

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

January 15, 2025

The Honorable Avril Haines
Director
Office of the Director of National Intelligence
2201 C ST NW
Washington, DC 20511

Dear Director Haines:

I write to request records relevant to the Senate Judiciary Committee's consideration of the nomination of Kashyap (Kash) Patel, President-elect Trump's presumptive nominee to be Director of the Federal Bureau of Investigation (FBI).

From February 2020 through June 2020, Mr. Patel served as Principal Deputy to the Acting Director of the Office of the Director National Intelligence (ODNI). According to one review of publicly available *Freedom of Information Act* records regarding Mr. Patel's tenure at ODNI, "what the emails show pretty clearly is that Patel politicized the [declassification] process...coordinat[ing] efforts with high-ranking officials at the White House, Department of Justice and Republican lawmakers to declassify documents he believed were favorable to Trump."¹ Additionally, the Department of Justice reportedly received a complaint from an intelligence agency alleging that Mr. Patel improperly disclosed classified information.²

Separately, on January 2, 2021, then-Director of ODNI John Ratcliffe referred then-Acting Assistant Attorney General for the Department of Justice's (DOJ) Civil Division Jeffrey Clark, to Mr. Patel.³ Then-Director Ratcliffe informed Mr. Clark that Mr. Patel purportedly could help identify a "trustworthy" individual at the FBI who would potentially be willing to aid Mr. Clark's efforts to subvert the 2020 election.⁴ At that point, Mr. Patel was no longer at ODNI and was serving as Chief of Staff to the Defense Department and the then-Acting Secretary of Defense.

As you know, the FBI is the principal federal law enforcement investigative agency, tasked with protecting all Americans. The Director must be able to execute the FBI's mission in a nonpartisan, impartial manner that is above reproach. The allegations against Mr. Patel outlined above are deeply troubling, and the Committee is unable to properly consider his nomination

¹ Jason Leopold, *Kash Patel's Emails Offer Insight Into How He Might Run the FBI*, BLOOMBERG (Jan. 10, 2025), <https://www.bloomberg.com/news/newsletters/2025-01-10/trump-nominee-kash-patel-s-odni-emails-show-how-he-might-politicize-fbi>.

² See David Ignatius, *How Kash Patel rose from obscure Hill staffer to key operative in Trump's battle with the Intelligence community*, WASH. POST (Apr. 16, 2021), <https://www.washingtonpost.com/opinions/2021/04/16/kash-patel-trump-intelligence-community/>.

³ Contemporaneous notes by Jeffrey Clark, Acting Ass't Att'y Gen. for Dep't of Justice's Civil Div., reflecting meeting with John Ratcliffe, Dir. Off. of Nat'l Intelligence (Jan. 2, 2021) (on file with Committee).

⁴ *Id.*

without more information on his underlying conduct. To that end, please provide the following information:

1. All records between February 1, 2020 and June 30, 2020 reflecting or relating to communications between and among Mr. Patel and White House officials and Intelligence Community officials concerning the declassification of documents regarding or related to investigations of President Trump, his 2016 campaign, or his campaign officials;
2. All records reflecting or relating to communications between and among ODNI Director Ratcliffe and Mr. Patel, or between and among ODNI Director Ratcliffe and DOJ or FBI officials concerning Mr. Patel; and
3. All records reflecting or relating to allegations of misconduct by Mr. Patel, including referrals to DOJ or claims related to his tenure at ODNI.

Please provide these materials as soon as possible. I appreciate your prompt attention to this important request.

Sincerely,



Richard J. Durbin
Ranking Member

cc: The Honorable Charles E. Grassley
Chairman, Senate Committee on the Judiciary