

**Opening Statement of Senator Feinstein
Oversight of the Federal Bureau of Investigation
May 3, 2017**

This is the committee's annual oversight hearing to conduct that oversight of the FBI. So, usually we review and ask questions about the FBI's work that ranges from major federal law enforcement priorities to the specific concerns of individual members of the committee.

However, this hearing takes place at a unique time.

Last year, for the first time, the FBI and its investigation of a candidate for president became the center of the closing days of a presidential election.

Before voters went to the polls last November, they had been inundated with stories about the FBI's investigation of [Secretary] Clinton's emails.

The press coverage was wall-to-wall. Every day there was another story about Secretary Clinton's emails. Every day questions were raised about whether classified information had been released or compromised.

And, over and over again there was commentary from the FBI about its actions and investigation.

On July 5, 2016, [four] months before the election, Director Comey publicly announced that the FBI had concluded its investigation and determined that no reasonable prosecutor would bring a case against Secretary Clinton.

That should have been the end of the story. But it wasn't.

Eleven days before the election, on October 28, 2016, Director Comey then announced that the FBI was reopening the Clinton investigation because of emails on Anthony Wiener's computer.

This explosive announcement, and it was, came unprompted and without knowing whether a single email warranted a new investigation.

It was, in fact, a big October surprise. But, in fact, as it turned out, not one email on the laptop changed the FBI's original conclusion that no prosecution was warranted. And only two days before the election, the FBI sent another public letter to Congress affirming its original conclusion.

This was extraordinary—plain and simple. I join those who believe that the actions taken by the FBI did, in fact, have an impact on the election.

What's worse is that while all of this was going on in the public spotlight, while the FBI was discussing its investigation into Secretary Clinton's email server in detail, I cannot help but

note that it was noticeably silent about the investigation into the Trump campaign and Russian interference into the election.

In June 2016, the press reported that Russian hackers had infiltrated the computer system of the Democratic National Committee. In response, then-candidate Trump and his campaign began goading the Russian government into hacking Secretary Clinton.

Two months later, in August, on Twitter, Roger Stone declared “Trust me, it will soon [be] Podesta’s time in the barrel. He then bragged that he was in communication with WikiLeaks and this was during a campaign, the campaign in Florida, he told a group of Florida Republicans that founder Julian Assange said, and that “there would be no telling what the October surprise might be.”

Clearly, he knew what he was talking about. Two months later, on October 7, thousands of emails from John Podesta’s account were published on WikiLeaks.

We now know that through the fall election, the FBI was actively investigating Russia’s efforts to interfere with the presidential campaign and possible involvement of Trump campaign officials in those efforts.

Yet, the FBI remained silent. In fact, the FBI summarily refused to even acknowledge the existence of any investigation.

It’s still very unclear—and I hope director that you will clear this up—why the FBI’s treatment of these two investigations was so dramatically different.

With the Clinton email investigation, it has been said that “exceptional circumstances”—including the high interest in the matter and need to reassure the public—required public comment from the FBI.

However, I can’t imagine how an unprecedented interference—big and bold hacking interference—in our election by the Russian government did not also present exceptional circumstances.

As I said at the beginning, we’re in a unique time.

A foreign adversary had actively interfered with a presidential election. The FBI was investigating not just that interference, but whether campaign officials associated with the president were connected to this interference. And the attorney general has recused himself from any involvement in this investigation.

At the same time, the FBI must continue to work with its state and local law enforcement partners and the intelligence community as well to investigate crime of all types: violent crime, increased narcotics trafficking fraud, human trafficking, terrorism, child exploitation public corruption, and yesterday this committee had a very important hearing on hate and crimes against specific religions and races, which are off the charts.

In order to do all of that, I firmly believe it is of the utmost importance that the American people have faith and trust in the nation's top law enforcement agency. We must be assured that all of the FBI's decisions are made in the interests of justice—not in the interest of any political agenda or reputation of any one agency or individual.

So, Mr. Director, today we need to hear how the FBI will regain that faith and trust. We need straightforward answers to our questions, and we want to hear how you're going to lead the FBI going forward. We never, ever want anything like this to happen again.”