unidentified individuals.

The Terrorist Explosives Device Analytical Center (TEDAC) is another example. TEDAC was formally established in 2004 to serve as the single interagency organization to receive, fully analyze, and exploit all priority terrorist improvised explosive devices (IEDs). TEDAC coordinates the efforts of the entire government, including law enforcement, intelligence, and military entities, to gather and share intelligence about IEDs. These efforts help disarm and disrupt IEDs, link them to their makers, and prevent future attacks. Although originally focused on devices from Iraq and Afghanistan, TEDAC now receives and analyzes devices from all over the world.

The National Institute of Justice (NIJ) and the FBI have formed a partnership to address one of the most difficult and complex issues facing our nation's criminal justice system: unsubmitted sexual assault kits (SAKs). The FBI is the testing laboratory for the SAKs that law enforcement agencies and public forensic laboratories nationwide submit for DNA analysis. The NIJ coordinates the submission of kits to the FBI, and is responsible for the collection and analysis of the SAK data. The goal of the project is to better understand the issues concerning the handling of SAKs for both law enforcement and forensic laboratories and to suggest ways to improve the collection and processing of quality DNA evidence.

Additionally, the Laboratory Division maintains a capability to provide forensic support for significant shooting investigations. The Laboratory Shooting Reconstruction Team provides support to FBI field offices by bringing together expertise from various Laboratory components to provide enhanced technical support to document complex shooting crime scenes. Services are scene and situation dependent and may include mapping of the shooting scene in two or three dimensions, scene documentation through photography, including aerial and oblique imagery, 360 degree photography and videography, trajectory reconstruction, and the analysis of gunshot residue and shot patterns. Significant investigations supported by this team include the shootings in Chattanooga, the Charleston church shooting, the shootings at the Census Bureau and NSA, the shooting death of a Pennsylvania State Trooper, the Metcalf Power Plant shooting in San Francisco, and the Boston Bombing/Watertown Boat scene.

Information Technology

The Information and Technology Branch provides information technology to the FBI enterprise in an environment that is consistent with intelligence and law enforcement capabilities, and ensures reliability and accessibility by members at every location at any moment in time. Through its many projects and initiatives, it is expanding its information technology (IT) product offerings to better serve the operational needs of the agents and analysts and raising the level of services provided throughout the enterprise and with its counterparts in the law enforcement arena and Intelligence Community.

The FBI is actively participating in and helping to lead the Intelligence Community Information Technology Enterprise (IC ITE), an Office of the Director of National Intelligence-led, multi-year initiative to move the Intelligence Community from agency-centric IT systems and architectures to a common IT environment to promote intelligence integration, collaboration, and efficiency. The primary objective is to enhance mission effectiveness through better technology integration. The IC ITE provides value to the FBI by enabling our agents and analysts to share and leverage data, information, applications, and tools with the Intelligence Community in a common environment which facilitates real-time communication and collaboration. In addition, the FBI is developing efficient and effective processes for migrating certain data sets and applications to the Intelligence Community cloud in accordance with Department of Justice and Intelligence Community statutes and policies.

FBI special agents and analysts need the best technological tools available to be responsive to the advanced and evolving threats that face our nation. Enterprise information technology must be designed so that it provides information to operational employees rather than forcing employees to conform to the tools available. IT equipment must be reliable and accessible, as close to where the work is performed as possible. By doing so, the FBI will decrease the time between information collection and dissemination.

By way of example, the FBI recently entered into a contract to deliver a virtual desktop solution to 55,000 FBI employees, private contractors, and other government employees working with the FBI on one of the largest virtual desktop infrastructure deployments in the government. The virtual desktop will allow employees to access multiple enclaves of varying classification levels from one workstation while ensuring that all data is protected and segregated according to classification. It will also lower the FBI's total cost of ownership while expanding information availability to more employees.

The FBI is enhancing personnel safety, efficiency, and effectiveness with "just-in-time" delivery of information and services to our mobile workforce. The FBI recently deployed more than 30,000 smartphones to employees in all 56 field offices over a four-month period, addressing what was seen as a major capability gap. Using the device as the basic portable platform, the FBI has been able to deploy additional field capabilities, ranging from fingerprint collection and analysis in the field to improved situational awareness between various tactical teams and surveillance operations.

Special agents and intelligence analysts are most effective when their individual investigative and intelligence work and collected information is connected to the efforts of thousands of other agents and analysts. We have developed software that makes that possible by connecting cases to intelligence, threats, sources, and evidence with our enterprise case and threat management systems. Similarly, we have provided our agents and analysts with advanced data discovery, analytics, exploitation, and visualization capabilities through tools integration and software development. In addition, we have enterprise business applications that address administrative, legal compliance, internal training standards, investigative and intelligence needs, and information sharing services. These tools allow for better data sharing with our law enforcement partners and allow FBI agents and analysts to share FBI intelligence products with our Intelligence Community partners around the world.

Conclusion

Chairman Grassley, Ranking Member Leahy, and members of the committee, thank you again for this opportunity to discuss the FBI's programs and priorities. Mr. Chairman, we are grateful for the leadership that you and this committee have provided to the FBI. We would not be in the position we are today without your support. Your support of our workforce, our technology, and our infrastructure make a difference every day at FBI offices in the United States and around the world, and we thank you for that support.

I look forward to answering any questions you may have.

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

James B. Comey, Jr.

2. **Position**: State the position for which you have been nominated.

Director, Federal Bureau of Investigation

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Columbia University Law School
435 West 116th St.
New York, New York 10027

Residence: Westport, Connecticut

4. **Birthplace**: State date and place of birth.

1960; Yonkers, New York

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

University of Chicago Law School; October 1982 - June 1985; J.D. 1985

College of William and Mary; August 1978 - May 1982; B.S. 1982

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

Senior Research Scholar and Hertog Fellow on National Security Law (2/13 to date)
Columbia University Law School
435 West 116th St.
New York, New York 10027

Director (3/13 to date)
HSBC Group plc
London E14 5HQ, United Kingdom

Member (9/12 to date) (unpaid)
Defense Legal Policy Board
United States Department of Defense (Pentagon)
875 North Randolph Street
Arlington, Virginia 22203

General Counsel (9/10-1/13)
Bridgewater Associates, LP
One Glendinning Place
Westport, Connecticut 06880

Board Member (3/08-3/12) (unpaid)
Alumni Association
One Alumni Drive
P.O. Box 2100
College of William and Mary
Williamsburg, Virginia 23187

University of Chicago Law School (all unpaid)
1111 E. 60th Street
Chicago, Illinois 60637
Visiting Committee Member (est. 9/07-9/10)
Business Advisory Council (2011 – date)
Public Service Advisory Council (2013 – date)

Board Member and Chair (10/05-9/10) (unpaid)
U.S. Chamber of Commerce
National Chamber Litigation Center
1615 H Street NW
Washington, DC 20062

Senior Vice President and General Counsel (9/05-9/10)
Lockheed Martin
6801 Rockledge Drive
Bethesda, Maryland 20817

Deputy Attorney General (12/03-8/05)
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Chair, President's Corporate Fraud Task Force (est. 2003-2005)
Chair, Presidential Board on Safeguarding Americans' Civil Liberties (est. 2003-2005)

United States Attorney (1/02-12/03)
Southern District of New York
One St. Andrew's Plaza
New York, New York 10007

Managing Assistant United States Attorney (9/96-1/02)
United States Attorney's Office, Eastern District of Virginia
600 East Main Street
Richmond, Virginia 23219

Acting Chairman, Weed & Seed of Richmond, Inc. (1998-1/02) (non-profit) (unpaid)
c/o United States Attorney's Office
600 East Main Street
Richmond, Virginia 23219

Board Member
The Healing Place, Inc. (2000-1/02) (non-profit addressing homelessness) (unpaid)
c/o The United Way
200 East Broad Street
Richmond, Virginia 23219

Adjunct Professor (1994-1/02)
University of Richmond Law School
28 Westhampton Way
Richmond, Virginia 23173

Associate & Partner (8/93-9/96)
McGuireWoods, LLP
901 East Cary Street
Richmond, Virginia 23219

Deputy Special Counsel (6/95-7/95)
U.S. Senate Special Committee to Investigate Whitewater
and Related Matters
United States Senate
Washington, DC 20510
(Held position while an associate at McGuire Woods and the firm billed the U.S. Senate
for my services.)

Assistant United States Attorney (est. 10/87-8/93)
United States Attorney's Office, Southern District of New York
One St. Andrew's Plaza
New York, New York 10007

Associate (est. 9/86-10/87)
Gibson, Dunn & Crutcher, LLP
200 Park Avenue
New York, New York 10166

Law Clerk (9/85-9/86)
Hon. John M. Walker, Jr.
United States Courthouse
Foley Square
New York, New York 10007

Summer Associate (6/84-9/84)
Cahill, Gordon & Reindel
80 Pine Street
New York, New York 10005

Summer Associate (7/83-9/83)
McCarter & English
4 Gateway Center
100 Mulberry Street
Newark, New Jersey 07102

Law Clerk (6/82-8/82)
Thomas H. Bruinooge, Esq.
85 Orient Way
Rutherford, New Jersey 07070

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the U.S. Military. I have registered for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

2011 Carter O. Lowance Fellowship, William and Mary Law School

2008 Honorary Doctor of Laws, College of William and Mary

1994 Director's Award for Superior Performance, Department of Justice

1993 Henry L. Stimson Medal from New York City Bar Associate as outstanding Assistant U.S. Attorney in the Southern District of New York

1992 Director's Award for Superior Performance, Department of Justice

1982 James Frederick Carr Cup for Character, Scholarship & Leadership, College of William and Mary

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Virginia State Bar – Professionalism Faculty (2000-1/02)

Virginia Bar Association – Task Force on Professionalism (1998-1/02)

Virginia Bar Association – Special Committee on Issues of National and State Importance (2000-1/02)

Association of General Counsel, Member (10/05-9/10)

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

New York (1986)

Virginia (1994)

Connecticut Authorized In-house Counsel (2011-13)

There have been no lapses in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

U.S. District Courts for the Southern and Eastern Districts of New York (1987)

U.S. Court of Appeals for the Second Circuit (1987)

U.S. District Court for the Eastern District of Virginia (1993)

U.S. Court of Appeals for the Fourth Circuit (1996)

United States Supreme Court (2004)

There have been no lapses in membership.

11. **Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Colonies Wilde Lake Association, Richmond, Virginia (1993-5/02)

Colonies Swim & Tennis, Richmond, Virginia (1993-5/02)

Board member, The Healing Place, Inc., Richmond, Virginia (2000-1/02)

Acting Chairman, Weed & Seed of Richmond, Inc., Richmond, Virginia (1998-1/02)

Sultana Ridge Pool, Yorktown Heights, New York (2002-04)

PTA, Richmond, Virginia (1993-2001); Somers, New York (2002-03); McLean, Virginia (2004-10)

Somers High School Booster Club, Somers, Connecticut (2002-03)

Highlands Swim Club, McLean, Virginia (2004-08)

Chesterbrook Swim Club, McLean, Virginia (2008-10)

Morrow United Methodist Church, Maplewood, New Jersey (1988-93)

Reveille United Methodist Church, Richmond, Virginia (1993-2002)

Yorktown Heights United Methodist Church, Yorktown Heights, New York (2002-04)

Mt. Olivet United Methodist Church, Arlington, Virginia (2004-07)

Metropolitan United Methodist Church, Washington, DC (2007-10)

Southport Congregational Church, Southport, Connecticut (2010-present)

TPC Potomac at Avenel Farm Golf Club, Potomac, Maryland (2008-present)

Westport Weston YMCA, Weston, Connecticut (2010-present)

Aspetuck Valley Country Club, Weston, Connecticut (2011-present)

I have made financial contributions to charitable organizations over the years. I have not included in the list above any organizations to which I gave funds and did not otherwise participate in organization activities, although the organization may label me as a member by virtue of my financial contributions.

- b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

None to my knowledge.

12. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

I have done my best to identify all titles, publishers and dates of books, articles, reports, letters to the editor, editorials or other published material, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials I have been unable to identify, find or remember. I have located the following:

James B. Comey, Letter to the Editor, "Leave Emotion out of the Abortion Debate," The New York Times, May 2, 1982.

James B. Comey, "Wide-eyed Visitor to Africa Discovers Blessings of America," The Wall Street Journal, September 12, 1983 opinion/editorial page.

James B. Comey, Letter to the Editor, "High Hurdle to Boosting New York Wine," The New York Times, April 7, 1984 (responding to criticism of New York Times editorial opposing proposal to permit New York supermarkets to sell only New York wines).

James B. Comey, Letter to the Editor, "How Far Should Society Butt in on Smokers," The Wall Street Journal, May 18, 1984 (responding to editorial about cigarette smokers' rights).

Deputy Attorney General James B. Comey, Letter to the Editor, "In Defense of Civil Liberties," The New York Times, September 27, 2004 (responding to criticism of Civil Liberties board).

Deputy Attorney General James B. Comey, Letter to the Editor, “Re: Politics and the Patriot Act,” The New York Times, April 28, 2004 (responding to editorial about delayed notification search).

“Intelligence Under The Law,” 10 GREEN BAG 2D 439 (2007) (Deputy AG speech at NSA Law Day, May 2005).

“Holder’s Reasonable Decision,” The Washington Post, opinion/editorial page (November 20, 2009) (with Jack Goldsmith).

“The Role of General Counsel in a Crisis,” book chapter in “Defending Corporations and Individuals in Government Investigations” (West 2011).

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

None.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

I have done my best to identify any testimony, official statements or other communications relating to public policy or legal interpretation, including through a review of my personal files and searches on publicly available electronic databases. Despite my searches, there may be other items I have been unable to identify, find or remember. I have located the following:

June 19, 2002, testimony before the Senate Judiciary Committee Subcommittee on Crime and Drugs concerning “Penalties for White Collar Criminal Offenses.”

November 14, 2002, testimony before the United States Sentencing Commission Ad Hoc Advisory Group on Organizational Sentencing Guidelines.

October 29, 2003, testimony before the Senate Judiciary Committee, Confirmation hearing on the Nomination of James B. Comey to be Deputy Attorney General, Department of Justice.

March 24, 2004, testimony before the House Appropriations Subcommittee on Commerce, Justice, State, the Judiciary and Related Agencies, hearing on the FY 2005 Budget.

April 14, 2004, testimony before the Senate Judiciary Committee hearing on “Preventing and Responding to Acts of Terrorism: A Review of Current Law.”

September 22, 2004, testimony before the Senate Judiciary Committee hearing on “A Review of Counter-Terrorism Legislation and Proposals.”

June 8, 2005, testimony before the House Judiciary Committee on the Reauthorization of the PATRIOT ACT.

June 16, 2005, Advisory Committee on Federal Rules, remarks on Proposal to Amend Rule 16, Boston, MA.

July 20, 2005, testimony before the Senate Judiciary Committee hearing on “Reporters’ Privilege Legislation: Issues and Implications of S. 340 and H.R. 581, the Free Flow of Information Act of 2005.”

May 3, 2007, testimony before the House Judiciary Committee Subcommittee on Commercial and Administrative Law hearing on “The Continuing Investigation into the U.S. Attorney Controversy.”

May 15, 2007, testimony before the Senate Judiciary Committee hearing on “Preserving Prosecutorial Independence: Is the Department of Justice Politicizing the Hiring and Firing of U.S. Attorneys: Part IV.”

June 14, 2007, testimony before the House Permanent Select Committee on Intelligence closed hearing on “NSA Terrorist Surveillance Program and the FISA system.”

June 27, 2007, testimony before the Senate Intelligence Committee closed hearing on Terrorist Surveillance Program and FISA.

June 8, 2011, Senate Judiciary Committee hearing on “The President’s Request to Extend the Service of Director Robert Mueller of the FBI until 2013.”

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

I have done my best to identify transcripts or recordings of all speeches or talks delivered, including through a review of personal files and searches of publicly available electronic databases. Despite my searches, there may be other material I have been unable to identify, find or remember. The records of my speeches that I have located are set forth below.

In addition, during my service in the United States Attorney's Office for the Southern District of New York and as the Deputy Attorney General, I gave essentially the same or very similar speeches on some topics on multiple occasions. They are described below to the best of my ability, but I cannot reconstruct the specific dates and other details of each such speech. I have supplied documents relevant to these speeches whenever possible.

From 1997-02, I gave a number of speeches about Project Exile and the importance of prosecuting gun possession crimes (notes only or no notes).

April 1998, keynote address about importance of reducing demand for drugs, Metro Richmond Coalition Against Drugs, Richmond, VA (notes only).

From 1/02 to 8/05, I gave many talks within and outside the Department of Justice about white collar crime, gun crime (including the Violent Crime Impact initiative I led as Deputy Attorney General), terrorism, the PATRIOT ACT, and/or the work of federal prosecutors (usually without notes or from notes only).

September 25, 2002, Corporate Fraud Conference, Washington, D.C. (notes only).

June 15, 2003, Connecticut Bar Association Panel on Counterterrorism/Civil Rights (notes only).

June 17, 2003, Law Library of Congress, "The Holmes Debates" (notes only).

August 29, 2003, Convocation Address, College of William and Mary, Williamsburg, VA.

December 11, 2003, DEA 30th Anniversary Commemoration, Alexandria, VA.

January 29, 2004, "Trends in White Collar Criminal Enforcement," Federalist Society Luncheon, Washington, D.C. (notes only).

February 5, 2004, "Mitigating the Impact of Intellectual Property Theft and Counterfeiting," United States Chamber of Commerce Strategic Leadership Forum.

February 20, 2004, Installation as Deputy Attorney General, Great Hall, Department of Justice, Washington, D.C.

March 16, 2004, Judicial Conference of the United States on issues of concern to judiciary, Supreme Court Building, Washington, D.C.

March 22, 2004, "The Meaning of Valor," Medal of Valor Awards ceremony, Great Hall, Department of Justice, Washington, D.C.

March 29, 2004, "Fighting Terrorism and Preserving Civil Liberties," Fox Lecture, New York Crime Commission, New York, New York.

March 30, 2004, U.S. Marshals Director's Awards, Alexandria, VA.

April 23, 2004, DEA Graduation Ceremony, Quantico, Virginia (notes only).

May 5, 2004, Civil Division Office of Immigration Litigation Annual Conference, Washington, D.C.

May 5, 2004, National Network of Youth Ministries National Mentoring Recruitment Campaign, Washington, D.C.

May 10, 2004, Portland Community Forum on Counter-Terror Challenges (notes only).

May 13, 2004, American Bar Association, Institute on Health Care Fraud, New Orleans, Louisiana.

May 19, 2004, Fighting Terrorism and Preserving Civil Liberties," American Law Institute, Washington, D.C.

June 2004, Richmond Police Department Graduation, Richmond, VA.

June 1, 2004, Deputy Attorney General Comey Remarks Regarding Jose Padilla.

June 14, 2004, "Trends in White Collar Criminal Enforcement," American Corporate Counsel Association, Alexandria, Virginia (copies not located).

June 16, 2004, National Project Safe Neighborhoods Conference, Kansas City, Missouri (notes only).

July 20, 2004, OCEDTF National Leadership Conference, Washington, D.C. (first page of text unavailable).

July 21, 2004 "The State of the Department," 9th Circuit Judicial Conference, Monterrey, California (notes only).

August 30, 2004, Crimestoppers International conference, Cincinnati, Ohio (notes only).

September 17, 2004, Federal Prison Industries 70th anniversary conference, Washington, D.C.

September 30, 2004, PATRIOT Act, Americas Conference, Miami, Florida.

October 1, 2004, "The Meaning of Valor," Medal of Valor Awards ceremony, Richmond, Virginia.

October 18, 2004, "Lessons Learned from Recent Corporate Debacles," National Association of Corporate Directors," Washington, D.C. (notes only).

October 20, 2004, Intellectual Property Student Summit, Great Hall, Department of Justice, Washington, D.C.

October 22, 2004, "The Meaning of Valor," Law Enforcement Awards Ceremony, Pittsburgh, Pennsylvania.

October 22, 2004, Pittsburgh Community Forum on Counter-Terror Challenges (notes only; please see notes from May 10, 2004 Portland Community Forum).

November 9, 2004, "Why Project Safe Neighborhoods Matters," American Prosecutors Research Institute Conference, Alexandria, Virginia.

November 17, 2004, "Lessons Learned From Recent Corporate Debacles," CNBC Conference, Washington, D.C. (please see notes from 10/18/04 speech).

December 6, 2004, Conference on Partnering to Prevent Truancy, Washington, D.C.

February 11, 2005, "Fighting Terrorism and Preserving Civil Liberties," Virginia Bar Criminal Law Section, Williamsburg, Virginia (please see notes from March 23, 2005 and April 15, 2005).

March 7, 2005, Symposium on Victims of Federal Crime, Atlanta, Georgia (notes only).

March 23, 2005, "Fighting Terrorism and Preserving Civil Liberties," Duke Law School, Durham, North Carolina (notes only).

April 15, 2005, "Fighting Terrorism and Preserving Civil Liberties," Emroch Lecture, University of Richmond Law School, Richmond, Virginia.

April 15, 2005, "Lessons Learned From Recent Corporate Debacles," Leadership Metro Richmond, Richmond, Virginia (notes only).

May 6, 2005, International Fugitive Conference, Toronto, Canada (notes only).

May 16, 2005, National Law Enforcement Memorial Remembrance, Washington, D.C.

May 20, 2005, "Intelligence Under the Law," NSA Law Day, Ft. Meade, Maryland.

May 23, 2005, "Relationship with the Judiciary," 7th Circuit Judicial Conference, Washington, D.C. (notes only).

May 24, 2005, National Gathering of Tribal Justice Officials, Washington, D.C.

May 26, 2005, Iraq Regime Crimes Liaison Office Awards Ceremony, Department of Justice, Washington, D.C. (copies not located).

July 11, 2005, “Do the Write Thing” awards ceremony, Washington, D.C. (notes only).

July 12, 2005, National Sentencing Policy Institute, Washington, D.C. (notes only).

July 27, 2005, National Advocacy Center First AUSA conference (by video) (notes only).

