

January 29, 2025

The Honorable Chuck Grassley, Chair  
The Honorable Dick Durbin, Ranking Member

Dear Chair Grassley and Ranking Member Durbin:

On behalf of the undersigned organizations representing millions of Americans, we strongly urge you to oppose Kash Patel's confirmation to lead the Federal Bureau of Investigation (FBI), the nation's principal criminal investigation agency.

Mr. Patel lacks both the professional experience and temperament to lead a federal agency charged with investigating a range of civil and human rights violations, including hate crimes, voter intimidation and election-related crimes, human trafficking, and police misconduct. Unlike previous FBI directors, Mr. Patel has no senior-level law enforcement experience, nor has he ever held a Senate-confirmed position.<sup>1</sup> His incendiary comments, including those directed at perceived political rivals and civil servants, could endanger American lives if acted upon.

The threat posed by Mr. Patel is not merely hypothetical — it is grounded in historical reality. The FBI possesses tremendous law enforcement authority, and as the nation's primary criminal investigative agency, the FBI is deeply consequential to civil rights, public safety, and the integrity of our democracy. From 1956 to 1971, the FBI conducted a covert and illegal operation known as COINTELPRO (Counter Intelligence Program)<sup>2</sup> targeting civil rights groups and leaders, including the anti-Vietnam War movement and the late Dr. Martin Luther King, Jr.<sup>3</sup> This program, intended to surveil, infiltrate, and sabotage civil rights movements, is now widely regarded as one of the agency's most significant overreaches. It led to widespread abuse of power and prompted a series of reforms, including the creation of permanent U.S. House and Senate Intelligence Committees<sup>4</sup> and the establishment of term limits for FBI directors.<sup>5</sup> Despite these changes, the FBI continues to monitor religious communities and civil rights movements. The FBI developed a system of "ethnic mapping,"<sup>6</sup> infiltrated mosques following the 9/11 attacks,<sup>7</sup> and surveilled Black Lives Matter protesters and tracked protest activity after the murder of George Floyd.<sup>8</sup>

---

<sup>1</sup> "Why Kash Patel shouldn't (but might) be confirmed as FBI director," <https://www.msnbc.com/rachel-maddow-show/maddowblog/kash-patel-shouldnt-might-confirmed-fbi-director-rcna182405>.

<sup>2</sup> "COINTELPRO," Federal Bureau of Investigation, <https://vault.fbi.gov/cointel-pro>.

<sup>3</sup> "Opened Files," The New Yorker, <https://www.newyorker.com/magazine/2014/01/20/opened-files>.

<sup>4</sup> "Congressional Oversight of Intelligence: Background and Selected Options for Further Reform," Congressional Research Service, updated Dec. 4, 2018, <https://crsreports.congress.gov/product/pdf/R/R45421>.

<sup>5</sup> "Why Did Congress Set a Ten-Year Term for the FBI Director?" Fordham Law News, <https://news.law.fordham.edu/blog/2017/05/18/why-did-congress-set-a-ten-year-term-for-the-fbi-director>.

<sup>6</sup> "Mapping the FBI," American Civil Liberties Union, <https://www.aclu.org/mapping-the-fbi>.

<sup>7</sup> "ACLU EYE on the FBI Alert – Mosque Outreach for Intelligence Gathering," American Civil Liberties Union, <https://www.aclu.org/documents/aclu-eye-fbi-alert-mosque-outreach-intelligence-gathering>.

<sup>8</sup> "The FBI Targets a New Generation of Black Activists," Brennan Center For Justice, <https://www.brennancenter.org/our-work/analysis-opinion/fbi-targets-new-generation-black-activists>.

Still, the FBI has played an important role in civil rights cases that future FBI directors must honor and continue. It was the FBI that responded to the murder of Emmett Till in 1955, with the case going to trial fewer than four weeks later.<sup>9</sup> It was the FBI that launched immediate investigations into the 16th Street Baptist Church bombing<sup>10</sup> in Birmingham in 1963 and the Freedom Summer murders<sup>11</sup> of civil rights workers in 1964. And it was the FBI, after all-white juries did not reach a verdict for the murder of Medgar Evers, that helped ensure justice was served in the 1990s when the white supremacist who killed him was finally convicted and sentenced to life in prison.<sup>12</sup>

Given this complicated history and the FBI's vast authority, the bureau's leadership must be entrusted to someone who will uphold the U.S. Constitution, respect the rule of law, and commit to safeguarding the rights and freedoms of the American people. Given his record, Mr. Patel is unfit to serve as the next FBI director.

We explain just a few of our reasons below.

