

United States Senate

WASHINGTON, DC 20510

September 20, 2018

The Honorable Christopher Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535

Dear Director Wray:

As members of the Judiciary Committee, with oversight over the Federal Bureau of Investigation (FBI), we are requesting immediate action by the Bureau to investigate potential federal crimes against Dr. Christine Blasey Ford, which appear intended to intimidate a witness in relation to the Supreme Court nomination hearing of Judge Brett Kavanaugh. We are increasingly concerned by reports of alleged death threats against her, the hacking of her email, and the harassment and intimidation she has faced since being forced into the spotlight late last week.

The federal crimes potentially being committed against Dr. Blasey Ford may include, *inter alia*, violations of 18 U.S.C. § 875 (threats transmitted via interstate communications), 18 U.S.C. § 1030 (the Computer Fraud and Abuse Act), 18 U.S.C. § 1505 (obstruction of proceedings before committees), and 18 U.S.C. § 1512 (witness intimidation).¹ Investigating such serious federal crimes is, of course, squarely within the duty of the Bureau and does not require a referral from the White House or any administration officials.

Moreover, because these alleged federal crimes appear intended to intimidate Dr. Blasey Ford and potentially prevent her from testifying about her credible allegations of sexual assault by Judge Brett Kavanaugh, the FBI may obtain information concerning criminal activity not within the FBI's investigative jurisdiction, including for example violations of Maryland's criminal code dealing with rape and sexual assault.² As you are aware, when an FBI employee receives such information, the employee "must promptly transmit the information or refer the complaint to a law enforcement agency having jurisdiction."³ The FBI may also provide such information to "Congress or to congressional committees."⁴

¹ 18 U.S.C. § 1515(a)(1) defines "official proceeding" as including "a proceeding before the Congress".

² Maryland Code, Criminal Law § 3-303-312.

³ FBI Domestic Investigations and Operations Guide, § 14.3.2 (Required Sharing).

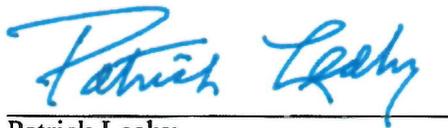
⁴ *Id.*, § 14.3.1 (Permissive Sharing).

The Bureau should promptly investigate these potential crimes against Dr. Blasey Ford and provide updates to Congress as appropriate.

Americans are closely watching. We strongly believe that how Dr. Blasey Ford is treated in this moment reflects upon how seriously our Nation treats credible claims of sexual assault, and whether we have learned from past mistakes. We expect the Bureau to live up to its stated mission, "to protect the American people" and to promptly investigate these criminal allegations.

Thank you for your cooperation and attention in this matter. Given the urgency of this matter, we would appreciate a response no later than September 23, 2018.

Sincerely,



Patrick Leahy
United States Senator



Dianne Feinstein
United States Senator



Richard J. Durbin
United States Senator



Sheldon Whitehouse
United States Senator



Amy Klobuchar
United States Senator



Christopher A. Coons
United States Senator



Richard Blumenthal
United States Senator



Mazie K. Hirono
United States Senator



Cory A. Booker
United States Senator



Kamala D. Harris
United States Senator