August 15, 2005, Farewell Remarks, Great Hall, Department of Justice, Washington, D.C.

May 17, 2006, Commencement Address, Cleveland State Law School, Cleveland, Ohio.

June 25, 2006, Khobar Towers Remembrance, Arlington National Cemetery.

July 19, 2006, “Becoming a Star,” Summer Associate Class, Kirkland & Ellis, Washington, D.C. (notes only).

August 2006, “Lessons of the Enron Era,” Directors’ Roundtable, Washington, D.C.

October 20, 2006, Induction of Charles Rosenberg as U.S. Attorney for Eastern District of Virginia, U.S. Courthouse, Alexandria, Virginia (notes only).

May 20, 2007, “Lesson of the Enron Era,” Commencement Address at William Mitchell School of Law, St. Paul, Minnesota (notes only).

June 14, 2007, Defense Industry Initiative on Business Ethics and Conduct, J.W. Marriott Hotel, Washington D.C. (copies not located).

October 10, 2007, Brookings Institution Conference on Prosecutorial Misconduct (notes only).

November 15, 2007, “Can We Talk? Seeking Common Ground in Fighting Terrorism,” ABA Standing Committee on National Security, Washington, D.C.

December 4, 2007, “Meaning of AUSA/Meaning of Life,” EDVA District Conference, Alexandria, Virginia.

February 9, 2008, Charter Day, College of William and Mary, Williamsburg, VA.

February 21, 2008, “Lessons from the Enron Era,” University of North Carolina Law School, Chapel Hill, NC (please see notes from August 2006 and October 2, 2009).

March 4, 2008, “Integrity, Public Trust, and Prosecution,” Vera Institute Justice Address, Harvard Club, New York, New York.

March 14, 2008, “Lessons from the Enron Era,” Barristers Conference, Maui, Hawaii.

April 16, 2008, Green Award Luncheon, University of Richmond Law School, Richmond, Virginia.

June 3, 2008, “Integrity and Prosecution,” UJA Criminal Justice Committee, Harmonie Club, New York, New York.

September 10, 2008, Practicing Law Institute, New York, New York (notes only).

September 15, 2008, District of Oregon U.S. Attorney Conference, Bend, Oregon (notes only).

September 16, 2008, “Seeking Common Ground on National Security,” Seattle University Law School, Seattle, Washington (notes only)

October 2, 2008, Mandel Legal Aid Clinic, University of Chicago Law School, Chicago, Illinois.

October 28, 2008, “To be an AUSA,” National Advocacy Center, Columbia, South Carolina (notes only)

February 23, 2009, “Why Public Service,” Public Service Forum, Dickenson College, Carlisle, Pennsylvania.

March 31, 2009, “Can We Talk? Seeking Common Ground in Fighting Terrorism,” Hubert H. Humphrey Institute of Public Affairs, University of Minnesota, Minneapolis, Minnesota.

May 8, 2009, NYU Center on Administration of Criminal Law, New York, New York (notes only)

June 4, 2009, Chief Legal Officer Forum, New York, New York (notes only)

August 28, 2009, Convocation Address, College of William and Mary, Williamsburg, Virginia.

September 10, 2009, “Leading as a GC,” General Counsel Roundtable, Arlington, Virginia.

September 25, 2009, George Wythe Lecture, William and Mary Law School, Williamsburg, Virginia.

October 2, 2009, “Lessons from the Enron Era,” District Conference, Northern District of Mississippi, Oxford, Mississippi (notes only).

October 15, 2009, Richmond Crimestoppers 25th Anniversary, Richmond, Virginia.

March 23, 2010, All-U.S. Attorney Conference, Tempe, Arizona (notes only).

April 14, 2010, “Making a Profit,” Board of Contract Appeals Judges Association, Alexandria, Virginia.

May 6, 2010, “Can We Talk? Seeking Common Ground in Fighting Terrorism,” National Security Law Committee of the D.C. Bar Association, Washington, D.C.

March 14, 2011, William and Mary Law School Lowance Fellowship Lunch.

November 13, 2011, DNI Inspector General staff (notes only).

March 9, 2012, dinner remarks about charity and character to Friendly Sons of St. Patrick, Westchester Dinner, Tarrytown, New York.

April 12, 2013, Columbia Law's Center for Constitutional Governance Conference on "The Next Four Years: Major Issues In Constitutional Governance."

April 17, 2013, "How to be a Star," Columbia Law Students (notes only).

May 21, 2013, "Institutional Culture and Leadership," Conference of Inspectors General, Patent and Trademark Office Conference Center, Alexandria, Virginia (notes only).

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

I have done my best to identify all interviews given, including through a review of personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials I have been unable to identify, find or remember. I have located the following:

Date	News Source	Title
1. 08/08/05	<i>Washington Post</i>	"Lockheed Puts Faith In Tough Lawyer; Compliance Is Focus Of New Legal Chief"
2. 04/27/05	<i>Buffalo News (New York)</i>	"Rigases Called 'Crooks' Who Corrupted Firm; Head of Fraud Squad Said Rigas Case Had 'Everything You See In Corporate Crime'"
3. 03/03/05	<i>Las Vegas Review Journal (Nevada)</i>	"Authorities Tout Success of Anti-Crime Initiative"
4. 10/02/04	<i>Richmond Times Dispatch (VA)</i>	"Federal Officials See Progress In Fighting Richmond Gangs"
5. 07/21/04	<i>CNBC News Transcripts</i>	"James Comey Discusses Corporate Fraud Cases"
6. 07/12/04	<i>AP</i>	"Corporate Crackdown Reaches High Point"
7. 06/27/04	<i>CBS News Transcripts</i>	"Dr. Sam Waksal; Bad business decisions that have put the former ImClone CEO in prison"

			for seven years”
8.	06/02/04	<i>CNN.com</i>	“U.S.: Suspected 'dirty bomb' plot included plan to blow up apartments”
9.	06/02/04	<i>The Washington Post</i>	“U.S. Details Case Against Terror Suspect”
10.	06/01/04	<i>CNN Live Event/Special</i>	“Justice Department Briefing on Jose Padilla Justice Department Briefing on Jose Padilla”
11.	04/06/04	<i>AP</i>	“Even adversaries have good things to say about new deputy attorney general”
12.	04/06/04	<i>AP State & Local Wire</i>	“New deputy attorney general has admirers among friends, foes”
13.	09/15/03	<i>Los Angeles Times</i>	“Taking Center Stage; Prosecutor James Comey Moves to the Forefront in Wall Street Cases
14.	06/30/03	<i>Today</i>	“US Attorney James Comey Talks About Prosecuting Martha Stewart and Other White Collar Crimes”
15.	06/30/03	<i>Virginia Lawyers Weekly</i>	“Corporate Scandals Keep U.S. Attorney James B. Comey Busy”
16.	06/16/03	<i>New York Observer</i>	“Meet Martha’s Prosecutor”
17.	06/13/03	<i>The Evening Standard (London)</i>	“America’s Celebrity Prosecutors; Chasing the White Collar Crooks Puts Top Lawyers on the Glory Trail”
18.	06/05/03	<i>Chicago Tribune</i>	“Steward Indicted for Stock Fraud, Quits as CEO”
19.	06/05/03	<i>New York Daily News</i>	“Martha hit, the Quits, Pleads Guilty and Steps Down from Jobs
20.	03/05/03	<i>Newsday</i>	“James Comey, U.S. Attorney from Southern District of New York, and Some High Profile Corporate Crime Cases He is Investigating”
21.	01/30/03	<i>The Journal News</i>	“U.S. Attorney Tackles White Collar Crime”
22.	12/29/02	<i>New York Daily News</i>	“At War with Terror: U.S.

			Attorney James Comey's Mission"
23.	12/26/02	<i>The Journal News</i>	"U.S. Attorney Shares Spotlight"
24.	12/21/02	<i>New York Times</i>	"Empathy Shapes a Prosecutor, a Past Victim of Violence and Greed"
25.	11/26/02	<i>The Osgood File (CBS)</i>	"Federal Authorities Break Identity Theft Ring"
26.	09/14/02	<i>The Economist</i>	"Out to Catch the Big Fish"
27.	08/06/02	<i>Business Center (CNBC)</i>	"James Comey, U.S. Attorney for the Southern District of New York, Discusses Corporate Fraud Lawsuits and Penalties"
28.	08/04/02	<i>New York Post</i>	"Wall Street Prosecutor Bullish on His New Job"
29.	11/25/01	<i>Cleveland Plain Dealer</i>	"Richmond, Va., Persuades Bad Guys to Drop Their Guns"
30.	02/04/01	<i>Richmond Times Dispatch</i>	"Pardon of Rich Stunned Prosecutor; Comey was Once Assigned to Case"
31.	09/28/00	<i>The Baltimore Sun</i>	"Md. Crimes Effort Debated. City Should Follow 'Exile' Rprogram in Va., Ehrlich Says. Battaglia Defends 'Disarm'"
32.	04/12/00	<i>Christian Science Monitor</i>	"A Gun Control Plan that Even the NRA Can Love"
33.	04/01/00	<i>Calgary Herald</i>	"Free Ride Out of State; Gun Means Exile"
34.	01/20/00	<i>Los Angeles Times</i>	"Making A Federal Case Out of Guns"
35.	10/10/99	<i>Morning Call</i>	"Feds Help Easton Fight Crime"
36.	10/12/99	<i>Milwaukee Journal Sentinel</i>	"In Virginia, A Tough Stance on Gun Crime Appears to Hit the Target"
37.	09/11/99	<i>Washington Post</i>	"Federal-Local Gun Control Venture Stymied by Success"
38.	09/05/99	<i>The Houston Chronicle</i>	"Tougher Firearms Laws Put Convicted Felon Under Gun"
39.	07/05/99	<i>Richmond Times Dispatch</i>	"Morrissey is Jailed on

		Contempt Charge”
40.	06/10/99	<i>USA Today</i>
41.	05/14/99	<i>Richmond Times Dispatch</i>
42.	04/12/98	<i>Richmond Times Dispatch</i>
43.	02/22/97	<i>Richmond Times Dispatch</i>

13. Public Office, Political Activities and Affiliations:

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

United States Attorney, Southern District of New York; appointed by President George W. Bush (1/02 to 12/03)

Deputy Attorney General of the United States; appointed by President George W. Bush (12/03-8/05)

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

None.

14. Legal Career: Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:

- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

Law Clerk, Hon. John M. Walker, Jr., Southern District of New York (1985-86)

- ii. whether you practiced alone, and if so, the addresses and dates;

I have not practiced alone.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

Senior Research Scholar and Hertog Fellow on National Security Law
(2/13 to date)
Columbia University Law School
435 West 116th St.
New York, New York 10027

Director (3/13 to date)
HSBC Group plc
London E14 5HQ, United Kingdom

Member (9/12 to date) (unpaid)
Defense Legal Policy Board
United States Department of Defense (Pentagon)
875 North Randolph Street
Arlington, Virginia 22203

General Counsel (9/10-1/13)
Bridgewater Associates, LP
One Glendinning Place
Westport, Connecticut 06880

Board Member and Chair (10/05-9/10) (unpaid)
U.S. Chamber of Commerce
National Chamber Litigation Center
1615 H Street NW
Washington, DC 20062

Senior Vice President and General Counsel (9/05-9/10)
Lockheed Martin
6801 Rockledge Drive
Bethesda, Maryland 20817

Deputy Attorney General (12/03-8/05)
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Chair, President's Corporate Fraud Task Force (est. 2003-2005)
Chair, Presidential Board on Safeguarding Americans' Civil Liberties (est. 2003-2005)

United States Attorney (1/02-12/03)

Southern District of New York
One St. Andrew's Plaza
New York, New York 10007

Managing Assistant United States Attorney (9/96-1/02)
United States Attorney's Office, Eastern District of Virginia
600 East Main Street
Richmond, Virginia 23219

Acting Chairman, Weed & Seed of Richmond, Inc. (1998-1/02) (non-profit) (unpaid)
c/o United States Attorney's Office
600 East Main Street
Richmond, Virginia 23219

Adjunct Professor (1994-1/02)
University of Richmond Law School
28 Westhampton Way
Richmond, Virginia 23173

Associate & Partner (8/93-9/96)
McGuireWoods, LLP
901 East Cary Street
Richmond, Virginia 23219

Deputy Special Counsel (6/95-7/95)
U.S. Senate Special Committee to Investigate Watergate
and Related Matters
United States Senate
Washington, DC 20510
(Held position while an associate at McGuire Woods and the firm billed the U.S. Senate for my services.)

Assistant United States Attorney (est. 10/87-8/93)
United States Attorney's Office, Southern District of New York
One St. Andrew's Plaza
New York, New York 10007

Associate (est. 9/86-10/87)
Gibson, Dunn & Crutcher, LLP
200 Park Avenue
New York, New York 10166

Law Clerk (9/85-9/86)
Hon. John M. Walker, Jr.
United States Courthouse

Foley Square
New York, New York 10007

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

I have spent much of my career as an attorney with the Department of Justice, first as an AUSA investigating and prosecuting a wide range of matters in New York and Virginia, then as the United States Attorney in Manhattan, and finally as the Deputy Attorney General. My time with the Department of Justice was preceded by a year as an associate at a big law firm focused on civil litigation and then broken up by a three-year stint with a large law firm in Richmond, where I did mostly civil trial work. Since leaving government service in 2005, I have been general counsel of a prominent public company and a well-known private investment manager. The focus in both those general counsel roles was on managing lawyers, both inside and outside the companies, supervising complex matters, and advising the senior leadership of the firm on a wide variety of matters.

1986-87: commercial litigation
1987-93: criminal prosecution
1993-96: commercial litigation and criminal defense
1996-2001: criminal prosecution
2001-05: supervising government lawyers/agents/employees
2005-13: general counsel to companies
2013: academic

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

For much of my career, my client was the United States. Outside of government service, I have represented mostly institutions, both as outside counsel and as in-house general counsel. I also did a small amount of criminal defense work representing individuals during my time at a Richmond law firm.

1986-87: large accounting firm, accountant's liability defense
1987-93: federal criminal prosecution

1993-96: manufacturing company, toxic tort defense; railroad, FELA defense; various corporate clients, internal investigations and representation during government investigations; criminal defense trial
1996 to 2001: federal criminal prosecution
2001-05: United States government
2005-13: the companies where I was employed

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

1986-2001: all litigation, 100%
2002-13: supervising litigation as well as many other areas, est. 75%

Court appearance frequency:

1986-87: not at all
1987-93: frequently as prosecutor
1993-96: occasionally
1996-2003: occasionally
2003-05: once
2005-13: not at all

- i. Indicate the percentage of your practice in:

For the periods during which I litigated:

1. federal courts: 100% when with the government; 20% when in private practice);
2. state courts of record: 0% when with the government; 80% when in private practice;
3. other courts;
4. administrative agencies.

- ii. Indicate the percentage of your practice in:

For the periods during which I litigated:

1. civil proceedings: 0% when with the government; 80% when in private practice;
2. criminal proceedings: 100% when with the government; 20% when in private practice.

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

25 (sole counsel in 18; chief counsel in 4; co-counsel in 3)

- i. What percentage of these trials were:
 - 1. Jury, 95%; and
 - 2. non-jury, 5%.
- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

Represented the United States at Oral Argument in Devenpeck v. Alford, November 2004.

Brief of Amici Curiae Kenneth B. Mehlman et al. as Amici Curiae Supporting Respondents, *Hollingsworth v. Perry*, No. 12-144 (2012). Copies attached.

15. **Litigation**: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

(1) United States v. John Gambino, et al. , 88 CR 919 (Judge Leisure, Southern District of New York) (1991-93). Served as lead prosecutor in racketeering, murder, and drug trafficking case against members of La Cosa Nostra in New York. Case was tried during first six months of 1993. Lead defendants John and Joe Gambino were convicted of bail jumping, but jury hung on remaining charges. They and one other defendant (Mannino) then pled guilty before retrial and the fourth defendant (Romano) was convicted at a trial after I left the Southern District of New York for Richmond.

Co-counsel:

Patrick J. Fitzgerald (then Assistant U.S. Attorney in Southern District of New York)
Skadden Arps
155 N. Wacker Drive
Chicago, Illinois 60606
(312) 407-0700

Defense counsel:

George Santangelo (John Gambino)
Suite 2100
225 Broadway
New York, New York 10007-3001
(212) 267-4488

Bruce Cutler (Joe Gambino)
41 Madison Avenue
New York, New York 10010
(212) 233-6100

Charles Carnesi (Lorenzo Mannino)
34 Daniel Rd N
North Massapequa, New York 11758-1915
(718) 855-6646

Howard Leader (Matteo Romano)
111 Broadway 12th Fl
New York, New York 10006-1901
(212) 753-3794

(2) United States v. Paul Tinnirello, et al., 90CR428 (Judge Cedarbaum, Southern District of New York) (1989-93). Served as sole prosecutor of racketeering, robbery, and theft case against group of robbers and fences operating out of Manhattan's 47th Street jewelry district. After two leaders pleaded guilty, seven defendants were tried during April and May 1991. Four were convicted, three acquitted. Affirmed, United States v. Tinnirello, 998 F.2d 53 (2d Cir. 1993).

Defense counsel:

Lawrence V. Carra (Paul Tinnirello)
114 Old Country Road
Mineola, New York 11501
(516) 742-1135

Harriet B. Rosen (Lorenzo Gregory)
240 W 23rd St
New York, New York 10011-2305

(212) 366-6166

Alfred F. Brown (Frank Mucchiello)
655 Mosswood Ave
Orange, New Jersey 07050-3024
(973) 643-8098

Jacob R. Evseroff (Joseph Disomma)
186 Joralemon St
Brooklyn, New York 11201-4326
(718) 875-0903

Anthony L. Ricco (Frank Tinnirello)
361 Broadway
New York, New York
(212) 629-4995

Jo Ann Harris (Michael Pugliese)
Scholar in Residence
Pace University School of Law
78 N. Broadway
White Plains, New York 10603
(914) 422-4401

Howard Mulholland (Charles Lachterman)
83-74 Talbot Avenue, #1E
Kew Gardens, New York 11415
(Last known address)

(3) United States v. Joel Walker Harris , 3:97CR141 (Judge Spencer, Eastern District of Virginia) (1996-98). Served as lead prosecutor in racketeering and fraud case against Richmond businessman, who was former political aide in Richmond, and his wife. Harris had his wife pose as wealthy heiress to obtain bank financing for their corporate schemes. Both pled guilty before trial.

Co-counsel:

Robert E. Trono (then Assistant U.S. Attorney, EDVA)
Lockheed Martin Corporation
6801 Rockledge Drive
Bethesda, Maryland 20817
(301) 897-6000

Defense counsel:

Craig Cooley

3000 Idlewood Avenue
Richmond, Virginia 23221
(804) 358-2328

Edward E. Scher
316 W. Broad Street
Richmond, Virginia 23219
(804) 644-0711

(4) United States v. Leonidas Young , 3:98CR302 (Judge Williams, Eastern District of Virginia) (1998-2000). Served as lead prosecutor in racketeering, fraud, and corruption case against Richmond's former mayor. Investigation and indictment exposed kickbacks to Mayor Young, as well as his efforts to obstruct our investigation. Case resolved by guilty plea to racketeering, fraud, and obstruction on eve of trial.

Co-counsel:
Robert E. Trono (then Assistant U.S. Attorney, EDVA)
Lockheed Martin Corporation
6801 Rockledge Drive
Bethesda, Maryland 20817
(301) 897-6000

Defense counsel:

Michael Morchower
9 East Franklin Street
Richmond, Virginia 23219
(804) 643-0147

(5) United States v. Thomas Wilkinson and Edward Conk , 3:95CR68-01 (Judge Merhige, Eastern District of Virginia) (1995-96). This was a federal criminal case in which I served as defense counsel for Thomas Wilkinson, a businessman accused of fraud and money laundering. Wilkinson and his partner, Edward Conk, were accused of bilking millions from an investor in their medical management companies. Case tried in federal court in Richmond for two weeks in December 1995. My client was convicted on all charges and went to federal prison. Affirmed , United States v. Wilkinson, 137 F.3d 214 (4th Cir. 1998).

Co-counsel:

Richard Cullen (co-counsel for Wilkinson)
McGuireWoods, LLP
901 East Cary Street
Richmond, Virginia 23219
(804) 775-1000

Dennis W. Dohnal (Conk)

The McCammon Group
6641 West Broad Street, Suite 400
Richmond, Virginia 23230
804-343-0922

Prosecutor:

Assistant U.S. Attorney David Maguire
U.S. Attorney's Office
600 East Main, Suite 1800
Richmond, Virginia 23219
(804) 819-5400

(6) United States v. Anthony Dawkins, 88 CR 526 (Judge Edelstein, Southern District of New York) (1988-89). Served as sole prosecutor of conspiracy and interstate theft charges against leader of ring involved in theft of American Express travelers checks. Case involved Dawkins's use of figures in the New York art world to travel abroad and falsely report large amounts of travelers checks stolen. Tried in April 1989 in U.S. District Court in Manhattan. Dawkins was convicted.

Defense counsel:

Howard Mulholland
83-74 Talbot Avenue, #1E
Kew Gardens, New York 11415
(Last known address)

(7) United States v. Herbert Smith and Joseph Peeples, 85 CR 434 (Judge Keenan, Southern District of New York) (1989-90). Served as sole prosecutor of arms export case based on the defendants' effort to export military helicopters to Iran. Case was tried in November 1989 in U.S. District Court in Manhattan and both defendants were convicted. Affirmed, United States v. Smith, 918 F.2d 1082 (2d Cir. 1990).

Defense counsel:

Michael Sporn (Smith)
Suite 2199
225 Broadway
New York, New York 10013-2909
(212) 791-1200

Martin Fogelson (Peeples)
South Tower 12th Floor
470 Park Ave South
New York, New York 10016-6819
(212) 679-4262

(8) United States v. Osumau Kwakye , 87 CR 962 (Judge Keenan, Southern District of New York) (1988-89). Served as sole prosecutor of drug importation case stemming from investigation of West African heroin trade. Case involved cooperating witnesses and undercover taping. It was tried in 1989 in U.S. District Court in Manhattan and Kwakye was convicted.