### **Mr. Patel Has Threatened to Exact Retribution on Political Rivals, Undermining Civil Rights.**

While serving in the Pentagon, Mr. Patel advanced Trump's false election fraud claims.<sup>13</sup> He used his position to attempt to legitimize Trump's baseless narrative, undermining confidence in the electoral process and spreading disinformation that culminated in the January 6 attack on our country. At a time in the nation's history when attacks on voting rights and our multiracial democracy run rampant, and given the very real responsibilities of the FBI to investigate voter intimidation and election-related crimes, it would be unacceptable for the Senate to confirm a nominee to lead this agency who has a history of undermining voting rights and threatening our democracy.

Mr. Patel has named members of a so-called "deep state," which amounts to a list of perceived enemies.<sup>14</sup> With the immense authority of the FBI, including surveillance, and Mr. Patel's devotion to President Trump, a list of perceived enemies should cause alarm and be taken seriously. This is particularly true given Mr. Patel's proclamation that he is part of "Donald Trump's army."<sup>15</sup> Mr. Patel would undermine the independence of both the Department of Justice and the FBI, eroding the rule of law and further embedding Trump loyalists into critical government posts, particularly in roles where the agency needs to have credibility that its leaders are fair and independent.

### **Mr. Patel Presents a Clear and Present Danger to the First Amendment's Freedom of the Press.**

---

<sup>9</sup> "The Long Arm of the Law," Federal Bureau of Investigation, <https://archives.fbi.gov/archives/news/stories/2004/june/till060104>.

<sup>10</sup> "Baptist Street Church Bombing," Federal Bureau of Investigation, <https://www.fbi.gov/history/famous-cases/baptist-street-church-bombing>.

<sup>11</sup> "Mississippi Burning," Federal Bureau of Investigation, <https://www.fbi.gov/history/famous-cases/mississippi-burning>.

<sup>12</sup> "Civil Rights in the '60s, Part 1: Justice for Medgar Evers," Federal Bureau of Investigation, <https://www.fbi.gov/news/stories/civil-rights-in-the-60s-part-1-justice-for-medgar-evers>.

<sup>13</sup> "'Incredibly harmful': why Trump's FBI and DoJ picks scare civil liberties experts," The Guardian, <https://www.theguardian.com/us-news/2024/dec/10/trump-fbi-kash-patel-justice-department-pam-bondi>.

<sup>14</sup> <https://x.com/Timodc/status/1863620081873244259>.

<sup>15</sup> <https://www.youtube.com/watch?v=Geu8UcL11I>.

Adding to the list of people and entities Mr. Patel has expressed interest in targeting, he stated that he would also go after media who truthfully reported on the 2020 election. As described in an interview with Steve Bannon, Mr. Patel threatened that the Trump administration would “come after the people in the media who lied about American citizens who helped Joe Biden rig presidential elections.”<sup>16</sup> These statements are not Mr. Patel’s first attacks on the media. He has filed at least four defamation lawsuits since 2019, including a \$25 million suit against Politico,<sup>17</sup> a \$44 million suit against The New York Times,<sup>18</sup> and a \$50 million defamation lawsuit against CNN.<sup>19</sup> All of the lawsuits were ultimately dismissed, but not before some companies, like CNN, spent years in litigation.<sup>20</sup> Mr. Patel used these defamation suits to foment distrust of the media and promote narratives that were more favorable to President Trump. Taken together, his statements against the media and litigious past show a willingness to silence and punish journalists — a direct attack on the First Amendment.

### **Mr. Patel Has a History of Poor Judgment.**

Mr. Patel has a history of misrepresenting facts and a general disregard for the truth, according to concerning reports.<sup>21</sup> As noted above, while serving in the Pentagon, Patel advanced Trump’s false claims of election fraud.<sup>22</sup> He used his position to legitimize Trump’s baseless narrative, undermining confidence in the electoral process and spreading disinformation that culminated in the January 6 attack on our country.

More recently, Patel spent time producing and promoting the “J6 Prison Choir,”<sup>23</sup> whose membership includes six January 6 rioters<sup>24</sup> who pleaded guilty to assaulting law enforcement officers and were sentenced to prison.<sup>25</sup> One of the men, Julian Khater,<sup>26</sup> pleaded guilty to pepper spraying U.S. Capitol Police officer Brian Sicknick, who died the next day after suffering two strokes. Patel has consistently portrayed the choir members as “political prisoners” and victims of injustice.

---

<sup>16</sup> “A second Trump administration will ‘come after’ people in the media in the courts, an ally says,” Associated Press, <https://apnews.com/article/trump-2024-second-term-prosecute-media-b892fd6f3ce721016eb1176e82aa51c3>.

