

Thank you, Chairman Jordan and members of the committee. My name is Stephen Friend. I am a Senior Fellow for the Center for Renewing America. Prior to assuming my current position, I was a special agent for the Federal Bureau of Investigation for eight and a half years. During that time, I investigated approximately 200 violent crimes such as aggravated assaults, murder, child abuse, rape, robbery, child molestation, child pornography, and human trafficking. I also served 5 years on an FBI SWAT Team and spent 5 years as a local law enforcement officer in the state of Georgia.

In August 2022, I made protected whistleblower disclosures to my immediate supervisor, Assistant Special Agents in Charge, and Special Agent in Charge about my concerns regarding January 6th investigations assigned to my office. I believed our departures from case management rules established in the FBI's Domestic Investigations and Operations Guide could have undermined potentially righteous prosecutions and may have been part of an effort to inflate the FBI's statistics on domestic extremism. I also voiced concerns that the FBI's use of SWAT and large-scale arrest operations to apprehend suspects who were accused of nonviolent crimes and misdemeanors, represented by counsel, and who pledged to cooperate with the federal authorities in the event of criminal charges created an unnecessary risk to FBI personnel and public safety.

At each level of my chain of command, leadership cautioned that despite my exemplary work performance, whistleblowing placed my otherwise bright future with the FBI at risk. Special agents take an oath to protect the US Constitution. The dangers of federal law enforcement overreach were hammered home to me when I was required to attend trainings at the Holocaust Memorial Museum and MLK Memorial. I cited my oath and training in my conversations with my FBI supervisors. Nevertheless, the FBI weaponized the security clearance processes to facilitate my removal from active duty within one month of my disclosures.

In addition to an indefinite, unpaid suspension, the FBI initiated a campaign of humiliation and intimidation to punish and pressure me to resign. In violation of HIPPA, individuals at the FBI leaked my private medical information to a reporter at the *New York Times*. In violation of the Privacy Act, the FBI refused to furnish my training records for several months. To date, they only provided a portion of the records, which are essential to obtaining private investigator and firearms licenses in the state of Florida. Even after releasing some of the records, the FBI refuses to confirm their legitimacy to the Florida Department of Agriculture, rendering the few documents they have provided practically useless. The FBI denied my request to seek outside employment, in an obvious attempt to deprive me of the ability to support my family. Finally, the FBI Inspection Division imposed an

illegal gag order in an attempt to prevent me from communicating with my family and attorneys.

Working as an FBI special agent was my dream job. My whistleblowing was apolitical and in the spirit of upholding my oath. Nonetheless, the FBI cynically elected to close ranks and attack the messenger.

The FBI is incentivized to work against the American people and in dire need of drastic reform, particularly in these areas:

- The Integrated Program Management system incentivizes the use of inappropriate investigatory processes and tools to achieve arbitrary statistical accomplishments.
- Mission creep within the National Security Branch has refocused counterterrorism from legitimate foreign actors to political opponents within our borders.
- The FBI weaponizes process crimes and reinterprets laws to initiate pretextual prosecutions and persecute its political enemies.
- Bureau intelligence analysis capability increasingly dictates operations, turning the FBI into an intelligence agency with a law enforcement capability.
- FBI collusion with Big Tech to gather intelligence on Americans, censor political speech, and target citizens for malicious prosecution.
- A dysfunctional promotion process fosters a revolving door of inexperienced, ambitious FBI supervisors ascending the management ladder within the agency.
- FBI informant protocols that are broken and abusive.
- The FBI skirts the Whistleblower Protection Act and exploits the security clearance revocation process to expel employees who make legally protected disclosures.

I am pleased to see that the Weaponization Committee is taking testimony from FBI whistleblowers. I would also like to take this opportunity to address correspondence recently received by the subcommittee. Yesterday, May 17, 2023, FBI Acting Assistant Director Christopher Dunham submitted a letter to this subcommittee. Portions of his letter concerned the suspension and revocation of my security clearance. Parenthetically, I also received a letter from FBI Executive Assistant Director Jennifer Moore yesterday notifying me that my security clearance was revoked. I find the timing of these letters dubious, but leave that up to the committee's determination.

Instead, I would like to address and add vital context to the portion of Mr. Dunham's letter pertaining to my alleged violation of Adjudicative Guideline J, which states:

"This concern is that criminal activity creates doubt about a person's judgement, reliability, and trustworthiness. By its very nature, it calls into question a person's ability or willingness to comply with laws, rules, and regulations. This includes evidence of criminal conduct, regardless of whether the individual was formally charged, prosecuted, or convicted."

Mr. Dunham is referring to an audio recording I created of my August 23, 2022 meeting with Jacksonville Assistant Special Agents in Charge Coult Markovsky and Sean Ryan.

After making protected whistleblower disclosures to my immediate supervisor on August 19, 2022, ASAC Markovsky summoned me to a meeting at the FBI Jacksonville office. ASAC Markovsky told me the meeting was intended to be an opportunity to discuss my concerns. I anticipated the meeting might ultimately lead to my executive managers attempting to compel me to participate in an activity which placed public safety at risk. I was concerned ASAC Markovsky and ASAC Ryan may threaten adverse actions toward my career as a result of my whistleblower disclosure.

Prior to the meeting, I consulted Florida law to confirm that a law enforcement exemption exists for the state's two-party consent restriction. I decided to record the meeting to memorialize our discussion and my concerns about the FBI's misconduct.

When I entered the FBI Jacksonville office building, ASAC Markovsky and ASAC Ryan were having a private meeting. I waited for them in a conference room. When they entered, all of us placed our cellular phones on the conference table. As an experienced investigator who has conducted hundreds of recorded interviews, I noted how both ASAC Markovsky and ASAC Ryan repeated themselves throughout our discussion and continually insisted I agree to their premise that I was insubordinate and refusing to perform my job. I rebuffed each allegation and repeated that I believed I was fulfilling my oath of office by making my disclosure about the FBI's rule departures and the inappropriate risk to public safety via aggressive arrest tactics for January 6th subjects. It was my sincere belief that my ASAC's were also recording our conversation.

In January 2023, I participated in an interview with the FBI Security Division. During that interview, I was asked if I recorded my August 23, 2022 meeting with ASAC Markovsky and ASAC Ryan. I answered honestly that I had. Although it would seem to be an obvious and natural follow-up, the FBI Security Division interviewers did not request a copy of the recording. FBI Security Division should be gravely concerned if executive managers threaten subordinate whistleblowers with adverse actions. I submit that this omission by

the FBI Security Division solidifies my contention that ASAC's Markovsky and Ryan created their own recording of our meeting. The FBI was not concerned about potential whistleblower retaliation- the bureau was only interested in learning if these actions were at risk of exposure.

I pray all members consider the information I and my fellow whistleblowers present. You may think I am a political partisan. You may think I am a grifter. You may think I am a conspiracy theorist. It does not matter. Simply put, this committee should avoid the temptation to impugn the character and motivations of the messengers seated before you. I sacrificed my dream job to share this information with the American people. I humbly ask all members to do your jobs and consider the merits of what I have presented.