Defense counsel:

Barry Weinstein
888 Grand Concourse
Bronx, New York 10451-2802
(718) 665-9000

(9) United States v. Khoroush Bakhtiari , 88 CR 395 (Judge Sand, Southern District of New York) (1988-90). Served as sole prosecutor of weapons and prison escape case against Iranian national. Bakhtiari was an aspiring terrorist who was arrested with a frightening array of weapons as he tried to rent a high-floor apartment near the United Nations. While in federal custody, he escaped by sliding down a rope made of dental floss from 7th floor of federal jail, but was apprehended. Case was tried in August 1989 in U.S. District Court in Manhattan and Bakhtiari was convicted. Affirmed in part, vacated in part (for resentencing), United States v. Bakhtiari, 913 F.2d 1053 (2d Cir. 1990).

Defense counsel:

John P. Curley
Federal Defender Services
52 Duane Street
New York, New York 10007
(212) 417-8700

(10) United States v. Ramon Coates, 3:97CR73 (Judge Williams, Eastern District of Virginia) (1997-98). Served as sole prosecutor in 1997 of firearms case brought under Project Exile.

Coates was a felon connected to a firearm by Richmond police. Case was fairly simple, but very significant because it was one of the early Exile cases and I tried it before a hostile federal judge in an effort to show management support for Project Exile. Coates was convicted after a jury trial. Affirmed, United States v. Coates, 1998 WL 454793 (4th Cir. 1998) (unpublished).

Defense counsel:

JeRoyd Green
2809 North Avenue
Richmond, Virginia 23222
(804) 321-1728

16. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not

involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

As an attorney, I have participated in a wide range of legal activities, from the trials listed above, to internal investigations, to counseling boards and senior executives, to overseeing mergers, acquisitions, and equity investments. I have been fortunate to touch nearly every area of the law in and out of government. As a government leader, I participated in analysis and decision-making on a host of subjects, from national security to criminal investigative and policy matters. My exposure to legal issues after my government service was similarly broad and also involved leading complex organizations and advising the senior leadership of enterprises. Describing matters in any detail from the periods in which I served as General Counsel would risk breaching my duty of confidentiality to my clients. I have not engaged in lobbying activities.

17. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

I taught trial practice for seven years (1995-2001) at the University of Richmond Law School and appellate advocacy for about three of those years. Copies attached.

18. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

Upon reaching the age of 55, in December 2015, I expect to receive my lump-sum pension payment from Lockheed Martin in the amount of \$400,000.

I expect to receive from Bridgewater Associates, LP, \$163,000 on June 30, 2013, and, if I am confirmed, I will also receive a full payout of my interests in its profit sharing plan, in the amount of \$3,072,654, prior to the date that I assume the position of the Director of the FBI.

19. **Outside Commitments During Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service? If so, explain.

No.

20. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

See attached SF 278.

21. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

22. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's designated agency ethics official. I am not aware of any other potential conflicts of interest.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's designated agency ethics official. I am not aware of any other potential conflicts of interest.

23. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

I have tried to help the disadvantaged in many ways during my life, including using my skills as a lawyer. Much of my career was devoted to working long hours to protect the disadvantaged from the ravages of violent crime, work that is among the most meaningful I have ever done. I started with the legal aid clinic in law school, have done tutoring, mentoring, and pro bono projects, but I think it is fair to say the work I have tried to do for others in non-legal roles has been more extensive than any pro bono work I have done. For example, my wife and I are licensed foster parents and care for infants and toddlers placed with us by the Connecticut Department of Children and Families. As part of that commitment, in late 2011, we took into our home a newborn boy born prematurely with cocaine in his blood stream and cared for him for six months until he could be placed with a foster/adoptive mother. Because of our interest in foster care, we donated money to create a charitable foundation devoted to supporting children who "age out" of foster care, but struggle to survive. In Richmond, I served on the Board of The Healing Place, a non-profit devoted to reducing drug addiction among the homeless population, and as Acting Chairman of Weed & Seed of Richmond Inc., a non-profit dedicated to reviving crime-ridden neighborhoods. In nearly all the communities in which we have lived, I have taught Sunday school and done volunteer work through our churches.

AFFIDAVIT

I, James B. Comey, Jr., do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

June 26, 2013
(DATE)

James B. Comey
(NAME)

Rhodora N. Woolner
(NOTARY)

Rhodora N. Woolner
Notary Public, District of Columbia
My Commission Expires May 14, 2015

This is the html version of the file <http://www.oge.gov/WorkArea/DownloadAsset.aspx?id=8589961055>.
Google automatically generates html versions of documents as we crawl the web.

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U.S. Department of Justice

Washington, DC. 20530

JUN 21. 2013

Walter M. Shaub, Jr.
Director
Office of Government Ethics
1201 New York Avenue, NW
Suite 500
Washington, DC 20005-3919

Dear Mr. Shaub:

In accordance with the provisions of Title I of the Ethics in Government Act of 1978 as amended, I am forwarding the financial disclosure report of James B. Comey. President Obama has announced his intent to nominate Mr. Comey to serve as the Director, Federal Bureau of Investigation, Department of Justice.

We have conducted a thorough review of the enclosed report. The conflict of interest statute, 18 U.S.C. § 208, requires that Mr. Comey recuse himself from participating personally and substantially in any particular matter that has a direct and predictable effect on his financial interests or the financial interests of any other person whose interests are imputed to him, unless he first obtains a written waiver, pursuant to Section 208(b)(1), or qualifies for a regulatory exemption, pursuant to Section 208(b)(2). Mr. Comey understands that the interests of the following persons are imputed to him: his spouse; minor children; any general partner of a partnership in which he is a limited or general partner; any organization in which he serves as an officer, director, trustee, general partner or employee; and any person or organization with which he is negotiating or has an arrangement concerning prospective employment. In determining whether a particular matter has a direct and predictable effect on his financial interests or on those of any other person whose interests are imputed to him, Mr. Comey will consult with Department of Justice ethics officials. '

Upon confirmation, Mr. Comey will resign from his positions with Columbia University and HSBC Group plc. For a period of one year after his resignation from each of these entities, he will not participate personally and substantially in any particular matter involving specific parties in which that entity is a party or represents a party, unless he is first authorized to participate pursuant to 5 GER. § 2635.502(d).

Mr. Comey resigned from his position with Bridgewater Associates, LP in January 2013. Before Mr. Comey assumes the duties of the position of Director, he will receive a full payout of all of his interests in Bridgewater Associates, LP Phantom Equity (Profit Sharing Plan), in two payments in the amount of \$163,000 and \$3,072,654, respectively. For a period of one year after his resignation, he will not participate personally and substantially in any particular matter

Page 2

Mr. Walter M. Shaub

Page 2

involving specific parties in which Bridgewater Associates, LP is a party or represents a party, unless he is first authorized to participate pursuant to 5 C.F.R. § 2635.502(d).

Mr. Comey will receive a lump sum payout of his pension on his 55th birthday, under the Lockheed Martin Defined Benefit Pension Plan. Mr. Comey will not participate personally and substantially in any particular matter that has a direct and predictable effect on the ability or willingness of Lockheed Martin to make this payment to him, unless he first obtains a written waiver pursuant to 18 U.S.C. § 208(b)(1).

We have advised Mr. Comey that because of the standard of conduct on impartiality at 5 C.F.R. § 2635.502, he should seek advice before participating in any particular matter involving specific parties in which a member of his household has a financial interest or in which someone with whom he has a covered relationship is or represents a party.

Mr. Comey will divest his interests in the entities listed on Attachment A to this ethics agreement, within 90 days of his confirmation. With regard to each of these entities, he will not participate personally and substantially in any particular matter that has a direct and predictable effect on the financial interests of the entity until he has divested it, unless he first obtains a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualifies for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). Mr. Conley understands that he may be eligible to request a Certificate of Divestiture for these assets and that a Certificate of Divestiture is effective only if obtained prior to divestiture. Regardless of whether he receives a Certificate of Divestiture, he will divest these assets Within 90 days of his confirmation and will invest the proceeds in non-conflicting assets.

Mr. Comey has been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics, with other ethics agreements of Presidential nominees who file public financial disclosure reports.

Mr. Comey understands that as an appointee he is required to sign the Ethics Pledge (Exec. Order No. 13490) and that he will be bound by the requirements and restrictions therein in addition to the commitments he has made in this and any other ethics agreement.

Page 3

Mr. Walter M. Shaub
Page 3

Based on the above agreements and counseling, I am satisfied that the report presents no conflicts of interest under applicable laws and regulations and that you may so certify to the Senate Judiciary Committee.

Sincerely, 7

Lee J. Lo us
Assistant Attorney General
for Administration and
Designated Agency Ethics Official

Enclosures

Page 4

JAMES B. COMEY ATTACHMENT A to Ethics Agreement

Lockheed Martin common

Lockheed Martin ESOP Fund

Illinois Tool Works

Exxon Mobil Corporation

Johnson & Johnson

Chevron Corp.

Pepsico

Dominion Resources

Aqua America

Berkshire Hathaway C] B

Nestle S A Reg E ADR

Norfolk Southern Corp

Verizon Communications

Wisdomtree Chinese Yuan

Allergan Inc

Total 5 A ADR

Intel Corp

Teekay Lng Partners MLP

Enterprise Prd Partners MLP

Emerson Electric

Compass Minerals IntI

Kinder Morgan Energy Partners MLP

Proctor & Gamble Co

Westinghouse Air Brake Technologies

Union Pacific Corp

Coca Cola Company

CMEGroup Inc CIA

AGL Resources

Microsoft

Baytex Energy Corp

Murphy Oil

Bhp Billiton Ltd Adr

Qualcomm

Hormel Foods Corp

Potash Corp Sask Inc

AT&T

Apple Inc

Core Labs

Deere & Co

Caterpillar Inc.

Rio Tinto Plc Spon Adr

Kroger Company

WD-40 Company

PPL Corporation-

Southern Company

Du Pont E I 53.50 Preferred

The Mosaic Company

CSX Corp

Peabody Energy 1nd. Bond

University Va Muni Bond

Hewlett Packard Ind. Bond

Arcelor Mittal

Alpha Natural Res. Ind. Bond

Morgan Stanley Ind. Bond

LEXIVIARK INTL INC NOTE Ind. Bond

St Joe Company

Bbva US Senior ind. Bond

Chesapeake Energy Ind. Bond

Darling Intl Inc Ind. Bond

Colgate Palmoliv Ind. Bond

Petrohawk Energ Ind. Bond

Carlyle Group LP

Markel Ind. Bond

Alcoa Ind. Bond

NOMINEE STATEMENT

I have read the attached Ethics Agreement signed by Lee J. Lofthus, Assistant Attorney General for Administration and Designated Agency Ethics Official on , 2013, and I agree to comply with the conflict of interest statute and regulations, to follow the procedures set forth in the agreement. In addition, I understand that as an appointee I am required to sign the Ethics Pledge (Exec.Order 13490) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this and any other ethics agreement.

Mm Mil. 306

V! B. Conley / . - ' Dale

**Prepared Statement of Senator Chuck Grassley of Iowa
Chairman, Senate Judiciary Committee
Hearing on Oversight of the Federal Bureau of Investigation
Wednesday, December 9, 2015**

Director Comey, welcome and thank you for being here today. The FBI's mission is to protect us from the most dangerous threats facing our nation. The deadly attacks in Paris last month, and in California last week, confirmed that radical Islamic terrorism continues to be such a threat, regardless of whether that's politically correct or convenient for President Obama.

ISIS is a determined enemy executing a plan to gain and hold territory, enrich itself, inspire followers worldwide, and launch deadly attacks against the West. And the American people are worried. Not just about terrorism. But about the President's inability or unwillingness to rally the country, lead our international partners, develop a credible strategy to destroy ISIS, and execute it. We are now paying the price for that weakness.

At almost every turn, events have proven the President wrong about ISIS. In August 2012, he drew a "red line," warning the Assad's regime not to use chemical weapons in Syria. But the President backed down after Assad gassed his own people, and ISIS blossomed in the chaos that followed. In January 2014, the President referred to ISIS as the "j.v.," or junior varsity. It promptly spent the next six months conquering territory across Syria and Iraq. In August of that same year, the President conceded that he didn't have a strategy to defeat ISIS. A year and a half later, he remains without a coherent one. Even former Secretary Clinton admitted the other day that we're not winning this fight.

The President has been hoping that ISIS will go away, because its existence doesn't fit his preferred political narrative. But hope is not a strategy. Hope is not a plan. Hope is not action.

And all the while, the drumbeat of attacks in the United States continued. In May, there was the attack on a convention center in Garland, Texas. In June, police were forced to shoot a knife-wielding ISIS supporter on the streets of Boston. In July, we had the attack on military facilities in Chattanooga, Tennessee.

Director Comey, as of October you reported that the FBI was engaged in approximately 900 active domestic investigations against suspected ISIS-inspired operatives and other radicalized extremists. And you estimated that approximately 250 Americans have left the U.S. and traveled to Syria to fight with ISIS, or tried to do so.

Nonetheless, in November, the President assured us that ISIS was "contained." But the very next day, it inflicted the deadliest Islamic terrorist attacks in Europe in over a decade, a coordinated assault across Paris that killed 130 and injured over 350. A few weeks later, in San Bernardino, two of its apparent supporters executed the deadliest such attacks on the homeland since September 11, 2001.

Unfortunately, President Obama has responded to this crisis by trying to divide us, deride us, and distract us. He is doubling down on his failed strategy.

After reports suggested that one of the Paris terrorists possessed a Syrian passport and had entered Europe as a refugee, many expressed concern about the procedures used to screen refugees coming to the United States from Syria. Director Comey, you expressed similar concerns in October. You warned that there are “gaps” in the information we have to vet people coming out of a war zone. And you warned that letting anyone come to the United States carries some risk. We can point to the brothers who bombed the Boston Marathon as an example of terrorists who were granted asylum here.

The President responded to the concerns expressed by many Americans by mocking them for being afraid of “widows and orphans.”

But events continued to prove the President spectacularly wrong. As it turns out, women are radical Islamic terrorists, too, apparently to the President’s surprise. We now know that Ms. Malik, one of the San Bernardino attackers, arrived in the United States on a fiancée visa. This is yet another example of the failure of the screening process for those entering the United States. Our government apparently didn’t catch the false address in Pakistan she listed on her application or other possible signs that she was radicalized or an operative.

To top it all off, earlier this week we learned that the National Counterterrorism Center has identified individuals with ties to terrorists in Syria who are attempting to enter the United States through the refugee program. I guess that was one intelligence report the administration couldn’t shade to fit its preferred conclusions.

Now, it always bears repeating that *Islam is not our enemy*. Radical Islamic terrorists are. The vast majority of Muslims in this country and around the world are non-violent and law-abiding. We all should oppose, in no uncertain terms, any violence or intimidation against Muslims for their practicing their religion. But I fear that one of the reasons for the regrettable backlash against Muslims in this country is the public’s frustration with the President’s repeated public failure to acknowledge the actual nature of the threat that we face, his reluctance to utter the words radical Islamic terrorism.

President Obama has also continued to divide us, deride us, and distract us with the issue of gun control. To the President, radical Islamic terrorism is never to blame. But the constitutional right to own a gun always is.

But terrorists aren’t deterred by gun control. Strict European gun control laws did not stop the Paris attacks. California’s assault weapons ban didn’t stop the San Bernardino massacre.

Now, the Obama administration argues that allowing foreigners to buy guns who enter the United States through the visa waiver program is a problem. I agree. But at the same time, the administration’s apparently fine with allowing refugees, asylees, people on deferred action, and other non-citizens who are not legal permanent residents to buy guns. This makes no sense. With few exceptions, we need to prevent all of these people from buying guns.

The administration's current fixation with guns and the visa waiver program can be explained, though, because it's another area where the administration's actions have made Americans less safe. In fact, an opinion from the Obama Justice Department required the Bureau of Alcohol, Tobacco, Firearms and Explosives to change its policy to permit persons arriving from visa waiver countries to buy guns. And the administration removed the longstanding requirement that non-citizens at least establish residency for 90 days in the state where they want to purchase a gun. These 90 days could be crucial in a terrorism investigation.

So when we address the issue of foreigners in the United States buying guns, we need to be comprehensive about it, not just clean up the mess this administration created.

Finally, the Democrats have attempted to divide us, deride us, and distract us with proposals to deny the right to purchase firearms to those on various terrorist watch lists, including the No Fly List.

The San Bernardino terrorists were apparently not on any terrorist watch list, so such a proposal wouldn't have stopped that attack. In addition, the President's claim that "people we don't allow to fly could go into a store right now in the United States and buy a firearm and there's nothing we can do to stop them" just isn't true. The FBI is notified when someone on the No Fly List attempts to purchase a gun, and can take steps to ensure that a gun doesn't fall into the wrong hands. So the President and others have been misleading the American people on that matter.

But the more fundamental point is this: while these lists are useful in keeping us safe, they are the result of the executive branch's unilateral decisions to put people on them without any notice or opportunity to be heard. As a result, they can be unreliable. And it just isn't constitutional to condition the fundamental right to keep and bear arms on an administrative list that lacks that kind of due process.

We wouldn't consider conditioning any other constitutional right – such as the freedoms of speech or religion, or from unreasonable searches and seizures – on such a process. That is why it is so surprising that this President, a former constitutional law professor, and so many Democrats, would support such a scheme.

The fact is, law enforcement hasn't raised gun purchases by people on terrorist watch lists as a huge problem. And Director Comey, I know that you know how to tell us when you confront a serious obstacle to keeping us safe. At our hearing in July, we all heard you talk about the "Going Dark" problem and the increasing use of encrypted communications by terrorists. After these most recent attacks, I'll be interested in hearing how your discussions with technology companies on that issue are proceeding.

I also look forward to discussing a range of other issues with you today. One is the FBI's treatment of whistleblowers. You've expressed a strong commitment to whistleblowers. During your confirmation hearing, you said that whistleblowers were "a critical element of a functioning democracy."

Our hearing in March this year showed that many FBI whistleblowers still have no protection, and the ones who are protected wait many years for relief. I hope that I have your support in strengthening the FBI whistleblower law.

In addition, in March 2015, the American people learned that Secretary Clinton used a private email address and non-government server during her time at the Department of State. Secretary Clinton unilaterally deleted approximately 30,000 emails without any government oversight. Her email and server arrangement is an example of Freedom of Information Act interference, a statute that is within this committee's jurisdiction. Concerns about the email arrangement extend beyond FOIA and involve national security.

And a former Department of State employee, Bryan Pagliano, has refused to communicate with this committee citing his Fifth Amendment right against self-incrimination.

Both the Department of Justice and FBI have refused to confirm or deny any investigation relating to Secretary Clinton's email arrangement citing "long standing policy." Yet, on a number of occasions, the department has publicly announced that it launched an investigation. The American people ought to know what their government is doing. I will have questions for you on this matter.

On another matter, in April, the Wall Street Journal reported that in 2012 the FBI helped facilitate a \$250,000 ransom payment to al Qaeda from the family of kidnapped aid worker Warren Weinstein.

I wrote to the Department of Justice in May to ask if this was true. I also asked if the FBI had facilitated any other ransom payments to terrorist organizations. And I asked for more information about the FBI's policies and procedures relating to facilitating ransom payments to terrorist groups. I got a response letter five months later. That response did not really answer my questions.

Ransom payments are a significant source of terrorist financing. The FBI says its policy is quote "to deny hostage-takers the benefits of ransom" end quote. But the FBI also seems to say it may assist in private efforts to pay ransoms. So, it is not clear what is actually happening. It is not clear whether FBI has helped ransom payments get to terrorist groups.

In June, the Obama administration announced a new hostage recovery policy. It put the FBI in charge of an interagency Hostage Recovery Fusion Cell. Once again, it is unclear if the new hostage policy allows the FBI to facilitate ransom payments to terrorists. Some media outlets say that the new policy makes it easier to make these payments.

So, I'd like to get some specific answers about what the FBI does or does not do when it comes to ransom payments to terrorists. If it has helped with these payments, I'd like to know which terrorist groups received them and how much money they got.

Another issue I'll raise is the FBI's use of spyware. Six months ago, I wrote to the FBI to ask about its use of spyware. I still haven't received a response. According to press reports,

spyware is a type of software that can be remotely deployed to targeted computers and smart phones. Spyware can secretly activate the computer's camera and microphone; collect passwords; search the computer's memory; and intercept phone calls, text messages, and other communications. Spyware is a powerful surveillance tool. It has also been mentioned as a possible way to combat the "Going Dark" problem posed by encryption.

Tools like this need to be subject to oversight to make sure they are not abused. But the committee still does not know how the FBI is using these programs. We have asked. The FBI hasn't answered.

We don't know the types of spyware used or their capabilities. We don't know the FBI's policies and procedures for using spyware, or the legal processes used. And we don't know if there are any audit procedures in place to ensure spyware is used properly.

The Department of Justice is in the process of trying to change Rule 41 of the Rules of Criminal Procedure. The proposed change would make it easier for the FBI to get warrants to use spyware. Congress will eventually weigh in on the change. But we need to know more about spyware in order to make an informed decision.

So, I hope that I can get answers about the FBI's use of spyware. It is important for our oversight role, and it is important for the proposed change to Rule 41.

Finally, as you know, the FBI is conducting a review of federal and state criminal cases in which results of microscopic hair comparison analyses conducted in FBI Labs were used. The FBI has identified over 21,600 cases assigned to hair examiners prior to the year 2000. Cases since 2000 have had DNA analysis and so were not subject to the same potential problems that have led to the review.

Of those 21,600 cases, the FBI determined many of them did not have a microscopic hair analysis report sent to the requesting agency or there was not a conviction in the case. This left 3,118 cases where faulty lab work may have led to a criminal conviction.

The key step in evaluating those remaining 3,118 cases is getting and evaluating a trial transcript.

In a September 2015 letter, your staff said 689 of those cases have been closed because the FBI can't get an adequate response from case contributors or prosecutors. I will have a couple questions about those cases.