<sup>17</sup> “White House official sues Politico, targets Schiff’s role in impeachment,” Fox News, <https://www.foxnews.com/media/white-house-official-sues-politico-targets-schiffs-role-in-impeachment>.

<sup>18</sup> “Trump security adviser Kash Patel sues NY Times over Ukraine story,” New York Post, <https://nypost.com/2019/11/27/trump-security-adviser-kash-patel-sues-ny-times-over-ukraine-story>.

<sup>19</sup> *Patel v. Cable News Network, Inc.*, Court of Appeals of Virginia, Jan. 21, 2025, <https://www.virginiadefamationlawyer.com/wp-content/uploads/sites/53/2025/01/Patel-v-CNN-VCA.pdf>.

<sup>20</sup> “FBI Nominee Patel’s CNN Defamation Lawsuit Fails to Advance (1),” Bloomberg Law, <https://news.bloomberglaw.com/litigation/patel-cnn-defamation-lawsuit-fails-to-advance-after-appeal>.

<sup>21</sup> “F.B.I. Pick Pushed False and Misleading Claims About Trump Investigations,” The New York Times, <https://www.nytimes.com/2025/01/23/us/politics/kash-patel-trump-fbi-inquiries.html>.

<sup>22</sup> “Kash Patel Would Bring Bravado and Baggage to F.B.I. Role,” The New York Times, <https://www.nytimes.com/2024/12/01/us/politics/kash-patel-bravado-baggage-fbi.html>.

<sup>23</sup> “What Kash Patel Doesn’t Want the Senate to Know About the ‘J6 Prison Choir,’” The Bulwark, <https://www.thebulwark.com/p/what-trump-defense-nominee-kash-patel-doesnt-want-the-senate-to-know-about-j6-prison-choir-produced-song>.

<sup>24</sup> “Behind Trump’s musical tribute to some of the most violent Jan. 6 rioters,” The Washington Post, <https://www.washingtonpost.com/investigations/interactive/2023/trump-j6-prison-choir>.

<sup>25</sup> “The Jan. 6 attack: The cases behind the biggest criminal investigation in U.S. history,” National Public Radio, <https://www.npr.org/2021/02/09/965472049/the-capitol-siege-the-arrested-and-their-stories>.

<sup>26</sup> “New Jersey Man Pleads Guilty to Assaulting Officers With a Dangerous Weapon During Jan. 6 Capitol Breach,” District of Columbia United States Attorney’s Office, <https://www.justice.gov/usao-dc/pr/new-jersey-man-pleads-guilty-assaulting-officers-dangerous-weapon-during-jan-6-capitol>.

These are not qualities the U.S. Senate should accept in the next leader of the FBI.

The organizations signing this letter include many that have worked for decades to advance multiracial democracy, protect vulnerable communities, and demand a federal government that works for all people in America. We implore you to oppose Mr. Patel's confirmation as the next FBI director. He is wholly unqualified for the role, is a peril to our country's safety, and is intent on weaponizing this important position for his own personal and political gain.

Sincerely,

People For the American Way  
Accountable.US  
Advancement Project  
Alliance for Justice  
American Atheists  
American Humanist Association  
ASATA Power  
Asian Americans Advancing Justice - AAJC  
Aunties Coalition  
Autistic Self Advocacy Network  
Bend the Arc: Jewish Action  
Blue Future  
Catholics Vote Common Good  
Citizens for Responsibility and Ethics in Washington (CREW)  
Clearinghouse on Women's Issues  
Climate Hawks Vote  
CommonDefense.us  
Court Accountability Action  
Democracy 21  
Democracy Matters  
Empowering Pacific Islander Communities  
Equal Rights Advocates  
Feminist Majority Foundation  
FFRF Action Fund  
Fourth Branch Action  
Free Press Action  
Friends of the Earth  
Government Information Watch  
Human Rights Campaign  
Indivisible  
Just Solutions  
LDF  
The Leadership Conference on Civil and Human Rights  
League of Conservation Voters

Matthew Shepard Foundation  
MomsRising  
MoveOn  
NAACP  
Nathaniel R. Jones Foundation  
National Action Network  
National Council of Jewish Women  
National Organization for Women  
National Urban League  
National Women's Law Center  
NBJC  
NextGen America  
People Power United  
PFLAG National  
Public Advocacy for Kids (PAK)  
Public Citizen  
Reproaction  
Sadhana: Coalition of Progressive Hindus  
Southern Poverty Law Center  
Stand Up America  
State Democracy Defenders Action  
Stop AAPI Hate  
Surveillance Technology Oversight Project (S.T.O.P.)  
The Workers Circle