Again, thank you for being here, and I'll now recognize Ranking Member Leahy for his opening statement.

**Questions for the Record
Senator Dianne Feinstein**

**James B. Comey, Jr.
Nominee, Director of the Federal Bureau of Investigation**

Lessons Learned from Your Objections to the CIA's Enhanced Interrogation Techniques

1. In December 2012 the Senate Intelligence Committee adopted a bipartisan 6,300-page Study of the CIA's former detention and interrogation program. The review is by far the most comprehensive intelligence oversight activity ever conducted by the Committee. The Study—which builds a factual record based on more than 6 million pages of intelligence community records—uncovers startling new details about the management, operation, and representations made to the Department of Justice, Congress, and the White House. I believe the Study will provide an important lessons learned opportunity for Congress, the executive branch, and the American people. You have testified that you raised objections about the CIA interrogation program with Attorney General Gonzales in May 2005 before departing the Department of Justice. In one of your emails that was made public in 2009, you described telling the Attorney General that the CIA interrogation techniques were “*simply awful*,” that “*there needed to be a detailed factual discussion*” of how they were used before approving them, and that “*it simply could not be that the Principles would be willfully blind*.” In your confirmation hearing you expressed frustration that there was not a wider policy discussion on this matter, which you believed—rightfully so—was of great importance and contrary to our values and ideals as a nation.

Should you be confirmed, how will your experience raising concerns about CIA's so-called “Enhanced Interrogation Techniques” behind closed doors influence your approach and leadership at the Federal Bureau of Investigation, your interactions with Congress, and your communications with the American people?

RESPONSE: My experience as Deputy Attorney General reinforced my long-standing view about the importance of fostering a culture of transparency, which I will bring to the FBI if I am confirmed as its new Director. I believe, as I did when I served as Deputy Attorney General, that if there are questions about whether proposed conduct is appropriate—consistent with our values—we should seek a vigorous debate about that conduct before going forward. In those circumstances, I am prepared to detail my concerns and reasoning to the relevant stakeholders, as I have done in the past. If confirmed, I intend to foster a culture at the Bureau that encourages subordinates to provide their candid advice to me and transparency with Congress and the American people, consistent with the Bureau's law enforcement and national security responsibilities, and long-standing Executive Branch confidentiality interests.

Role in the Indefinite Detention of U.S. Citizen Jose Padilla

2. As US Attorney for the Southern District of New York you supported, and later as Deputy Attorney General publicly defended, the military detention without charge or trial for several years of Jose Padilla, a U.S. citizen apprehended on U.S. soil on suspicion of involvement in terrorism plots.
 - a. *Is it your current belief that it is Constitutional to indefinitely detain persons apprehended on U.S. soil in military detention without charge or trial?*
 - b. *If so, do you also believe it is Constitutional to indefinitely detain U.S. citizens apprehended on U.S. soil in military detention without charge or trial?*
 - c. *If you believe it is Constitutional to indefinitely detain U.S. citizens apprehended on U.S. soil, are you basing that on the President's Article II powers or are you saying the 2001 Authorization for Use of Military Force (AUMF) provides that authority?*

RESPONSE: It is my view that, as long as the armed conflict with al Qaeda and its associated forces is ongoing, it would be constitutional to detain persons, including U.S. citizens, apprehended on U.S. soil in connection with that conflict. Those persons would have the right to challenge their detention in habeas corpus actions. This detention authority, in my view, stems from the 2001 Authorization for Use of Military Force, which I believe permits detention until cessation of hostilities. The U.S. Court of Appeals for the Fourth Circuit concluded that Padilla's detention was lawful. I understand that the President has stated that, as a matter of policy, his Administration will not hold U.S. citizens in indefinite military detention without trial, and if I am confirmed as FBI Director, the FBI would act consistent with that policy.

Ongoing Need for Congress to Receive OLC Opinions

3. After some unnecessary resistance, earlier this year the Intelligence Committee and the Judiciary Committee were finally able to access all of the OLC opinions related to the targeted killing of Americans outside the United States and *outside* areas of active hostilities, such as Afghanistan. In the area of surveillance, one of the documents allegedly leaked by Edward Snowden indicates that a 2004 OLC opinion on the legality of a NSA surveillance program was not shared with even the General Counsel of the NSA because it was considered confidential legal advice to President Bush.
 - a. *Does it seem appropriate to you for anyone in the Executive Branch to withhold an OLC opinion on a specific NSA program from the NSA's top lawyer?*

RESPONSE: I am not in a position to comment specifically, except I understand that the President has the authority to seek advice from OLC about any matter and I would be reluctant to opine on whether he has an obligation to share that advice with anyone else.

b. Do you believe that the congressional committees of jurisdiction should have access to the legal analysis underpinning the classified operations they oversee?

RESPONSE: I believe that congressional oversight is important and essential to good government. If confirmed as FBI Director, I will do my best to ensure cooperation with legitimate and appropriate oversight requests from relevant committees. I believe it is important for oversight committees to receive information about the legal bases for classified operations they oversee, but the best method to accomplish that may depend upon a variety of facts and circumstances.

Did OLC Reach the Legal Result its Client Wanted?

4. Several of the OLC opinions on the CIA's interrogation techniques stressed that their legality was a close call, yet this was the same determination even when the legal standard changed. Some OLC memos analyzed whether the CIA's techniques were "torture." Others analyzed whether the techniques were "cruel, inhuman, or degrading." Yet, each time the OLC determined that the CIA techniques were "legal."

If the OLC is supposed to be the gold standard for candid, independent, and principled advice—even when that advice is inconsistent with the aims of policymakers—how do you account for what happened at the OLC during the Bush Administration?

RESPONSE: Although I reviewed three of the opinions to which you refer, I was not involved in the research, analysis, or actual drafting of those opinions. I do not feel that I am in a position to explain the drafters' thought processes or to otherwise comment on OLC opinion practices during the Bush Administration.

Surveillance Issues

5. There has been an intense focus on some of the NSA surveillance programs recently. Regarding the Phone Call Records Metadata program, we've been told recently that the program helped disrupt 12 of the 13 U.S. homeland terrorist events since 2007 that have been analyzed by NSA.

Assuming that other counterterrorism tools may have contributed to all or some of these 12 terrorist events as well, what would you say about the effectiveness of the Phone Call Records Metadata program?

RESPONSE: I am not familiar with that specific program other than what I have learned from public sources. However, as I understand it, the program is congressionally authorized and court approved, with oversight by all three branches of government. We need to use all of the tools that are legally available and appropriate to connect the dots and counter the threats to our national security.

**Senator Sheldon Whitehouse
Questions for the Record**

**James B. Comey, Jr.
Nominee, Director of the Federal Bureau of Investigation**

Cybersecurity

1. At a hearing of the Subcommittee on Crime and Terrorism on May 8, 2013, the Subcommittee heard about the FBI's continued efforts to build up and structure its cyber resources in the manner that best addresses cyber threats from four sets of malicious actors: foreign intelligence services, terrorist groups, organized criminal enterprises, and hacktivists. Director Mueller subsequently testified to the House Judiciary Committee that he anticipates that "in the future, resources devoted to cyber-based threats will equal or even eclipse the resources devoted to non-cyber based terrorist threats."

Do you agree that we must continue to build up the FBI's cyber capabilities? If you are confirmed, will you work with me and my colleagues to ensure that these resources are appropriately structured and scaled so that the FBI best protects American national security, economic security, and privacy from cyber threats? And will you support continuing meetings and efforts with the Office of Management and Budget and the Justice Department regarding our cyber law enforcement structure and resources?

RESPONSE: As I noted in testimony at my confirmation hearing, I believe that the threat from cyber espionage, cyber crime and cyber terrorism is growing exponentially. Ensuring that the Bureau has appropriate resources that are efficiently structured will continue to be an important part of addressing this growing threat. If confirmed as Director, I would work within the Executive Branch, including the Office of Management and Budget, and with Congress, to ensure that the cyber threat is addressed in the best way possible within the bounds of the law and available resources.

False statements to the Internal Revenue Service

2. At a hearing of the Subcommittee on Crime and Terrorism on April 9, 2013 on "Current Issues in Campaign Finance Law Enforcement," the Subcommittee examined a pattern of what appear to be material false statements made to the government by 501(c)(4) organizations and organizations seeking 501(c)(4) status. These apparent false statements, which pertain to how much political activity the organizations have engaged in or plan to engage in, were made on IRS forms 1024 (application for exempt status), and 990 (return of exempt organization). On first impression, these false statements would seem to violate both 18 U.S.C. § 1001 (false statements) and 2 U.S.C. § 7206 (fraud and false statements made under penalty of perjury).

Both the Department of Justice and the IRS have suggested that the Justice Department, and presumably the FBI, would not take an active role in investigating these apparent false

statements until specific cases were referred by IRS to the Justice Department. This is in spite of the fact that 18 U.S.C. § 1001 false statement cases are, as Acting Assistant Attorney General for the Criminal Division Mythili Raman described them, “bread-and-butter” cases that investigators and prosecutors handle on a regular basis. Meanwhile, as a number of witnesses and experts have stated, the IRS is ill-equipped to investigate these cases. Neither the Justice Department nor the IRS was able to provide examples of any referrals having been made.

- a. Do you believe that where “open and notorious” violations of material false statement statutes are alleged, the FBI should step in to investigate regardless of action or inaction by the IRS?*
- b. Would you, if confirmed, act to ensure that the FBI exercises its authority to investigate potential violations of criminal statutes pertaining to material false statements regarding political activity on IRS forms?*

RESPONSE: I am committed to the fair, impartial, and responsible enforcement of the law. To that end, I believe that law enforcement should investigate credible evidence indicating violations of criminal statutes and follow the facts wherever they lead. While I am not in a position to determine what investigative decisions I might make if confirmed as Director, I recognize that material false statements that violate 18 U.S.C. § 1001 may warrant appropriate law enforcement action.

Political Interference with Prosecutions

3. On April 15, 2002, Attorney General Ashcroft issued a memorandum to the heads of Justice Department components and the United States Attorneys. This memorandum established Department policy regarding communications between the Department and the White House. Because of an exception in this policy, its practical effect was to permit, by the Committee’s count, 417 individuals within the White House to speak with 42 individuals at the Department of Justice about criminal investigations.

On May 4, 2006, Attorney General Gonzales issued a memorandum that affirmed the Ashcroft memorandum and further expanded the exception so that, by the Committee’s count, 895 individuals at the White House were permitted to speak with 42 individuals at the Department of Justice about criminal investigations and prosecutions.

It is my opinion that these policies created an environment in which undue political interference with the administration of justice could flourish, and were one cause of the scandal relating to the firing of United States Attorneys.

The Ashcroft memorandum was in effect during your tenure as the Deputy Attorney General. In light of this fact please:

- a. describe your awareness of this policy and of any inappropriate consequences during your time as the Deputy Attorney General;*

- b. explain your views about political interference in criminal investigations by the White House, elected officials, or other political actors; and*
- c. provide assurance that you will protect the FBI and the Justice Department from political interference by the White House if you are confirmed.*

RESPONSE: When I served as the Deputy Attorney General, I was aware of the policy to limit communications by representatives of the White House to appropriate policy level officials at the Department, and it was my understanding that such contacts were extremely limited. The policy served an important purpose of insulating line level employees from political influence and the perception of political interference. I do not recall any inappropriate contacts during my service as the Deputy Attorney General. Consistent with my testimony before the Committee, I believe that federal law enforcement efforts should be non-partisan and free of any political influence or interference. If I am confirmed as Director of the FBI, I will be committed to protecting law enforcement efforts by the Bureau and the Department from political interference from any source.

**Senator Amy Klobuchar
Questions for the Record**

**James B. Comey, Jr.
Nominee, Director of the Federal Bureau of Investigation**

1. Earlier this year, I joined Senator Cornyn in introducing the Human Trafficking Reporting Act. It is a simple bill that requires that human trafficking offenses to be reported as Part I violent crimes for purposes of the FBI's Uniform Crime Reports. Requiring this reporting would help us better understand the problem so that we can assist law enforcement and victim advocates to fight this scourge of human trafficking. And, because grant funding levels are often tied to the number of Part I violent crimes in a given jurisdiction, the bill will incentivize for law enforcement to train their officers to identify and investigate potential cases of human trafficking.
 - a. *Is this legislation you could support?*
 - b. *From your experience in law enforcement as a former prosecutor, what do you think are the most effective tactics for fighting human trafficking?*
 - c. *If confirmed, will you work with us to find ways to step up or fight against human trafficking?*

RESPONSE: Human trafficking, whether involuntary servitude or the commercial sexual exploitation of children, is a kind of modern-day slavery. If confirmed, I will vigorously work to combat human trafficking in all its forms. I know the Bureau is dedicated to aggressively fighting human trafficking. I believe a multi-disciplinary approach involving training, outreach and victim services is important because it enlists our valuable law enforcement partners in the fight. While I am not in a position to comment on legislation, it is my understanding that the FBI has announced that its Uniform Crime Reporting Program (UCR) will collect offense and arrest data for human trafficking from participating law enforcement agencies.

2. During the hearing, you seemed to agree with Senator Grassley about the importance of government whistleblowing and protection of bona fide government whistleblowers who witness and disclose waste, fraud, abuse, illegality and/or risk to public safety.
 - a. *Do you think whistleblower provisions enacted to protect government employees from retaliation should apply to those who work in national security or intelligence agencies?*
 - b. *If so, how should such protections vary in those contexts in contrast to the protections for other government workers?*
 - c. *If not, what should someone working in the national security or intelligence sector do when they witness fraud, waste or abuse?*

RESPONSE: Whistleblowers play an important role in discovering and preventing waste, fraud, and abuse in the government. I am not familiar with the particular rules that apply to whistleblowers who seek to disclose information that implicates national security information. All employees who witness waste, fraud, or abuse should be encouraged to report it to appropriate supervisors and, if they choose, to the Inspector General. If I am confirmed, I will work to ensure that FBI employees do not face retaliation for making protected disclosures. I also have long believed that it is the duty of every supervisor to create a climate in which employees feel empowered to call out problems of all kinds and, if I am confirmed, I will bring that approach with me to the Bureau.

Senator Al Franken
Questions for the Record

James B. Comey, Jr.
Nominee, Director of the Federal Bureau of Investigation

1. In response to a question from Chairman Leahy, you testified that you believe that waterboarding is torture and is illegal. Nonetheless, you concurred in a May 10, 2005, memorandum by Stephen Bradbury, which concluded that waterboarding is not torture and is not illegal. (This was the first of two memoranda issued by Mr. Bradbury on May 10, 2005. It discussed the individualized application of several interrogation techniques. I refer to this memorandum as the Bradbury I Memorandum throughout this document. This memorandum is distinct from the “combined effects” memorandum issued on the same day.)

Please explain the discrepancy between the position you took during your confirmation hearing and the position you took when you concurred in the Bradbury I Memorandum. In your response, please state whether you believe that waterboarding is (1) torture, (2) illegal, (3) immoral, and (4) ineffective as an intelligence-gathering technique.

RESPONSE: I appreciate the opportunity to clarify my position on this matter. Ever since I became the Deputy Attorney General, my reaction as a person, a citizen, and a leader has been that waterboarding is torture. It is, therefore, inappropriate. I cannot speak with authority to whether it is effective, but I believe that the FBI’s long-standing refusal to participate in such techniques has not in any way impaired the Bureau’s effectiveness in gathering information. If I am confirmed as FBI Director, I will continue that tradition.

The first OLC memorandum of May 10, 2005, presented the narrow legal question of whether waterboarding, standing alone and without being combined with other techniques, violates 18 U.S.C. §§ 2340 and 2340A. The opinion, in my view, set forth a serious and reasonable legal analysis of vague statutory language, as it would apply to waterboarding only, on the assumption that the technique could be viewed in isolation. Since I believed that the techniques described, including waterboarding, were always used in combination, I objected strongly to the second OLC memorandum on both legal and policy grounds. I believed that those objections would stop the entire program, if they prevailed, but they did not. Even though I lost on the legal issue, I continued to raise policy objections about the appropriateness of these techniques, but my arguments were rejected. By that time, I had already announced my resignation and I remained as the Deputy Attorney General until my predetermined departure date in order to fulfill other responsibilities, particularly those pertaining to violent crime.

I did not then and do not now believe that the United States government should engage in waterboarding. It is not appropriate for us to do so as Americans. I also believe that, for a variety of reasons, such conduct would be unlawful today.

2. In response to one of my questions, you testified that you believe that sleep deprivation, as described in the Bradbury I Memorandum, is torture. Nonetheless, you concurred in the Bradbury I Memorandum.

Please explain the discrepancy between the position you took during your confirmation hearing and the position you took when you concurred in Mr. Bradbury's memorandum. In your response, please state whether you believe that sleep deprivation is (1) torture, (2) illegal, (3) immoral, and (4) ineffective as an intelligence-gathering technique.

RESPONSE: Please see my response to Question 1, above, regarding waterboarding. My response to that question also applies to sleep deprivation.

3. The Bradbury I Memorandum said the following about cramped confinement:

This technique involves placing the individual in a confined space, the dimensions of which restrict the individual's movement. The confined space is usually dark. The duration of confinement varies based upon the size of the container. For the larger confined space, the individual can stand up or sit down; the smaller space is large enough for the subject to sit down. Confinement in the larger space may last no more than 8 hours at a time for no more than 18 hours a day; for the smaller space, confinement may last no more than two hours.

The Bradbury I Memorandum goes on to say that this technique is not torture because it does not involve any significant physical pain or suffering or any severe mental pain or suffering.

Do you agree with that analysis? If not, please explain the discrepancy between that position and the position you took when you concurred in the Bradbury I Memorandum. In your response, please state whether you believe that cramped confinement is (1) torture, (2) illegal, (3) immoral, and (4) ineffective as an intelligence-gathering technique.

RESPONSE: Please see my response to Question 1, above, regarding waterboarding. My response to that question also applies to cramped confinement, although my primary focus in 2005 was on waterboarding and sleep deprivation.

4. Mr. Comey, in response to my question you stated that you believe it is lawful to detain an American citizen, captured on American soil, without access to a lawyer if that citizen is deemed to be a prisoner of war. Previously, when discussing Jose Padilla's case in a 2004 press conference, you stated you believe it is (1) lawful and (2) good policy for the Federal Bureau of Investigation to transfer citizens to military custody and deny them access to counsel if the government believes they are "enemy combatants." However, you have also recognized that federal courts are effective at trying suspected terrorists. You published an op-ed in 2009 applauding Attorney General Holder's decision to try Khalid Sheik Mohammed in federal court, and Jose Padilla was ultimately convicted in a civilian trial. We have a proud tradition in this country of a strong court system that is effective at trying the most heinous criminals, and we

know that ensuring all sides have access to counsel strengthens our justice system, rather than weakens it.

- a. *Can you elaborate on your statements regarding when you believe it is appropriate to transfer a suspect from FBI detention to military detention, and when you believe it is acceptable to deny a suspect access to their lawyer?*
- b. *Can you please identify who you believe has the authority to make the unilateral determination that a suspect should be transferred to military custody or held without access to a lawyer, and what statute provides that authority?*

RESPONSE: As a former prosecutor, I agree that we have a strong and effective system of Article III courts. I also believe that it is important to retain our ability to use military tribunals and law of war detentions if deemed necessary to protect national security.

I held the June 1, 2004, press conference because I believed that it was important then, and remains important now, for the American people to understand the President's decision to declare Mr. Padilla an enemy combatant, and for there to be an opportunity for public debate about these issues. When Mr. Padilla was arrested in May 2002, we believed that he posed a significant threat to national security, that he had undertaken a mission to kill Americans, and that he possessed important information about others who sought to harm the American people. He was appointed an attorney and, through that attorney, moved to vacate the material witness warrant that had authorized his arrest. With time running out in our ability to prevent Mr. Padilla's release, which we considered a serious threat to national security, the President ordered the Department of Defense to take Mr. Padilla into custody as an enemy combatant.

Ultimately, we learned from Mr. Padilla's own admissions that he was recruited, trained, and funded by Al Qaeda. He met with senior Al Qaeda operatives including Abu Zubaida and Khalid Sheik Mohammed, the master mind of the September 11, 2001 attacks. They had asked him to conduct an operation involving devastating natural gas explosions in apartment buildings in American cities, which had the potential to kill hundreds, if not thousands, of Americans, and, by his own admission, Mr. Padilla accepted that assignment. The U.S. Government arrested him when he returned to the United States, equipped by Al Qaeda, for the purpose of carrying out that assignment.

As I described in the press conference, had Mr. Padilla remained in the criminal justice system, on advice of his attorney, he would likely have refused to speak with us, and he would have been set free. Instead, the U.S. Government was able to gather intelligence from Mr. Padilla as an enemy combatant, with the understanding that we would not be able to use that information against Mr. Padilla in an Article III court. Indeed, Mr. Padilla was ultimately charged and convicted in an Article III court of other offenses, including material support to terrorism, and sentenced to 17 years in prison.

It is my understanding that the President has the power to determine whether an individual is an enemy combatant, subject to relevant legal constraints and appropriate judicial review. I would not have that authority if confirmed as Director of the FBI.

Senator Charles Grassley
Questions for the Record

James B. Comey, Jr.
Nominee, Director of the Federal Bureau of Investigation

1. The Congressional Research Service (“CRS”) reported in 2012 that illegal cigarette trafficking remains one of the top three funding sources for terrorists and organized crime. Based on this, I have some questions regarding how DOJ prioritizes investigations of domestic cigarette smuggling, given the demonstrated link between such smuggling and terrorist financing. The obvious reason terrorists and organized crime groups smuggle cigarettes is the easy profit. By some estimates, a single case (60 cartons) yields \$3,000 in illegal profit, and criminals can reap illegal profits of \$2,400,000 from a single truckload (typically 800 cases).

The NYPD recently arrested for cigarette smuggling several individuals with ties to Hamas, Hezbollah and other convicted terrorists. The arrested individuals allegedly obtained cigarettes from a wholesaler in Virginia and smuggled the cartons through storage facilities in Delaware and New Jersey for resale in New York. When the New York authorities announced this case, hardly a mention was made of any role by the federal government or DOJ. (May 16, 2013 Press Release <http://www.ag.ny.gov/press-release/ag-schneiderman-nypd-commissioner-kelly-announce-take-down-massive-eastern-seaboard>) DOJ is supposed to be the principal federal law enforcement agency on the issue of terrorism prosecutions.

Unfortunately, a July 2012 memo sent by ATF headquarters (the investigative agency that oversees illicit cigarette trafficking) and obtained by this Committee seems to de-prioritize enforcement against cigarette smuggling. This memo indicates that ATF agents should only pursue such smuggling when there is a “nexus” to violent crime.

With this background, it concerns me that the recent New York case was apparently handled by state law enforcement, without much involvement by federal officials. As I mentioned, the press release from the New York Attorney General announcing the case barely mentioned a federal role, and primarily mentioned the federal government as assisting in forfeiture issues.

a. What role do you foresee the FBI taking in cases such as these?

RESPONSE: I believe that, as a general matter, the FBI is the lead investigative agency in terrorism cases. I would expect that the FBI’s involvement in a particular case would depend on the facts and circumstances, coordination with other law enforcement agencies, and judgments about the best allocation of FBI resources.

b. Do you believe that these potential terrorist financing operations should be pursued by federal authorities only if there is a nexus to violent crime? Please explain.

RESPONSE: I believe that, as a general matter, the FBI has lead responsibility for investigating terrorism cases, including cases that may involve financing or other material support to terrorists, such as cases brought pursuant to 18 U.S.C. §§ 2339A, 2339B and 2339C.

c. Do you believe the link between terrorist financing and the violent acts that the terrorists will be able to pursue with such funds is a sufficient nexus to justify federal law enforcement involvement? Please explain.

RESPONSE: I believe that, as a general matter, the FBI has lead responsibility for investigating terrorism cases, including cases that may involve financing or other material support to terrorists, such as cases brought pursuant to 18 U.S.C. §§ 2339A, 2339B and 2339C. I would expect that the FBI's involvement in a particular case would depend on the facts and circumstances, coordination with other law enforcement agencies, and judgments about the best allocation of FBI resources.

2. During your hearing before the Committee, we discussed my concerns about the FBI's poor record involving whistleblowers. As I stated, one of my concerns is that whistleblowers involved with national security matters are treated differently than those in other areas of the government. During the hearing, you stated that you were not well versed enough in the law that causes this disparate treatment among whistleblowers.

a. Have you had an opportunity to adequately review the applicable law and regulations?

RESPONSE: No, but I will do so if confirmed.

b. If so, do you believe whistleblowers who know of problems with matters of national security should be treated differently?

RESPONSE: Please see my response to Question 2a, above.

3. Outgoing Director Mueller stated in his recent testimony before this Committee that the FBI was using drones for surveillance and the FBI was in the process of developing guidelines and policies for drone use by the FBI.

When evaluating the use of drones by the government, do you think the 4th Amendment provides sufficient privacy protections to American citizens or do you think we need to pass laws to provide greater privacy protection? Please explain.

RESPONSE: I am not yet familiar with the way in which the FBI uses Unmanned Aerial Systems (UAS) in its work. I recognize that it is important that the Bureau's use of UASs complies with applicable law and, if confirmed, I will review the FBI's policies and practices regarding UASs to ensure such compliance.

4. As you mentioned in your testimony, the FBI must address the ever growing cyber threat to both our government and private industry. Outgoing Director Mueller has stated that the FBI must "develop channels for sharing information and intelligence quickly and effectively." While I

applaud the fact the FBI has taken a more proactive role in working with the private sector, there are still gaps that need to be filled.

- a. You spent several years as General Counsel for Lockheed Martin and Bridgewater Associates. In those roles, I suspect that dealt with issues arising from cyber threats that the government and private enterprise face as well as the barriers that make it difficult to minimize cyber attacks. In your experience, what barriers currently prevent a free flow of information sharing between the government and the private sector?*

RESPONSE: Although I cannot comment specifically about particular concerns of my former employers, I do know that industry groups are keenly interested in working with the government to thwart cyber attacks, but some have expressed concerns that information they share with the government not be disclosed publicly or be used for other government purposes outside of the cyber security purpose for which it was shared. In addition, some industry representatives have expressed concern about the risk of civil liability for sharing information with the government. These concerns should be addressed so as to ensure a coordinated public/private effort to protect our nation and its valuable intellectual property.

- b. What incentives could be provided to the private sector to encourage information sharing with the government and with other private businesses?*

RESPONSE: There are a variety of incentives that could be given to the private sector to encourage sharing. These may include assurances about the way the information is stored and processed, liability protections, and privacy protections.

- c. Is legislation required to provide these incentives to the private sector? If so, please explain.*

RESPONSE: Some of the possible incentives could be achieved without legislation but others may require legislative action.

5. The Presidential pardon of Marc Rich is a blemish on the record of both President Clinton and Attorney General Holder. In 2008 you wrote a personal letter of recommendation in support of Mr. Holder's confirmation. In that letter you specifically addressed your involvement with the Rich investigation. You condoned Mr. Holder's role in the pardon process.

Do you still believe that the Rich pardon made Mr. Holder a "better steward of the Department of Justice?" Please explain.

RESPONSE: I spoke in my confirmation hearing about my belief in the importance of learning from one's mistakes, because some mistakes are inevitable. In my 2008 letter in support of then-nominee Holder, I explained that I believed he is a man of integrity, committed to the rule of law, who made a serious mistake with respect to the pardon of Marc Rich.

6. The Director of the FBI is an extremely powerful individual. It is his or her responsibility to set the policies and procedures for the entire agency. Sometimes, Congress passes legislation that, as an individual, the Director may not agree with. The problem arises when that individual uses his or her position of power to reflect personal and not professional guidelines. Unfortunately, this seems to be becoming a regular feature of this administration. Nonetheless, as Director of the FBI, it will be your job to enforce the laws as written by the legislative branch, regardless of your personal views.

Please explain your commitment to enforce the laws and the Constitution, regardless of your personal position on a matter.

RESPONSE: If I am confirmed as Director of the FBI, I will faithfully discharge my responsibilities to enforce the laws and uphold the Constitution of the United States with vigor and to the best of my ability.

7. Inter-Agency cooperation is a vital aspect of successful criminal investigations. Given the complex and interconnected world we live in, it is not uncommon for the FBI to rely on the National Security Agency or the Bureau of Alcohol Tobacco and Firearms to help close a case. Unfortunately, many federal law enforcement agencies have reported that the FBI “does not play well with others.” In fact, recently I have read reports documenting the infighting between the FBI and other agencies, including the New York Police Department.

As the Director of the FBI, you will be responsible for managing both your agency and your agents when they interact with other members of the executive branch. While not the most glamorous aspect of the job, The Bureau’s development of good inter-agency relationships can be the difference between closing a major case or not.

Since the culture of an organization starts at the top, I’m concerned about what may be going on in management at the FBI.

- a. Given your role as the Deputy Attorney General, how did you handle inter-agency disputes? What methods did you use that were successful and what methods were not? How will you apply this experience to being FBI Director?***

RESPONSE: I agree that interagency cooperation is essential to successful criminal investigations. Even before my experience as Deputy Attorney General, I understood the importance of using the full interagency team in the criminal cases I worked on when I was a United States Attorney and an Assistant United States Attorney. Throughout my career, I have been successful at working within the interagency structure and resolving disputes among various components. At the center of my approach was treating others with respect and listening well to their concerns and ideas. If I am confirmed, I will use the skills I have gained in these positions to continue Director Mueller’s work in building strong alliances with the FBI’s partner agencies.

b. Please explain your commitment to the FBI working with all appropriate federal partners in addressing issues such as national security.

RESPONSE: I know that Director Mueller believes that it is important that the Bureau interact effectively and cooperatively with other law enforcement agencies and, if I am confirmed as Director, I intend to continue his work in this area by reinforcing that message from senior management down and throughout the Bureau.

c. What are your plans to improve the FBI's working relationships with state and local law enforcement agencies and how do you plan to relay that message to the line agents and supervisors?

RESPONSE: Please see my response to Question 7b, above.

8. Former FBI Director William Webster investigated the attack at Ft. Hood by Major Nidal Hasan. Major Hasan attacked the Ft. Hood deployment center on November 5, 2009, killing 12 U.S. soldiers, 1 employee of the Department of Defense, and injuring 42 others. The commission report showed the FBI had information indicating Hasan was in contact with terrorists, but the Washington D.C. Field Office assessed that Hasan was not involved in terrorist activities. However, the San Diego Field Office disagreed. The report found that neither office took steps beyond this to prevent something from happening.

The Webster Commission made several recommendations, and I know that the FBI has implemented many changes to its procedures since November 2009.

a. Are you familiar with the Webster Commission Report's recommendations?

RESPONSE: I am not.

b. Do you agree with the recommendations of the Webster Commission?

RESPONSE: Please see my response to Question 8a, above.

c. Will you continue to implement the recommendations, as the FBI has indicated they are doing?

RESPONSE: I am not familiar with what the FBI is doing in this area. I am unable to answer this question based on my current knowledge, but I will promptly review this matter if I am confirmed.

d. Do you have any suggestions with how to improve the FBI systems and procedures to ensure something like Ft. Hood does not happen again?

RESPONSE: I am not familiar with what the FBI is doing in this area. I am unable to answer this question based on my current knowledge, but I will promptly review this matter if I am confirmed.

9. With any appointed position, there is some concern that a nominee will succumb to improper partisan or special interest group influence.

a. Please explain what procedures or safeguards you will continue or put in place to ensure the independence of the FBI from political and partisan influence.

RESPONSE: I can assure you that if I am confirmed as Director, partisan political considerations will play no role in the discharge of my responsibilities. The FBI is and must be an independent entity, and it cannot be associated with any political party or partisan interest. In accordance with law and long-standing traditions, the FBI will carry out its law enforcement mission independent of political and partisan influence. If confirmed, I will expect all FBI agents and employees to carry out their work as I will, with fairness and with uncompromising personal and institutional integrity. I cannot say at this point whether there are procedures or safeguards that would be helpful.

b. Please explain what procedures or safeguards you will continue or put in place to guaranty transparency within the FBI?

RESPONSE: In general, I believe that transparency and openness within a government agency strengthens the agency and our democracy. If confirmed as Director, I will support a culture of transparency within the FBI. I cannot say at this point whether there are procedures or safeguards that would be helpful.

c. Please explain what procedures or you continue or put in place to facilitate Congressional oversight of the FBI.

RESPONSE: Oversight is an important function of Congress and is a necessary part of our system of checks and balances. If confirmed, I will work to respond to oversight by relevant congressional committees and accommodate their needs, consistent with the FBI's law enforcement and national security responsibilities.

10. In April, former Attorney General Michael Mukasey wrote an op-ed raising concerns about the FBI's reluctance to look for ties that radical jihadists may have overseas. Mr. Mukasey pointed out that since 9/11, the FBI has questioned five terrorists before they committed their attacks. However, the FBI was unable to prevent the attacks.

In contrast, a Washington Post editorial in the same time period pointed out that "the FBI has devoted considerable resources to sting operations against people it judges to be terror suspects, sometimes on what look like dubious grounds." The editorial concluded: "[I]t's not clear that a

sometimes far-fetched plot would have gone forward without the encouragement and help of FBI informants.”

a. Do you think the FBI needs to rethink how it deals with information about radical Jihadists in the United States? Please explain.

RESPONSE: I am familiar with the FBI’s actions in this area only from publicly available information. If confirmed, I will consider how the FBI addresses ties that radical jihadists may have overseas and will implement any changes that are necessary to protect our national security.

b. Please explain your views on whether or not the FBI should attempt sting operations on people such as the five terrorists mentioned in Attorney General Mukasey’s article?

RESPONSE: I am familiar with the FBI’s actions in this area over the last eight years only from publicly available information. I know from my prior experience that sting operations can be a useful tool against those inclined to terrorist acts. If confirmed, I will consider how the FBI addresses sting operations against would be terrorists and will implement any changes that are necessary to protect our national security.

11. A recent *Wall Street Journal* editorial criticized you for supporting the FBI’s pursuit of Dr. Stephen Hatfill in the anthrax case. One book about the anthrax investigation states that former Deputy Defense Secretary Paul Wolfowitz recalls speaking with you about the investigation prior to a meeting in the White House Situation Room. According to the book, Wolfowitz recalled that you were “absolutely certain that it was Hatfill.” Wolfowitz said you cited the evidence provided by bloodhounds in the case.

a. Is this account accurate?

RESPONSE: I have no recollection of such a conversation with Mr. Wolfowitz.

b. Do you believe the FBI handled the anthrax investigation properly?

RESPONSE: The anthrax investigation was a matter of national importance. The investigation was extensive, complex, and involved significant FBI resources. I do not have all of the information about the investigation because it remained active long after I left the Department. Therefore, I am not in a position to assess the manner in which the investigation was handled.

c. What lessons do you think the FBI should learn from the anthrax case?

RESPONSE: Again, given the level of complexity of this investigation and the fact that I left the Department while it remained on-going, I cannot offer an opinion on this matter.

**Statement Of Senator Patrick Leahy (D-Vt.),
Chairman, Senate Judiciary Committee
Hearing On Oversight Of The Federal Bureau Of Investigation
May 21, 2014**

Today, the Judiciary Committee welcomes James Comey for his first appearance before this panel as Director of the Federal Bureau of Investigation. Director Comey, I remember from your confirmation hearing last year that your wife told you she did not think you would be chosen for this position. But here you are, eight months into the job. We look forward to hearing about the challenges you have discovered at the Bureau.

One of the challenges I have long observed is the FBI's need to balance its increased focus on counterterrorism while upholding its commitment to longstanding law enforcement functions. Director Comey, as you lead the Bureau into a new era, I urge you to make sure that investigations and prosecutions are targeted and fair, and that respect for civil rights and civil liberties is upheld.

A critical tool in successful and fair prosecutions is forensic evidence. Despite what you see on reruns of "Law and Order," DNA analysis is not widely available and its application often does not solve a crime in 60 minutes or less. I support law enforcement efforts to make better use of this powerful evidence, and to that end I have long pushed two bipartisan bills, the Justice for All Reauthorization Act and the Criminal Justice and Forensic Science Reform Act. These measures will help prosecutors identify and prosecute the guilty. As a nation, we are safer when our justice system gets it right.

While advanced technology presents the FBI with new opportunities to bring criminals to justice, it also can raise significant civil liberties challenges. Drones, for example, offer new capabilities as a domestic investigative tool, but also present serious privacy concerns. We must always fiercely guard the right of the American people to be free from unwarranted government intrusion. Vermonters remind me every day of my responsibility to ensure that we protect our national security and our civil liberties.

Director Comey is no stranger to this struggle. It was before this very committee, in 2007, that you described a dramatic hospital bedside confrontation with senior White House officials who were trying to get an ailing Attorney General John Ashcroft to reauthorize an NSA surveillance program – a program that the Justice Department had concluded was illegal. As Deputy Attorney General, you showed courage and independence by standing firm against this attempt to circumvent the rule of law.

Right now, Congress is still dealing with the surveillance programs begun during the last administration, including a bulk collection program that acquires Americans' phone records on an unprecedented scale. I am glad the House is poised to act on a revised version of the USA

FREEDOM Act. However, I remain concerned that some important reforms were removed. I hope that you will work with me as the Senate takes up this important issue.

Another area where we must work together is cyber security. I look forward to hearing more about the announcement earlier this week that the U.S. government has indicted five Chinese military hackers for computer hacking and economic espionage. The FBI also has participated in a major international effort to arrest individuals involved in cyber-stalking software called Blackshades. Cyber threats are among the most serious our nation faces, and place our critical infrastructure and privacy at risk.

Although we face many threats from abroad, the FBI has a key role in preventing and punishing extremist violence here at home. Federal hate crimes laws allow the Bureau to bring its considerable resources to cases like the anti-Semitic shooting last month outside a Jewish community center in Overland Park, Kansas. In 2009, I was proud to offer the Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act as an amendment to the defense authorization bill. The FBI's implementation of that law has involved collaboration with the Anti-Defamation League to train state and local law enforcement agencies to protect the civil rights of all Americans.

I look forward to learning more about those efforts and other priorities of the Bureau during today's hearing. I thank Director Comey for coming to the Committee for his first oversight hearing. And I thank the men and women of the FBI who work hard every day to keep us safe.

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July 2, 2013

The Honorable Patrick J. Leahy
Chairman
Judiciary Committee
United States Senate
Washington D.C. 20510

The Honorable Chuck Grassley
Ranking Member
Judiciary Committee
United States Senate
Washington D.C. 20510

Re: Confirmation Hearing for James B. Comey

Dear Chairman Leahy and Ranking Member Grassley:

We are writing in regard to the confirmation hearing of James Comey, nominated to become the new director of the Federal Bureau of Investigation (FBI). The Constitution Project (TCP) takes no position on whether Mr. Comey, or any nominee, should be confirmed. But we do urge that, in considering the nomination, the committee explore his role in approving the CIA's use of what The Constitution Project's Task Force on Detainee Treatment concluded was the use of torture and other forms of abuse on detainees held by our country.

As Deputy Attorney General from December 2003 to August 2005, Mr. Comey played an important role in discussions and decisions about the legality of the CIA's treatment of detainees. Based on the publicly available evidence, Mr. Comey warned his superiors at the Department of Justice (DOJ) that the CIA program was "simply awful," and approving it "would come back to haunt" DOJ. But he also stated that he concurred with a May 2005 OLC memorandum by Steven Bradbury, which advised the CIA that brutalizing detainees by waterboarding them; locking them into coffin-sized "confinement boxes"; depriving them of sleep by shackling them in a standing position for up to 180 hours at a time; and a variety of other methods of mistreatment would not violate the torture statute.¹

Mr. Comey's concurrence with that OLC memo contradicts the findings of TCP's bipartisan, independent Task Force on Detainee Treatment, co-chaired by former Congressmen Asa Hutchinson (R-AR) and James Jones (D-OK). On April 16, 2013, after two years of study and deliberation, the Task Force published its exhaustive report on the treatment of detainees taken into U.S. custody in connection with counterterrorism operations. The Task Force unanimously found that it was "indisputable" that the United States had engaged in torture after September 11. This finding applied, though it was not limited to, the CIA's use of several techniques discussed in the May 2005 OLC memo.

The CIA's detention and interrogation program has been ended by Executive Order, but if confirmed, Mr. Comey will serve as FBI Director for ten years, under multiple presidents. It is crucial for the committee to fully explore whether he approved torture and other detainee abuse, to determine his current views on the subject, and to get a firm commitment from him that he would never authorize detainee mistreatment as FBI director. Some suggested questions and a short background paper on Mr. Comey's role are attached.

Sincerely,

Virginia Sloan
President

Katherine Hawkins
Investigator, Task Force on Detainee Treatment

cc: Members of the Senate Judiciary Committee

¹ See Department of Justice Office of Professional Responsibility Report, Jul. 29, 2009; Memorandum from Steven Bradbury to John Rizzo Re: Individual Techniques, May 10, 2005; Emails from James Comey to Chuck Rosenberg, April & May 2005.

SUGGESTED QUESTIONS FOR JAMES COMEY

- 1) While serving as Deputy Attorney General, were you involved in authorizing the “enhanced interrogation techniques” of any individuals? How many individuals? Please explain as many details as you can in an unclassified setting.
- 2) According to a document released under the Freedom of Information Act, on July 2, 2004, you met with CIA General Counsel Scott Muller regarding the interrogation of a detainee. A memorandum from Muller states that you authorized the use of all of the “techniques previously approved for use with Abu Zubaydah, with the exception of the waterboard.” Is that accurate?
- 3) A July 7, 2004 memo from Jack Goldsmith to Scott Muller states that you asked Goldsmith to emphasize to Muller that your authorization “presupposes that the techniques will adhere closely to the assumptions and limitations stated” in the August 1, 2002 Memorandum from Jay Bybee to Acting CIA General Counsel John Rizzo, (Bybee II). Why did you send that clarification?
- 4) Did you take any steps to verify whether the CIA did, in fact, adhere to the limits in the Bybee II memo in interrogating the detainee discussed in the July 2 meeting?
- 5) As of July 2004, were you aware of the means that the CIA used to prevent detainees from sleeping?
- 6) Aside from the detainee discussed during your July 2, 2004 meeting with Muller, did CIA or OLC attorneys inform or consult with you before authorizing the use of “enhanced interrogation” on any other detainee? If so, how frequently?
- 7) Is waterboarding torture? Is it a crime?
- 8) Is sleep deprivation for up to 180 hours torture? What if it is carried out by shackling naked, diapered detainees to the ceiling for hours/days at a time? Is it a crime?
- 9) Is locking detainees inside confinement boxes torture? Is it a crime?
- 10) If you believe that any of these practices constitute torture, why did you state that you “concurred” with the conclusion in a May 10, 2005 memo from then Principal Deputy Assistant Attorney General Steven Bradbury to John Rizzo, then Senior Deputy General Counsel at the CIA, which found that none of the techniques above were torture?
- 11) In a May 31, 2005 email from you to Chuck Rosenberg, you described telling Attorney General Alberto Gonzales that the CIA interrogation techniques were “simply awful,” that “there needed to be a detailed factual discussion” of how they were used before approving them, and that “it simply could not be that the Principles were willfully blind.”

Why did you believe that there was a danger that the NSC Principals were unaware of or “willfully blind” to the details of the CIA program?
- 12) Steven Bradbury’s May 2005 memos re-authorizing the interrogation program relied heavily on the CIA’s factual representations regarding:
 - (a) the degree of pain and suffering inflicted by the “enhanced interrogation techniques”
 - (b) the lack of any symptoms of “serious physical pain” or “prolonged mental harm” in detainees subjected to those techniques

- (c) the independence of the Office of Medical Services clinicians responsible for monitoring interrogations
- (d) the efficacy of the CIA techniques

Based on what you know now, were the CIA representations cited in the Bradbury memos accurate? (Please answer separately for each category). Based on what you knew at the time, was Bradbury's reliance on the CIA's representations justified?

13) What is your opinion now about your advising the CIA that it would be permissible to use all of the Bybee II techniques other than waterboarding on a detainee? About your approval of the first Bradbury memo? About any other actions or omissions regarding the CIA black site program?

14) In 2002, FBI agent Ali Soufan called his supervisors to protest the interrogation techniques that CIA contractors were using against Abu Zubaydah, including sleep deprivation, nudity, and placement in a "confinement box", which Soufan viewed as "borderline torture." What would you have done if you had been Ali Soufan's supervisor or the FBI director at that time? What would you have done if you were FBI director in 2004 or 2005, and a field agent called you with similar concerns about interrogation techniques whose legality OLC had approved? What would you do if confirmed as FBI director and you are faced with that situation in the future?

15) Please describe your role in Attorney General John Ashcroft's decision to refer criminal investigations of detainee abuse cases to the Eastern District of Virginia. Did Attorney General Ashcroft consult with you before he made that decision? Did you agree with it?

16) Were you informed of the reasons for subsequent declinations of prosecution? Did you concur in the prosecutors' judgment?

17) If a future President rescinded President Obama's executive order on interrogation and re-instated the CIA program, would you allow FBI agents to take part? Would you criminally investigate FBI agents' allegations that they witnessed torture or war crimes by other government agencies?

18) Do you support declassification and release of the Senate Intelligence Committee's 6,000 page study into the CIA program?

19) As United States Attorney for the Southern District of New York you supported, and later as Deputy Attorney General publicly defended, the military detention without charge or trial for several years of Jose Padilla, a U.S. citizen apprehended on U.S. soil on suspicion of involvement in terrorism plots. Is it your current belief that military detention without charge or trial for persons apprehended on U.S. soil is lawful? If so, for what category of people and under what authority? Specifically, is it permitted under the 2001 Authorization for Use of Military Force?

BACKGROUND PAPER REGARDING JAMES COMEY'S POSITION ON "ENHANCED INTERROGATION"

- James Comey served as Deputy Attorney General from December 2003 until August 2005.
- In May/June 2004, with Comey's support, Office of Legal Counsel head Jack Goldsmith withdrew John Yoo and Jay Bybee's August 1, 2002 memo (the Bybee I memo) narrowly defining "torture" and arguing that the anti-torture statute could not be used to prosecute individuals following orders from the President.¹
- Goldsmith did *not* withdraw a separate memo by Bybee and Yoo signed on the same date, authorizing the use of a series of specific abusive techniques to interrogate Abu Zubaydah (the Bybee II memo).² The Bybee II memo authorized waterboarding, sleep deprivation, "close confinement" for several hours in a coffin-sized wooden box and for longer periods in a slightly larger box, slamming detainees into a plywood wall, stress positions, and slaps to the face and body. On May 27, 2004, Goldsmith "strongly recommended" that the CIA suspend the use of waterboarding until OLC could examine its use more thoroughly, but did not recommend suspension of any of the other "enhanced techniques" in the Bybee memo.³
- On July 2, 2004, Comey met with CIA General Counsel Scott Muller to discuss "the use of interrogation techniques on a certain high-value detainee."⁴ Public sources suggest that the detainee was most likely Hassan Ghul, but this has not been definitively confirmed. Comey approved the use of all the techniques discussed in the August 1, 2002 Bybee/Yoo memo other than waterboarding.
- On July 7, 2004, Goldsmith wrote to Muller to emphasize that Comey's approval "presupposes that the techniques will adhere closely to the assumptions and limitations" in the Bybee techniques memo.⁵ (A May 2004 report by the CIA's Inspector General's Office had found that the CIA did not consistently follow those limits in the past.)⁶
- From July 2004 through September 2004, the Office of Legal Counsel wrote several letters to the CIA that provided individualized legal authorization to use abusive interrogation techniques—including waterboarding, nudity, and "water dousing," soaking detainees with cold water.⁷ Comey's level of knowledge of and participation in those authorizations is not known.

¹ Memorandum from Jay Bybee to Alberto R. Gonzales, Aug. 1, 2002 (Bybee I Memo), available at <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB127/02.08.01.pdf>.

² Memorandum from Jay Bybee to John Rizzo, Aug. 1, 2002 (Bybee II Memo), available at http://media.luxmedia.com/aclu/olc_08012002_bybee.pdf.

³ Letter from Jack Goldsmith to Scott Muller, May 27, 2004, available at <http://www.justice.gov/olc/docs/memo-muller2004.pdf>.

⁴ Fax from Scott Muller to James Comey, July 2, 2004, available at <http://www.aclu.org/files/torturefoia/released/082409/olcremand/2004olc43.pdf>.

⁵ Letter from Jack Goldsmith to Scott Muller, July 7, 2004, available at <http://www.justice.gov/olc/docs/memo-muller2004-2.pdf>.

⁶ CIA Inspector General, *Special Review: Counterterrorism Detention and Interrogation Activities* (May 7, 2004), available at http://media.washingtonpost.com/wp-srv/nation/documents/cia_oig_report.pdf.

⁷ Letter from Daniel Levin to John Rizzo, Aug. 6, 2004, available at <http://www.justice.gov/olc/docs/memo-rizzo2004.pdf>; Letter from Daniel Levin to John Rizzo, Aug. 26, 2004, available at

- In December 2004, OLC publicly issued a memo addressed to Comey from OLC Attorney Daniel Levin, which replaced the Bybee I memo's interpretation of the torture statute. A footnote to Levin's memo stated that despite "various disagreements with the August 2002 [Bybee I] Memorandum, we have reviewed this Office's prior opinions regarding issues involving treatment of detainees and do not believe any of their conclusions would be different under the standards set forth in this memorandum."⁸
- In May 2005, OLC issued three memoranda by Steven Bradbury re-authorizing the CIA's use of "enhanced interrogation" techniques:
 - A 46 page memo on whether the individual CIA techniques, including waterboarding, violated the torture statute (Bradbury I), issued on May 10, 2005.⁹
 - A 20 page memo on whether the combined use of the CIA techniques violated the torture statute. (Bradbury II), also issued on May 10, 2005.¹⁰
 - A 40 page memo on whether the CIA's treatment of detainees violated the prohibition on cruel, inhuman, or degrading treatment or punishment. (Bradbury III), issued on May 30, 2005.¹¹
- According to an email from Comey to his deputy Chuck Rosenberg, published by the *New York Times* in 2009, Comey "concurred" with Bradbury I, but he strongly recommended against issuing Bradbury II.¹² Comey's emails do not discuss Bradbury III. According to a report by the Department of Justice's Office of Professional Responsibility (OPR), Comey told investigators that he was never informed of the third memo.¹³
- In an email dated April 27, 2005, Comey recounted telling Attorney General Alberto Gonzales that:

I was here to urge him not to allow the 'combined effects' memo to be finalized. I told him it would come back to haunt him and the Department. I told him the first

<http://www.justice.gov/olc/docs/memo-rizzo2004-3.pdf>; Letter from Daniel Levin to John Rizzo, Sept. 6, 2004, available at <http://www.justice.gov/olc/docs/memo-rizzo2004-4.pdf>; Letter from Daniel Levin to John Rizzo, Sept. 20, 2004, available at <http://www.justice.gov/olc/docs/memo-rizzo2004-2.pdf>.

⁸ Memorandum from Daniel Levin to James Comey, Dec. 30, 2004, note 8, available at

<http://f11.findlaw.com/news.findlaw.com/cnn/docs/terrorism/doj/torture123004mem.pdf>.

⁹ Memorandum from Steven Bradbury to John Rizzo Re: Individual Techniques (Bradbury I Memo), May 10, 2005, available at http://media.luxmedia.com/aclu/olc_05102005_bradbury46pg.pdf.

¹⁰ Memorandum from Steven Bradbury to John Rizzo Re: Combined Techniques (Bradbury II Memo), May 10, 2005, available at http://media.luxmedia.com/aclu/olc_05102005_bradbury_20pg.pdf.

¹¹ Memorandum from Steven Bradbury to John Rizzo Re: Article 16 of the Torture Convention (Bradbury III Memo), May 30, 2005, available at http://media.luxmedia.com/aclu/olc_05302005_bradbury.pdf.

¹² Email from James Comey to Chuck Rosenberg, Apr. 27, 2005, available at

<http://graphics8.nytimes.com/packages/images/nyint/olc/docs/justice-department-communication-on-interrogation-opinions/original.pdf>. See also Department of Justice, Office of Professional Responsibility Report (Jul. 29, 2009) ("OPR Report") at 141-143, available at <http://judiciary.house.gov/hearings/pdf/OPRFinalReport090729.pdf>.

¹³ OPR Report at 150, available at <http://judiciary.house.gov/hearings/pdf/OPRFinalReport090729.pdf>.

opinion was ready to go out and I concurred. I told him I did not concur with the second and asked him to stop it.¹⁴

- Comey's emails state that one reason for his concern about the Bradbury II memo was its "prospective nature."¹⁵ OPR later wrote that Comey's "main concern was that the memorandum was theoretical and not tied to a request of specific techniques on an individual detainee. Comey believed it was irresponsible to give legal advice about the combined effects of techniques in the abstract."¹⁶
- Comey has never spoken publicly about why he concurred with the Bradbury I memo.
- The tactics that the Bradbury I memo concluded were not torture included: placing detainees in completely dark "confinement boxes" that restricted their movement; soaking them with cold water; physically assaulting detainees in various ways—allegedly with a level of force that was carefully controlled to prevent injury; stress positions; and providing only limited amounts of Ensure or other commercial nutrition supplement instead of normal food.¹⁷
- Bradbury wrote that his conclusion that the above techniques were not torture was "straightforward," but two others raised more "substantial questions": waterboarding and sleep deprivation. The Bradbury I memo described sleep deprivation, as implemented by the CIA, as follows:

The primary method of sleep deprivation involves the use of shackling to keep the detainee awake. In this method, the detainee is standing and is handcuffed, and the handcuffs are attached by a length of chain to the ceiling. The detainee's hands are shackled in front of his body, so that the detainee has approximately a two- to three-foot diameter of movement. The detainee's feet are shackled to a bolt in the floor....the detainee is not allowed to hang from or support his body weight with the shackles...should the detainee begin to fall asleep, he will lose his balance and awaken, either because of the sensation of losing his balance or because of the restraining tension of the shackles....

A detainee undergoing sleep deprivation is generally fed by hand by CIA personnel so that he need not be unshackled....Detainees subject to sleep deprivation...will at times be nude and wearing a diaper...

The maximum allowable duration for sleep deprivation authorized for the CIA is 180 hours.¹⁸

¹⁴ Email from James Comey to Chuck Rosenberg, Apr. 27, 2005, available at <http://graphics8.nytimes.com/packages/images/nytint/docs/justice-department-communication-on-interrogation-opinions/original.pdf>.

¹⁵ Email from James Comey to Chuck Rosenberg, Apr. 28, 2005, available at <http://graphics8.nytimes.com/packages/images/nytint/docs/justice-department-communication-on-interrogation-opinions/original.pdf>.

¹⁶ OPR Report at 141, available at <http://judiciary.house.gov/hearings/pdf/OPRFinalReport090729.pdf>.

¹⁷ Bradbury I Memo, available at http://media.luxmedia.com/aclu/olc_05102005_bradbury46pg.pdf.

¹⁸ *Id.* at 11-12.

- The Bradbury I memo authorized sleep deprivation in part based on the CIA's representations that medical and psychological personnel from the Office of Medical Services constantly monitored detainees undergoing this procedure and would intervene if there was any danger to detainees; that the technique was not "significantly painful"; and that no detainee subject to sleep deprivation "has suffered any harm or injury."¹⁹
- The Bradbury I memo authorized waterboarding based on similar CIA assertions about careful medical monitoring, and lack of harm to detainees:

the waterboard has been used by the CIA on three high level Al Qaeda detainees, two of whom were subjected to the technique numerous times, and, according to OMS, none of these three individuals has shown any evidence of physical pain or suffering or mental harm in the more than 25 months since the technique was used on them.²⁰

- The Bradbury I memo's reliance on representations regarding medical monitoring of interrogations is highly problematic. It is a grave violation of professional ethics for doctors to participate in torture or cruel treatment, including by monitoring interrogation sessions where torturous or cruel methods are used.²¹ The Constitution Project's bipartisan Task Force on Detainee Treatment unanimously concluded that

The Department of Justice should formally prohibit the Office of Legal Counsel from approving interrogation techniques based on representations that health providers will monitor the techniques and regulate the degree of physical and mental harm that interrogators may inflict. Health professionals cannot ethically condone any deliberate infliction of pain and suffering on detainees, even if it falls short of torture or cruel treatment.²²

- The Bradbury I memo's representations about lack of pain, suffering or harm to detainees resulting from the approved techniques contradict the detainees' detailed accounts to the International Committee for the Red Cross, and court findings regarding detainees subjected to similar treatment in CIA prisons in Afghanistan.²³ The Obama administration takes the position that former black site detainees' medical records are classified, as are the detainees' memories about their treatment in CIA custody. However, one former CIA detainee, Abd al Rahim al-Nashiri, was recently diagnosed with depression and posttraumatic stress disorder by a military commission "sanity board."²⁴ Another, Abu Zubaydah, is alleged by his counsel to suffer from severe pain, memory loss, and frequent seizures as a result of his treatment at CIA black sites.²⁵

¹⁹ *Id.* at 11-12.

²⁰ *Id.* at 15.

²¹ Report of the Constitution Project's Task Force on Detainee Treatment (Apr. 2013) 233-241, available at <http://detaineeetaskforce.org>.

²² *Id.* at 19.

²³ *Id.* at 212-218, 367-369.

²⁴ R.M.C. 206 Sanity Board Evaluation of Abd Al Rahim Hussayn Muhammad Al Nashiri, ISN#10015, Mar. 28, 2013, available at <http://media.miamiherald.com/smedia/2013/06/11/09/50/1iVHtz.S0.56.pdf>.

²⁵ Report of the Constitution Project's Task Force on Detainee Treatment (Apr. 2013) 211, available at <http://detaineeetaskforce.org>.

- According to Comey's emails, on May 31, 2005 he met with Attorney General Gonzales before a National Security Council principals committee meeting on the CIA program. Comey said he described the CIA techniques to Gonzales in graphic detail:

to demonstrate that some of this stuff is simply awful. I told him it would all come out some day and be presented in the way I was presenting it. I mentioned that I had heard there was a video of any early session, which would come out eventually....I explained that even he and Bradbury believed that the legal question was extremely close; and the details of what we are talking about, there needed to be a detailed factual discussion, followed by a full policy discussion. It would land on the President eventually [and] it simply could not be that the Princip[als] would be willfully blind.²⁶

²⁶ Email from James Comey to Chuck Rosenberg, May 31, 2005, available at <http://graphics8.nytimes.com/packages/images/nytint/docs/justice-department-communication-on-interrogation-opinions/original.pdf>.



July 1, 2013

Re: Confirmation Hearing for James B. Comey

The Honorable Patrick J. Leahy
Chairman
Judiciary Committee
United States Senate
Washington D.C. 20510

The Honorable Chuck Grassley
Ranking Member
Judiciary Committee
United States Senate
Washington D.C. 20510

Dear Chairman Leahy and Ranking Member Grassley:

The undersigned organizations concerned with human rights and civil liberties write regarding the upcoming confirmation hearing for James B. Comey to be Director of the Federal Bureau of Investigation (FBI). We are particularly concerned with two legal memoranda that approved the use of waterboarding and other forms of torture, the use of which Mr. Comey later wrote that he “concurred,” even as he objected to a third memorandum that approved the use of these tactics in combination.

We urge the Senate to determine the full extent of Mr. Comey’s role in the approval and use of torture and abuse before voting on whether to confirm him. Not only is the FBI the lead federal agency in interrogating criminal suspects, but it also is charged with conducting criminal investigations into allegations of torture and other ill treatment by government officials. The Senate cannot make an informed decision on whether to confirm Mr. Comey as FBI Director without having a

complete understanding of his actions at a time when torture and abuse were being used and top government officials were taking extraordinary steps to avoid criminal liability.

During the prior administration, several legal memoranda provided the basis for the use of various forms of torture and other abuse of detainees. One of the most egregious was an August 1, 2002 memo, known as “Bybee I,” which was signed by then Assistant Attorney General for the Office of Legal Counsel Jay Bybee. That memo asserted that in order for abuse of detainees to meet the definition of torture under the federal anti-torture statute, it must produce pain similar to that of organ failure or death. In a memo dated the same day known as “Bybee II,” the Justice Department approved the use of waterboarding and other torture or inhumane techniques against Abu Zubaydah, a suspect in US custody.

Mr. Comey was serving as Deputy Attorney General in 2004 when Bybee I was leaked to the press. He reportedly concurred in the decision by Bybee’s successor at the Office of Legal Counsel (OLC), Jack Goldsmith, to withdraw Bybee I. However, Bybee II was not withdrawn, and in early July 2004, Mr. Comey advised CIA General Counsel Scott Muller that the CIA could continue to use all of the Bybee II techniques other than waterboarding.

Later, OLC re-authorized waterboarding as well. In December 30, 2004, OLC released the replacement memo for Bybee I, which was addressed to Mr. Comey. Footnote eight in the legal memo addressed to Mr. Comey specifies that conclusions reached in prior opinions from the Office of Legal Counsel with respect to detainee treatment would not be any different under the new guidance: “While we have identified various disagreements with the August 2002 Memorandum, we have reviewed this Office’s prior opinions regarding issues involving treatment of detainees and do not believe any of their conclusions would be different under the standards set forth in this memorandum.” The following spring, Mr. Comey wrote in an email that he “concurred” with another new legal memo, signed by Stephen Bradbury of the Office of Legal Counsel on May 10, 2005, that authorized torture techniques designed to inflict pain or terror, such as cramped confinement, wall-standing, water dousing, extended sleep deprivation, and waterboarding.

Mr. Bradbury also wrote a separate memo discussing the use of interrogation techniques in combination. Mr. Comey’s emails from that time were published by the *New York Times* in 2009 and make clear that, although he viewed the techniques as “simply awful” and strongly recommended against issuing a second memo that permitted them to be used in combination, he “concurred” with the first Bradbury memo that evaluated and authorized the CIA’s use of the techniques.

The Bybee II and first Bradbury memos authorized waterboarding, 180 hours of sleep deprivation, and other techniques long recognized as torture or cruel, inhuman or degrading treatment in violation of both domestic and international law – contrary to the advice of experienced FBI interrogators, who believed that these

techniques were wrong. Mr. Comey's apparent view that these techniques were lawful is deeply troubling and raises important questions that need to be answered.

Beyond questions related to approval of legal memos authorizing waterboarding and other forms of torture, the Senate Judiciary Committee should examine related aspects of Mr. Comey's record in office. Specifically, the Committee should examine Mr. Comey's role in meetings and deliberations of the National Security Council on interrogations, any role he had as Deputy Attorney General in deciding whether, where, or how criminal investigations of the use of torture by civilians would proceed, and any role he had—either as Deputy Attorney General or as the US Attorney for the Southern District of New York—in decisions related to the indefinite military detention and abuse of Jose Padilla, an American citizen taken into custody in May 2002 and detained within the United States.

We are aware that Mr. Comey raised concerns about using the proposed CIA interrogation techniques, particularly in combination, and that he urged Attorney General Gonzales to argue against them on policy and other grounds to the Principals Committee. This does not, unfortunately, change the acknowledged fact that he concurred in OLC's legal judgment that waterboarding, lengthy sleep deprivation and other abusive techniques did not constitute torture and did not violate US law. It does reinforce our request that the Committee thoroughly examine these issues and have Mr. Comey clarify his views and actions.

The public does not know the full scope of Mr. Comey's role in the approval and use of torture and other abuse. We urge you to have him explain that role during his confirmation process. One key lesson from the post-9/11 abuses is that we need moral and legal clarity from top-level leadership positions. The director of the FBI must not only be committed to the administration's policies opposing torture and indefinite detention, but he or she also must be a candidate who in the many years to come will steadfastly adhere to the rule of law regardless of what crisis the nation may face.

Sincerely,

American Civil Liberties Union
Center for Victims of Torture
Human Rights First
Human Rights Watch
National Religious Campaign Against Torture
Open Society Policy Center
Physicians for Human Rights

cc: Members of the Senate Judiciary Committee



**International Association of
Chiefs of Police**

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Alexandria, VA 22314-2357
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Fax: 703-836-4543
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Fremont Police Department
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Polícia Militar do Distrito Federal
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Chief of Police
Vail Police Department
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Stonehill College Police & Safety
Easton, MA

**General Chair Division of State and
Provincial Police**
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Deputy Secretary, Public Safety Services
Superintendent, Louisiana State Police
Baton Rouge, LA

Parliamentarian
Ellen Hanson (retired)
Chief of Police
Lenexa Police Department
Lenexa, KS

Executive Director
Bart R. Johnson
Alexandria, VA

**Deputy Executive Director
Chief of Staff**
James W. McMahon
Alexandria, VA

June 21, 2013

The Honorable Patrick Leahy
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Leahy:

On behalf of the International Association of Chiefs of Police (IACP), I am pleased to inform you of our support for the nomination of James Brian Comey to serve as the next Director of the Federal Bureau of Investigation (FBI).

Throughout his career, Mr. Comey has demonstrated an unyielding commitment to safeguarding our nation. His years of experience as Deputy Attorney General of the United States have provided him the opportunity to work with law enforcement agencies and he has gained a unique understanding of the challenges and the complexities agencies face in combating crime, terrorism, and other daily threats to our communities and the citizens they serve.

The IACP believes that Mr. Comey's years of experience, his expertise, and his record of success are evidence of his outstanding qualifications to serve as the next FBI Director. The IACP urges the Judiciary Committee and the members of the United States Senate to confirm Mr. Comey's nomination in a timely fashion.

Please do not hesitate to contact us if the IACP may be of further assistance.

Sincerely,

Chief Craig Steckler
President



MAJOR CITIES CHIEFS ASSOCIATION

Albuquerque, New Mexico
Arlington, Texas
Atlanta, Georgia
Aurora, Colorado
Austin, Texas
Baltimore, Maryland
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Indianapolis, Indiana
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Mesa, Arizona
Miami, Florida
Miami-Dade, Florida
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Montreal, Quebec
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New Orleans, Louisiana
New York City, New York
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Oakland, California
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Phoenix, Arizona
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Prince George's Co., Maryland
Quebec City, Canada
Raleigh, North Carolina
Sacramento, California
Salt Lake City, Utah
San Antonio, Texas
San Diego, California
San Francisco, California
San Jose, California
Seattle, Washington
St. Louis, Missouri
Suffolk Co., New York
Tampa, Florida
Toronto, Ontario
Tucson, Arizona
Tulsa, Oklahoma
Vancouver, British Columbia
Virginia Beach, Virginia
Washington, DC
Winnipeg, Manitoba

June 28, 2013

The Honorable Patrick Leahy
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Senator Leahy,

On behalf of the Major Cities Chiefs Association, representing the 63 largest local law enforcement agencies in the nation, I am writing to support the nomination of James Comey as Director of the Federal Bureau of Investigation.

Mr. Comey has led a distinguished career in public service, including serving as the United States Attorney for the Southern District of New York, and the Deputy Attorney General under President Bush. He has overseen the investigation and prosecution of a wide variety of crimes that affect the public each day.

The Nation continues to face a serious threat from terrorism, so it is prudent to promote stability and experience at the FBI. Mr. Comey possesses the experience and knowledge necessary that will make him successful in leading the federal government's preeminent investigative law enforcement agency. We look forward to continuing our partnership with the FBI under Mr. Comey to protect the communities we are sworn to serve.

Sincerely,

Commissioner Charles H. Ramsey
Philadelphia Police Department
President
Major Cities Chiefs Association

RECEIVED JUL 11 2013

July 10, 2013

The Honorable Patrick Leahy
Chairman
The United States Senate Committee on the Judiciary
437 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Charles Grassley
Ranking Member
The United States Senate Committee on the Judiciary
135 Hart Senate Office Building
Washington, D.C. 20510

Re: Bipartisan Endorsement of Jim Comey to be FBI Director from Former Senior Department of Justice Officials

Dear Chairman Leahy and Ranking Member Grassley:

We are friends, admirers, and former Justice Department colleagues of Jim Comey, and we write in strong bipartisan support of his nomination to be the next Director of the Federal Bureau of Investigation. All of us have held, at one time or another, senior positions within the Justice Department, giving us both a perspective on what Jim's prior positions have demanded of him and how Jim's experience and personal qualities have prepared him to be the Director.

The Federal Bureau of Investigation fulfills an important role in our society, ensuring our safety and preserving our liberty. It is also a remarkably complex organization – its men and women serve around the globe and around the clock, in extraordinarily important and difficult assignments. In turn, we know, from our own experience, what it takes to lead the FBI – integrity, intelligence, independence, dedication, vision, compassion, judgment, and a steadfast adherence to the rule of law.

Jim Comey possesses all of these traits. He has, for instance, the judgment that comes from experience and from having faced difficult decisions. He has integrity and independence born of his innate sense of what is required of senior public servants. He is smart and compassionate. He never expects more of anybody else than he expects of himself.

We know he will be a strong and effective leader and that our country would be well-served to see him confirmed.

Respectfully,

Mark Filip
Former Deputy Attorney General
2008-2009

Alice Fisher
Former Assistant Attorney General
Criminal Division
2005-2008

Paul McNulty
Former Deputy Attorney General
2006-2007



FBINAA

FBI National Academy Associates, Inc.

Academy Office:

FBI Academy, Quantico, VA 22135
PH: 703-632-1990 • FAX: 703-632-1993

National Office:

422 Garrisonville Road, Suite 103, Stafford, VA 22554
PH: 540-628-0834 • FAX: 540-628-0862

July 9, 2013

President Barack Obama
The White House
1600 Pennsylvania Ave, NW
Washington, D.C. 20500

Dear President Obama:

On behalf of the Federal Bureau of Investigations National Academy Associates, Inc., I would like to offer our support for the nomination of James B. Comey to serve as the next Director of the Federal Bureau of Investigations (FBI).

Mr. Comey has been steadfast in his commitment to safeguarding our nation throughout his career. His years of experience as Deputy Attorney General of the United States have given him the opportunity to work with law enforcement agencies across the nation. He fully understands the challenges and complexities agencies face in fighting crime, terrorism and everyday threats that exist in our communities and the citizens they serve.

The FBINAA believes that Mr. Comey's years of experience, his expertise and his record of success are evidence of his outstanding qualifications necessary to serve as the next FBI Director. The FBINAA urges the Judiciary Committee and the members of the United States Senate to confirm Mr. Comey's nomination.

Please feel free to contact us if we can be of any further assistance.

Sincerely,

Douglas F. Muldoon
President, FBINAA

The World's Strongest Law Enforcement Network
www.fbinaa.org

The FBI National Academy Associates is a private non-profit organization and is not part of the Federal Bureau of investigation or acting on its behalf.

July 8, 2013

The Honorable Patrick Leahy
Chairman
The United States Senate Committee on the Judiciary
437 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Charles Grassley
Ranking Member
The United States Senate Committee on the Judiciary
135 Hart Senate Office Building
Washington, D.C. 20510

Re: Bipartisan Endorsement of Jim Comey to be FBI Director from Former Senior Department of Justice Officials

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The Federal Bureau of Investigation fulfills an important role in our society, ensuring our safety and preserving our liberty. It is also a remarkably complex organization – its men and women serve around the globe and around the clock, in extraordinarily important and difficult assignments. In turn, we know, from our own experience, what it takes to lead the FBI – integrity, intelligence, independence, dedication, vision, compassion, judgment, and a steadfast adherence to the rule of law.

Jim Comey possesses all of these traits. He has, for instance, the judgment that comes from experience and from having faced difficult decisions. He has integrity and independence born of his innate sense of what is required of senior public servants. He is smart and compassionate. He never expects more of anybody else than he expects of himself.

We know he will be a strong and effective leader and that our country would be well-served to see him confirmed.

Respectfully,

Lanny Breuer
Assistant Attorney General
Criminal Division
2009-2013

Paul Clement
Solicitor General
2005-2008

Jamie Gorelick
Deputy Attorney General
1994-1997

Neal Katyal
Acting Solicitor General
2010-2011

Peter Keisler
Acting Attorney General
2007

Craig Morford
Acting Deputy Attorney General
2007-2008

Eileen J. O'Connor
Assistant Attorney General
Tax Division
2001-2007

David Ogden
Deputy Attorney General
2009-2010

Larry Thompson
Deputy Attorney General
2001-2003

Christopher Wray
Assistant Attorney General
Criminal Division
2003-2005



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STATE DEPARTMENT
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TRANSPORTATION-OIG
TREASURY
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National Retirement Director
 STAN SCHWARTZ
National Recruitment Director
 RASHEED TAHIR
Public Affairs Officer
 JENNIFER MATTINGLEY

July 8, 2013

The Honorable Patrick Leahy
Chairman
Senate Committee on the Judiciary
Washington, DC 20510

Dear Chairman Leahy:

On behalf of the Federal Law Enforcement Officers Association (FLEOA), including Special Agents of the Federal Bureau of Investigation (FBI), I am writing to you to memorialize our support for the nomination of James Comey as the next Director of the FBI.

Attempting to convince you of Mr. Comey's qualifications for the position is like trumpeting out, "Water is wet!" It is readily obvious that he is more than qualified on paper. Mr. Comey has had a distinguished career working for the Department of Justice, and has vast experience working the mission areas covered by the FBI.

However, Mr. Comey is equally, if not more, qualified by virtue of his strength of character. The "FBI" proudly stands for Fidelity, Bravery and Integrity, and Mr. Comey exudes them all. Not only does he possess the symbolic law enforcement "blue" in his veins, but he also has the "blue honor" in his heart. As witnessed throughout his distinguished career, Mr. Comey has demonstrated sound judgment and strong leadership under challenging circumstances.

Among the field ranks in law enforcement, in particular in the opinionated kingdom of the Southern District of New York, Mr. Comey has earned the reputation as a dedicated "true believer" in the law enforcement mission. Mr. Comey has earned the respect of working field agents, and can be described as a man wearing a General's stars, while also wearing a soldier's boots. He possesses the requisite leadership, integrity and experience to lead the proud men and women in the FBI.

The FLEOA membership respectfully asks that the Senate Judiciary Committee apply its routine due diligence and expeditiously move to confirm Mr. Comey as the next Director of the FBI.

Please do not hesitate to contact me directly should you require any additional input regarding the qualifications of Mr. Comey.

Respectfully yours,

A handwritten signature in black ink, reading "J. Adler". The signature is written in a cursive style, with the first letter "J" being large and stylized, and the last letter "r" having a long, sweeping tail.

J. Adler

National President

Federal Law Enforcement Officers Association



July 8, 2013

The Honorable Patrick J. Leahy
Chairman
Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Charles E. Grassley Ranking
Member
Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

Re: Nomination of James B. Comey Jr.

Dear Chairman Leahy and Ranking Member Grassley:

On behalf of the FBI Agents Association ("FBIAA"), a voluntary professional association currently representing over 12,000 active duty and retired FBI Special Agents, I write to express the FBIAA's support for the nomination of Mr. James B. Comey Jr. to serve as the next Director of the Federal Bureau of Investigation ("FBI" or "the Bureau").

The FBI faces variety of significant challenges in the coming years, ranging from increasingly complex criminal and national security threats to challenges resulting from sequestration and other budget cuts. These challenges make it more important than ever that the Bureau be led by an individual who understands the central role of Agents and criminal investigative skills to the work done by the Bureau.

Mr. Comey has strong reputation among Agents, and the FBIAA believes that he understands the nature of investigative work and the central role of Agents in the FBI. The FBIAA looks forward to working with Mr. Comey to effectively confront the challenges facing our country.

Sincerely,

Konrad Motyka
President

Post Office Box 12650, Arlington, Virginia 22219
A Non-Governmental Association
(703) 247-2173 Fax (703) 247-2175

July 5, 2013

The Honorable Patrick Leahy
Chairman, Committee on the Judiciary
United States Senate
437 Russell Senate Building
Washington, DC 20510



**POLICE EXECUTIVE
RESEARCH FORUM**

Chuck Wexler
Executive Director

Dear Senator Leahy:

I am writing to endorse the nomination of Mr. James Comey to become Director of the Federal Bureau of Investigation. As executive director of the Police Executive Research Forum (PERF), an organization of police chiefs from across the country that conducts research on best practices in policing, I have some experience with Mr. Comey and I believe he has a record of working well with local law enforcement agencies on important issues. In fact, I think Jim Comey was far ahead of his time in recognizing the importance of federal-local partnerships in law enforcement.

I first met Mr. Comey in 1996 when he was the managing Assistant U.S. Attorney in Richmond, Virginia. At that time, the surge in crack cocaine use was a major issue, and gun crime was impacting Richmond and other cities across the country.

PERF saw what was happening in Richmond as reflective of a major crisis impacting many cities. And I believe that Jim Comey saw the role of the federal government somewhat differently compared to other federal prosecutors. He recognized the need to take a leadership role and go shoulder to shoulder with local police chiefs in taking on this epidemic of violence.

My sense is that most federal prosecutors are so busy with their own enforcement responsibilities that they do not always have the same sense of urgency that I saw in Jim Comey about developing strategies to complement the work of local officials. Operation Exile, which was developed out of the U.S. Attorney's office in Richmond, was one of the first programs of its kind to recognize the value of federal prosecutors taking gun cases to federal courts, where the penalties are significantly stronger.

At the time when Jim was dealing with gun violence in Richmond, I was working in Minneapolis with a task force of local, state and federal officials on strategies for reducing homicides. And the U.S. Attorney in Minneapolis heard about the Richmond model, and soon began taking gun cases federally. This had an immediate impact on homicides in Minneapolis, and I know that it also helped in other cities like Boston.

The role of the federal government in addressing the difficult issue of gun crime was shaped by the Richmond model, and prosecutors across the country saw Jim Comey as someone who recognized the importance of local/federal partnerships well before this became commonplace.

In fact, in 2009 PERF conducted a survey of local police agencies serving populations of 100,000 or more, and asked them about more than 40 different gun crime enforcement strategies – from tracing guns recovered at crime scenes and having special units to investigate gun “hot spots,” to gun buyback programs and investigation of illegal “straw purchases” of firearms. We asked local police whether they used each of these strategies – and about which strategies they found most effective. And by far, submitting information about gun felons to the local U.S. Attorney’s Office was the single strategy that local police agencies often used and found most effective.

When I think of how far the FBI has come since 9/11 with respect to developing partnerships, I think of Jim Comey and his leadership in gaining the trust and confidence of local police departments and police chiefs. I think Mr. Comey will be an outstanding director of the FBI, based upon my own experience working with him and on his outstanding record of public service.

Finally, on a personal level, I have found Jim Comey to be a man of character and integrity as well as someone who is down to earth and unassuming. I believe these qualities will help ensure that Mr. Comey will intuitively do what is right.

Please let me know if I can answer any questions, and thank you for your consideration.

Most sincerely,



Chuck Wexler
Executive Director
Police Executive Research Forum
Washington, DC

Cc: Commissioner Charles Ramsey
Philadelphia Police Department
President of PERF



Major County Sheriffs' Association

1450 Duke Street, Suite 207, Alexandria, Virginia 22314

President

Sheriff Richard Stanek
Hennepin County Sheriff's Office
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rstanek@mcsheriffs.com

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(661) 391-7515 (fax)
dyoungblood@mcsheriffs.com

Vice President – Government Affairs

Sheriff Michael J. Bouchard
Oakland County Sheriff's Office
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(248) 858-1806 (fax)
mbouchard@mcsheriffs.com

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jaubrey@mcsheriffs.com

Secretary

Sheriff David Mahoney
Dane County Sheriff's Office
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Madison, WI 53703-3276
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(608) 284-6163 (fax)
dmahoney@mcsheriffs.com

Past President

Sheriff Douglas C. Gillespie
Las Vegas Metropolitan Police Department
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(702) 828-3231
(702) 828-1548 (fax)
dgillespie@mcsheriffs.com

Executive Director

Michael Ferrence Jr.
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mferrence@mcsheriffs.com

General Counsel

Joseph Summerill
Major County Sheriffs' Association
1250 Connecticut Ave, Suite 200
Washington, DC 20036
(202) 261-3588
jsummerill@mcsheriffs.com

July 5, 2013

The Honorable Patrick Leahy
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Leahy,

I write on behalf of the Major County Sheriffs' Association (MCSA), an association of elected sheriffs representing the nation's largest counties with populations of 500,000 people or more, in strong support of James Comey's nomination to be the next Director of the Federal Bureau of Investigation (FBI). Mr. Comey's years of extraordinary public service, ranging from his days as the U.S. Attorney for the Southern District of New York to his role as Deputy Attorney General at the Department of Justice, make him extremely qualified to lead our nation's top law enforcement agency.

Throughout his career, Mr. Comey has been known as a man of impartiality, good character, and someone with strong leadership skills. His past service has given him great experience in the law enforcement community and I have no doubt he will continue his strong commitment to the law enforcement mission as the next Director of the FBI.

Although we will greatly miss the leadership and friendship of Director Mueller, I have no doubt that Mr. Comey is an excellent candidate for the position. I hope that the Senate Judiciary Committee will work quickly to answer any questions it may have and confirm Mr. Comey as soon as possible.

Sincerely,

Richard W. Stanek
President, Major County Sheriffs' Association
Sheriff, Hennepin County (MN)



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

317 South Patrick Street. ~ Alexandria, Virginia ~ 22314-3501
(703) 549-0775 ~ (800) 322-NAPO ~ Fax: (703) 684-0515
www.napo.org ~ Email: info@napo.org

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Association of New York City

WILLIAM J. JOHNSON

Executive Director

July 3, 2013

The Honorable Patrick Leahy
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Chairman Leahy:

On behalf of the National Association of Police Organizations (NAPO), I am pleased to inform you of our support for the nomination of James Comey to serve as the next Director of the Federal Bureau of Investigations (FBI).

NAPO is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement through legislative and legal advocacy, political action, and education. Founded in 1978, NAPO now represents more than 1,000 police units and associations, 241,000 sworn law enforcement officers, and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement.

Mr. Comey is one of our nation's most skilled and respected national security and law enforcement professionals. Throughout his career, Mr. Comey has demonstrated that he is exceptionally qualified to handle the full range of challenges faced by today's FBI, especially during his time as Deputy Attorney General of the United States. Mr. Comey has been a dedicated career public servant, and has continually evidenced his integrity, strong judgment, and commitment to the law enforcement mission.

We urge the Senate Judiciary Committee to act swiftly in confirming Mr. Comey for this critical position. If NAPO can provide any additional information to support Mr. Comey's nomination, please do not hesitate to contact me at: (703) 549-0775.

Sincerely,

William J. Johnson
Executive Director

July 3, 2013

The Honorable Patrick Leahy
Chairman
The United States Senate Committee on the Judiciary
437 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Charles Grassley
Ranking Member
The United States Senate Committee on the Judiciary
135 Hart Senate Office Building
Washington, D.C. 20510

Re: Bipartisan Endorsement of Jim Comey to be FBI Director from Former United States Attorneys

Dear Chairman Leahy and Ranking Member Grassley:

We are friends, admirers, and former Justice Department colleagues of Jim Comey, and we write in strong bipartisan support of his nomination to be the next Director of the Federal Bureau of Investigation.

Jim is an extraordinary public servant. He is a man of tremendous integrity – principled, thoughtful, dignified, and smart. In case after case, as an Assistant United States Attorney in two districts, as the United States Attorney for the Southern District of New York, and as the Deputy Attorney General of the United States, he demonstrated a steadfast adherence to the rule of law and to the principles of federal prosecution. He found facts, and he followed them. He understood the law, and he applied it. He paid no heed to politics. He made decisions without fear or favor.

Jim speaks often and eloquently of the role of the Federal Bureau of Investigation and the Justice Department in safeguarding the liberty and security of all Americans. It is a balance he knows well, because he spent so many years striving to strike the right balance, under all circumstances and in every case. Indeed, it was his principled leadership that helped the Department of Justice through challenging times. Some of those are well known. Others, however, are not. Often, Jim's leadership revealed itself through a phone call or a short note – a word of encouragement or appreciation – to a hardworking, and underappreciated, agent or prosecutor.

Jim is also a gifted manager. As Deputy Attorney General, he was responsible for the oversight and management of the entire Department of Justice, and all of its component parts, including the FBI, which reported to him. He also supervised the United States Attorney community – it was in that capacity that so many of us worked with him and for him. And that is why we know, with certainty, that Jim is an honorable and dedicated friend, colleague, leader, and manager.

We know Jim well. We have watched him from up close and from far away. We like him, we admire him, we trust him, we respect him, and we can think of no better person to take on this remarkably important job – as Director of the Federal Bureau of Investigation.

Respectfully,

A. Brian Allbritton
Former United States Attorney
Middle District of Florida

Robert C. Balfe
Former United States Attorney
Western District of Arkansas

Michael A. Battle
Former United States Attorney
Western District of New York

Steven M. Biskupic
Former United States Attorney
Eastern District of Wisconsin

Bill Blagg
Former United States Attorney
Western District of Texas

Robert Bonner
Former United States Attorney
Central District of California

Congresswoman Susan W. Brooks
Former United States Attorney
Southern District of Indiana

Greg Brower
Former United States Attorney
District of Nevada

John Brownlee
Former United States Attorney
Western District of Virginia

Mary Beth Buchanan
Former United States Attorney
Western District of Pennsylvania

Wayne Budd
Former United States Attorney
District of Massachusetts

Benton Campbell
Former United States Attorney
Eastern District of New York

Leura G. Canary
Former United States Attorney
Middle District of Alabama

Zachary W. Carter
Former United States Attorney
Eastern District of New York

Paul K. Charlton
Former United States Attorney
District of Arizona

Governor Chris Christie
Former United States Attorney
District of New Jersey

Robert J. Cindrich
Former United States Attorney
Western District of Pennsylvania

Tom Colantuano
Former United States Attorney
District of New Hampshire

Colm Connolly
Former United States Attorney
District of Delaware

Robert Corrente
Former United States Attorney
District of Rhode Island

Richard Cullen
Former United States Attorney
Eastern District of Virginia

William B. Cummings
Former United States Attorney
Eastern District of Virginia

Bud Cummins
Former United States Attorney
Eastern District of Arkansas

Margaret Ellen Curran
Former United States Attorney
District of Rhode Island

Richard H. Deane, Jr.
Former United States Attorney
Northern District of Georgia

Russ Dedrick
Former United States Attorney
Eastern District of Tennessee

Don DeGabrielle
Former United States Attorney
Southern District of Texas

David R. Dugas
Former United States Attorney
Middle District of Louisiana

Matt M. Dummermuth
Former United States Attorney
Northern District of Iowa

Troy A. Eid
Former United States Attorney
District of Colorado

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Former United States Attorney
Eastern District of Virginia

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Former United States Attorney
District of Delaware

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District of Connecticut

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Former United States Attorney
Northern District of Illinois

Terry Flynn
Former United States Attorney
Western District of New York

Michael J. Garcia
Former United States Attorney
Southern District of New York

Mayor Rudolph Giuliani
Former United States Attorney
Southern District of New York

Todd P. Graves
Former United States Attorney
Western District of Missouri

Jim Greenlee
Former United States Attorney
Northern District of Mississippi

Catherine Hanaway
Former United States Attorney
Eastern District of Missouri

Hal Hardin
Former United States Attorney
Middle District of Tennessee

Rodger Heaton
Former United States Attorney
Central District of Illinois

Thomas B. Heffelfinger
Former United States Attorney
District of Minnesota

Karen P. Hewitt
Former United States Attorney
Southern District of California

Congressman George Holding
Former United States Attorney
Eastern District of North Carolina

Dwight Holton
Former United States Attorney
District of Oregon

Roscoe Howard
Former United States Attorney
District of the District of Columbia

Diane Humetawa
Former United States Attorney
District of Arizona

David Iglesias
Former United States Attorney
District of New Mexico

Karin Immergut
Former United States Attorney
District of Oregon

Marcos Daniel Jiménez
Former United States Attorney
Southern District of Florida

David Kelley
Former United States Attorney
Southern District of New York

Carol Lam
Former United States Attorney
Southern District of California

Charles W. Larson, Sr.
Former United States Attorney
Northern District of Iowa

Bill Leone
Former United States Attorney
District of Colorado

Harry Litman
Former United States Attorney
Western District of Pennsylvania

John L. MacKay
Former United States Attorney
Western District of Washington

Alice Martin
Former United States Attorney
Northern District of Alabama

Robert G. McCampbell
Former United States Attorney
Western District of Oklahoma

James McDevitt
Former United States Attorney
Eastern District of Washington

Edward E. McNally
Former United States Attorney
Southern District of Illinois

Congressman Patrick Meehan
Former United States Attorney
Eastern District of Pennsylvania

Kathleen Mehlretter
Former United States Attorney
Western District of New York

Ken Melson
Former United States Attorney
Eastern District of Virginia

Jan Paul Miller
Former United States Attorney
Central District of Illinois

Gregory R. Miller
Former United States Attorney
Northern District of Florida

Paul B. Murphy
Former United States Attorney
Southern District of Georgia

Thomas O'Brien
Former United States Attorney
Central District of California

Kevin J. O'Connor
Former United States Attorney
District of Connecticut

Paul Perez
Former United States Attorney
Middle District of Florida

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Former United States Attorney
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Northern District of California

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Former United States Attorney
Northern District of California

McGregor W. Scott
Former United States Attorney
Eastern District of California

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Former United States Attorney
Eastern District of California

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Former United States Attorney
District of Massachusetts

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Western District of Texas

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District of the District of Columbia

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District of the District of Columbia

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Western District of Louisiana

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Former United States Attorney
Northern District of Illinois

Governor William Weld
Former United States Attorney
District of Massachusetts

John Wood
Former United States Attorney
Western District of Missouri

Debra Wong Yang
Former United States Attorney
Central District of California

Edward Meacham Yarborough
Former United States Attorney
Middle District of Tennessee

Comey, James B. OGE Form 278e Financial Disclosure, Year 2012. Submitted 6/19/2013. Office of Government Ethics. *Source: OpenSecrets.org.*

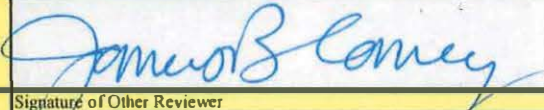

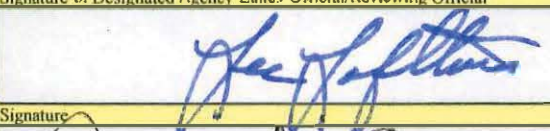
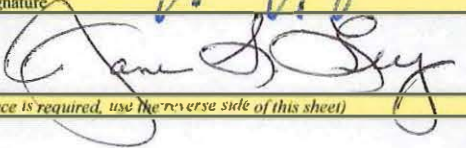
#	Holding (K = \$,000, M = \$,000,000)	<\$1K	\$1-15K	\$15-50K	\$50-100K	\$100-250K	\$250-500K	\$500K-1M	\$1-5M	>\$5M
1	AGL Resources - Common				X					
2	Albertsons Inc - Individual Bond - IRA	X								
3	Alcoa - Individual Bond - IRA		X							
4	Allergan Inc - Common				X					
5	Alpha Natural Res - Individual Bond - IRA			X						
6	Apple Inc - Common				X					
7	Aqua America - Common					X				
8	Arcelor Mittal - Common			X						
9	AT&T - Common				X					
10	Baytex Energy Corp - Common				X					
11	Bbva US Senior - Individual Bond - IRA			X						
12	Bershire Hathaway Cl B - Common					X				
13	Bhp Billiton Ltd - ADR				X					
14	Bloomfield Conn - General Obligation - Individual Bond		X							
15	Bridgewater Assoc. LP Westport CT									\$6,632,616 salary
16	Bridgewater Assoc. LP Westport CT								\$3,235,654 phantom stock payout due	
17	Bridgewater Assoc. LP Westport CT									\$521,104 unused vacation, 2012 profits
18	Bridgewater Assoc. LP Westport CT, Phantom Equity (Profit Sharing Plan)								X	
19	Carlyle Group LP - Common			X						
20	Caterpillar Inc - Common				X					
21	Chesapeake Energy - Individual Bond - IRA			X						
22	Chevron Corp - Common					X				
23	Citrus Cnty Fla - General Obligation - Individual Bond		X							
24	CMEGroup Inc Cl A - Common				X					
25	Coca Cola Company - Common				X					
26	Colgate Palmoliv - Individual Bond - IRA			X						
27	Columbus Univ Law School NY NY			\$16,667 salary						
28	Connecticut State - General Obligation - Individual Bond		X							
29	Core Labs - Common				X					
30	CSX Corp - Common			X						
31	Darling Intl - Individual Bond			X						
32	Deere & Co - Common				X					

33	Dominion Resources - Common					X				
34	Doubleline Emerging Market Fixed Incom Fund					X				
35	Du Pont EI \$3.50 Preferred			X						
36	Emerson Electric - Common				X					
37	Enterprise Prd Partners MLP				X					
38	Exxon Mobile Corporation - Common					X				
39	Guinness Atinson Global Energy Fund		X							
40	Hewlett Packard - Individual Bond			X						
41	Hormel Foods Corp - Common				X					
42	HSBC Group plc London UK			\$46,875 Director fees						
43	Illinois Tool Works - Common					X				
44	Intel Corp - Common				X					
45	iShares Silver Trust - ETF			X						
46	Johnson & Johnson - Common					X				
47	JPMorgan bank accounts (cash)							X		
48	Kinder Morgan Energy Partners MLP				X					
49	Kroger Company - Common				X					
50	LEXMARK INTL INC NOTE Individua Bond - IRA			X						
51	Lockheed Martin - Common			X						
52	Lockheed Martin Defined Benefit Plan						X			
53	Lockheed Martin Salaried Savings Plan (401K) - American Century Growth Fund		X							
54	Lockheed Martin Salaried Savings Plan (401K) - Broad Market Bond Index Fund		X							
55	Lockheed Martin Salaried Savings Plan (401K) - ESOP Stock Fund - holds Lockheed Martin stock and cash				X					
56	Lockheed Martin Salaried Savings Plan (401K) - Investment Company of America Fund	X								
57	Lockheed Martin Salaried Savings Plan (401K) - MSCI EAFE Indexed Equity Fund				X					
58	Lockheed Martin Salaried Savings Plan (401K) - New Perspective Fund		X							
59	Lockheed Martin Salaried Savings Plan (401K) - S&P 500 Indexed Equity Fund		X							
60	Lockheed Martin Salaried Savings Plan (401K) - Small/Mid-Cap Indexed Equity Fund		X							
61	Lockheed Martin Salaried Savings Plan (401K) - Stable Value Fund		X							
62	Lockheed Martin Salaried Savings Plan (401K) - Target Date Fund 2025		X							
63	Markel - Individual Bond		X							
64	Market Vector AgriBusiness - ETF		X							
65	Market Vectors Gold Miners - ETF		X							
66	Microsoft - Common				X					
67	Morgan Stanley - Individual Bond - IRA			X						
68	Murphy Oil - Common				X					
69	Nestle SA Reg B - ADR					X				

70	Norfolk Southern Corp - Common					X				
71	Northwest Harris Cnty - General Obligations - Individual Bond		X							
72	Peabody Energy - Individual Bond - IRA			X						
73	Pepsico - Common					X				
74	Personal load to Mr and Mrs R Fitzgerald						X			
75	Personal loan to Mr and Mrs Wilson							X		
76	Petrohawk Energy - Individual Bond		X							
77	Pimco Emerging Mkts Bond Fund					X				
78	Pimco Total Return Fund					X				
79	Potash Corp Sask Inc - Common				X					
80	PPL Corporation - Common			X						
81	Proctor & Gamble Co - Common				X					
82	Proctor MN - General Obligation - Individual Bond		X							
83	Qualcomm - Common				X					
84	Rio Tinto Plc Spon - ADR				X					
85	Royce Value Tr Preferred		X							
86	Schwab Government Money Fund							X		
87	Schwab Government Money Fund - IRA		X							
88	Southern Company - Common			X						
89	Southern Company - Common		X							
90	Spdr Gold TRUST - ETF			X						
91	St Joe Company - Common			X						
92	Stamford Conn General Obligation - Individual Bond			X						
93	Steel Dynamics - Individual Bond		X							
94	Suncor Energy Inc - Common		X							
95	Teekay Lng Partners MLP				X					
96	Temple Inland I - Individual Bond		X							
97	The Mosaic Company - Common			X						
98	Total S A - ADR					X				
99	Union Pacific Corp - Common				X					
100	University Va - Individual Bond			X						
101	USTreas Inflation Index bond - IRA	X								
102	Vanguard Precious Metals and Mining Investment Fund		X							
103	Verizon Communications - Common					X				
104	Virginia Prepaid Education Plan spon Commonwealth of VA - Contract 1		X							
105	Virginia Prepaid Education Plan spon Commonwealth of VA - Contract 2		X							
106	Virginia Prepaid Education Plan spon Commonwealth of VA - Contract 3		X							
107	Vulcan Materials Company		X							
108	Waterford Conn General Obligation - Individual Bond			X						

109	WD-40 Company - Common				X					
110	Wells Fargo Bank Accounts						X			
111	Westinghouse Ari Brake Technologies - Common				X					
112	Wisdomtree Chinese Yuan - ETF					X				
113	Wisdomtree Emerging Mkts - ETF			X						
		3	29	25	29	16	3	3	2	2
		\$ 3,000	\$ 435,000	\$ 1,313,542	\$ 2,900,000	\$ 4,000,000	\$ 1,500,000	\$ 3,000,000	\$ 13,235,654	\$ 7,153,720
TOTAL:										<u><u>\$ 33,540,916</u></u>

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Date of Appointment, Candidacy, Election, or Nomination (Month, Day, Year)	Reporting Status (Check Appropriate Boxes)	Incumbent <input type="checkbox"/>	Calendar Year Covered by Report	New Entrant, Nominee, or Candidate <input checked="" type="checkbox"/>	Termination Filer <input type="checkbox"/>	Termination Date (If Applicable) (Month, Day, Year)	Fee for Late Filing Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period, shall be subject to a \$200 fee.
Reporting Individual's Name	Last Name Comey		First Name and Middle Initial James B.				
Position for Which Filing	Title of Position Director, Federal Bureau of Investigation		Department or Agency (If Applicable) Department of Justice				Reporting Periods Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.
Location of Present Office (or forwarding address)	Address (Number, Street, City, State, and ZIP Code) Columbia Univ. Law School, 435 West 116th St., NY NY 10027		Telephone No. (Include Area Code) 212-854-2675				
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held Defense Legal Policy Board 9/12 to present						Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination Judiciary		Do You Intend to Create a Qualified Diversified Trust? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Certification I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.	Signature of Reporting Individual 		Date (Month, Day, Year) June 19, 2013				Nominees, New Entrants and Candidates for President and Vice President: Schedule A-- The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.
Other Review (If desired by agency)	Signature of Other Reviewer 		Date (Month, Day, Year) 6/21/2013				
Agency Ethics Official's Opinion On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments in the box below).	Signature of Designated Agency Ethics Official/Reviewing Official 		Date (Month, Day, Year) 6/21/2013				Schedule B-- Not applicable. Schedule C, Part I (Liabilities)-- The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.
Office of Government Ethics Use Only	Signature 		Date (Month, Day, Year) 6/26/2013				
Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)							Schedule C, Part II (Agreements or Arrangements)-- Show any agreements or arrangements as of the date of filing. Schedule D-- The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.
<div style="text-align: right;">(Check box if filing extension granted & indicate number of days) <input type="checkbox"/></div>							
<div style="text-align: right;">(Check box if comments are continued on the reverse side) <input type="checkbox"/></div>							Agency Use Only
							OGE Use Only

Supersedes Prior Editions.

SCHEDULE A

Page Number

2

[illegible]

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.



James B. Comey

(Use only if needed)

3

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Reporting Individual's Name James B. Comey	SCHEDULE A continued (Use only if needed)	Page Number 4
------------------------------------------------------	-----------------------------------------------------	-------------------------

Assets and Income		Valuation of Assets at close of reporting period										Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																						
BLOCK A		BLOCK B										BLOCK C																						
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type	Amount								Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria							
																	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000			
1	Pimco Total Return Fund					X								X								X												
2	Allergan Inc - Common				X												X					X												
3	Teekay Lng Partners MLP				X									X											X									
4	Enterprise Prd Partners MLP				X									X											X									
5	Kinder Morgan Energy Partners MLP				X									X											X									
6	Emerson Electric - Common				X												X								X									
7	Compass Minerals Intl - Common				X												X						X											
8	Intel Corp - Common				X												X							X										
9	Westinghouse Air Brake Technologies - Common				X												X				X													

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.



(Use only if needed)

5

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Reporting Individual's Name

James B. Comey

SCHEDULE A continued

(Use only if needed)

Page Number

6

Assets and Income		Valuation of Assets at close of reporting period										Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																						
BLOCK A		BLOCK B										BLOCK C																						
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type	Amount										Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria					
																	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000			
1	CMEGroup Inc Cl A - Common				x												x					x												
2	Potash Corp Sask Inc - Common				x												x				x													
3	Murphy Oil - Common				x												x							x										
4	AT&T - Common				x												x							x										
5	Apple Inc - Common				x												x					x												
6	Core Labs - Common				x												x					x												
7	Caterpillar Inc. - Common				x												x					x												
8	Deere & Co - Common				x												x					x												
9	Rio Tinto Plc Spon - ADR				x												x					x												

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.



OpenSecrets.org

Reporting Individual's Name

James B. Comey

SCHEDULE A continued

(Use only if needed)

Page Number

7

Assets and Income		Valuation of Assets at close of reporting period												Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																						
BLOCK A		BLOCK B												BLOCK C																						
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type	Amount										Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria							
																	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000					
1	WD-40 Company - Common				X												X						X													
2	Kroger Company - Common				X												X					X														
3	PPL Corporation - Common			X													X						X													
4	Spdr Gold TRUST ETF			X										X							X															
5	Southern Company - Common			X													X					X														
6	Du Pont E I \$3.50 Preferred			X													X						X													
7	The Mosaic Company - Common			X													X				X															
8	CSX Corp - Common			X													X					X														
9	University Va - Individual Bond			X																	X															

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Reporting Individual's Name

James B. Comey

SCHEDULE A continued

(Use only if needed)

Page Number

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Assets and Income		Valuation of Assets at close of reporting period										Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																								
BLOCK A		BLOCK B										BLOCK C																								
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type	Amount										Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria							
																	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000					
1	Arcelor Mittal - Common			x													x						x													
2	Hewlett Packard - Individual Bond			x															x			x														
3	Wisdomtree Emerging Mkts - ETF			x										x								x														
4	Ishares Silver Trust - ETF			x										x								x														
5	Stamford Conn General Obligation - Individual Bond			x															x			x														
6	St Joe Company - Common			x																		x														
7	Waterford Conn General Obligation - Individual Bond			x															x			x														
8	Darling Intl Inc - Individual Bond			x															x			x														
9	Carlyle Group LP - Common			x										x								x														

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Reporting Individual's Name

James B. Comey

SCHEDULE A continued

(Use only if needed)

Page Number

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Assets and Income		Valuation of Assets at close of reporting period											Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																						
BLOCK A		BLOCK B											BLOCK C																						
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type	Amount										Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria						
																	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000				
1	Petrohawk Energy - Individual Bond		x																x				x												
2	Markel - Individual Bond		x																x				x												
3	Bloomfield Conn - General Obligation - Individual Bond		x																x		x														
4	Citrus Cnty Fla - General Obligation - Individual Bond		x																x		x														
5	Connecticut State - General Obligation - Individual Bond	x																	x		x														
6	Guinness Atkinson Global Energy Fund	x											x								x														
7	Market Vector AgriBusiness - ETF	x											x								x														
8	Market Vectors Gold Miners - ETF	x											x								x														
9	Northwest Harris Cnty - General Obligation - Individual Bond	x																	x		x														

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Reporting Individual's Name James B. Comey	SCHEDULE A continued (Use only if needed)	Page Number 10
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Assets and Income		Valuation of Assets at close of reporting period													Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																		
BLOCK A		BLOCK B													BLOCK C																		
															Type				Amount														
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) ● Only if Honoraria
1	Proctor MN - General Obligation - Individual Bond	x																	x			x											
2	Royce Value Tr Preferred	x												x										x									
3	Southern Company - Common	x															x			x			x										
4	Steel Dynamics - Individual Bond	x																	x				x										
5	Suncor Energy Inc - Common	x															x					x											
6	Temple Inland I - Individual Bond	x																	x		x												
7	Vanguard Precious Metals and Mining Investment Fund	x												x								x											
8	Vulcan Materials Company	x															x					x											
9	Schwab Government Money Fund						x							x								x											

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Reporting Individual's Name James B. Comey	SCHEDULE A continued (Use only if needed)	Page Number 11
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Assets and Income		Valuation of Assets at close of reporting period												Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																						
BLOCK A		BLOCK B												BLOCK C																						
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type	Amount										Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria							
																	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000			\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000			
1	IRA - Peabody Energy - Individual Bond			x															x			x														
2	IRA - Alpha Natural Res Individual Bond			x															x			x														
3	IRA - LEXMARK INTL INC NOTE Individual Bond			x															x		x															
4	IRA - Morgan Stanley - Individual Bond			x															x			x														
5	IRA - Bbva US Senior - Individual Bond			x															x			x														
6	IRA - Chesapeake Energy Individual Bond			x															x		x															
7	IRA - Colgate Palmoliv - Individual Bond			x															x			x														
8	IRA Alcoa - Individual Bond		x																x			x														
9	IRA - Schwab Government Money Fund		x											x							x															

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(Use only if needed)

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* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

(Use only if needed)

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Reporting Individual's Name James B. Comey	SCHEDULE A continued (Use only if needed)	Page Number 14
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Assets and Income		Valuation of Assets at close of reporting period										Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																					
BLOCK A		BLOCK B										BLOCK C																					
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type	Amount								Date (Mo., Day, Yr.) Only if Honoraria							
																Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000		\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000	Other Income (Specify Type & Actual Amount)	
1	Wells Fargo Bank Accounts (cash)					X												X		X													
2	Personal loan to Mr. and Mrs. Wilson						X													X													
3	Personal loan to Mr. and Mrs. R. Fitzgerald					X														X													
4	Lockheed Martin Salaried Savings Plan (401K)																																
5	Target Date Fund 2025		X											X						X													
6	Stable Value Fund		X											X						X													
7	Broad Market Bond Index Fund		X											X						X													
8	S&P 500 Indexed Equity Fund		X											X						X													
9	American Century Growth Fund		X											X						X													

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

SCHEDULE A continued

(Use only if needed)

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[illegible]

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name James B. Comey	SCHEDULE B	Page Number 16
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Part I: Transactions

None ☐

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded \$1,000. Include transactions that resulted in a loss.

Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

	Identification of Assets				Purchase or Sale	Exchange	Date	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Certificate of divestiture
	Example	Central Airlines Common																	
1					x		2/1/99			x									
2																			
3																			
4																			
5																			

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than \$350 and (2) travel-related cash reimbursements received from one source totaling more than \$350. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C. § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided. **Exclude** anything given to you by

the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth \$140 or less. See instructions for other exclusions.

None ☐

Source (Name and Address)		Brief Description		Value
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity unrelated to duty)		\$500
	Frank Jones, San Francisco, CA	Leather briefcase (personal friend)		\$385
1				
2				
3				
4				
5				

Reporting Individual's Name

James B. Comey

SCHEDULE C

Page Number

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Part I: Liabilities

Report liabilities over \$10,000 owed to any one creditor at **any time** during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your

personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☒

Category of Amount or Value (x)

Creditors (Name and Address)		Type of Liability	Date Incurred	Interest Rate	Term if applicable	\$10,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000
Examples	First District Bank, Washington, DC John Jones, Washington, DC	Mortgage on rental property, Delaware Promissory note	1991 1999	8% 10 %	25 yrs. on demand			x		x						
1																
2																
3																
4																
5																

* This category applies only if the liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves

of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None ☐

Status and Terms of any Agreement or Arrangement		Parties	Date
Example	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1	Pursuant to Lockheed Martin Defined Benefit Pension Plan, will receive lump sum payout on 55th birthday.	Lockheed Martin Corp., Bethesda MD	9/05
2	Lockheed Martin Salaried Savings Plan, 401K, assets reported on Sched.A; no further contributions to be made by former employer.	Lockheed Martin Corp., Bethesda MD	9/05
3	Will receive a full payout of my interests in the Bridgewater Assocs. Phantom Equity (Profit sharing plan) in two payments of \$163,000 and \$3,072,654 before I assume the duties of the position of Director.	Bridgewater Assocs., LP, Westport CT	9/10
4			
5			
6			

Reporting Individual's Name James B. Comey	SCHEDULE D	Page Number 18
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Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or

consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☐

Organization (Name and Address)		Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1	Columbia Univ. Law School, NY NY	Law School	Senior Research Scholar	2/13	Present
2	HSBC Group plc, London UK	Bank	Director	3/13	Present
3	Bridgewater Associates LP, Westport CT	Investment Manager	General Counsel	9/10	1/13
4					
5					
6					

Part II: Compensation in Excess of \$5,000 Paid by One Source

Report sources of more than \$5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other

non-profit organization when you directly provided the services generating a fee or payment of more than \$5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate.

None ☐

Source (Name and Address)		Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1	Columbia Univ. Law School Ny, NY	Law School academic position
2	HSBC Group plc, London UK	Board of Directors membership
3	Bridgewater Associates, LP, Westport CT	Employee
4		
5		
6		