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Comey's firing leaves red-hot political case to successor

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After FBI Director James Comey's firing, his successor faces a tough challenge to assert independence while pursuing a politically-charged investigation into links between Donald Trump's U.S. presidential campaign and Russia.

Analysts and former agents say Comey's exit gives the Federal Bureau of Investigation much-needed space to get past accusations that he botched the probe into Hillary Clinton's email server last year, helping swing the election to Trump.

But, as FBI directors throughout the agency's 108-year history have found, politics are never far away, and clashes with the White House occupants who appoint them are almost inevitable.

Whoever takes the lead of the 30,000-strong investigative agency could also end up crossing swords with Trump over the probe into Russian interference in the election, which the president has repeatedly branded "fake news."

But not aggressively pursuing the investigation risks the perception that the agency has given in to politics.

"It is no longer possible for the FBI to conduct its investigation into the Trump campaign's involvement in Russian electoral interference in any meaningfully independent way," said Julian Sanchez, a senior fellow at the Cato Institute.

"Even if the next FBI director avoids any hint of improperly seeking to influence the investigation, the damage has been done; the sight of Comey's head on a pike is influence enough."

Deputy Director Andrew McCabe is expected to step in to lead the FBI for now, but he will unlikely be Trump's nominee for the director's post, said two former FBI officials.

One possible contender for role is Dana Boente, No. 3 at the Justice Department and former acting attorney general, the two said.

Other potential choices include Republican Rep. Trey Gowdy, a former prosecutor who led a congressional inquiry into the role of former Secretary of State Hillary Clinton in the 2012 attacks on the U.S. Consulate in Benghazi, Libya.

Close campaign allies of Trump include former New York Mayor Rudy Giuliani and Milwaukee County, Wisconsin, Sheriff David Clarke. But both men would be seen as highly political nominees for an agency designed to be independent.

Boente was tapped to temporarily lead the Justice Department's Trump-Russia investigation after Attorney General Jeff Sessions, a Trump appointee, stepped down because of his dealings with Russian Ambassador Sergey Kislyak. Rod Rosenstein replaced Boente in that role when the Senate confirmed him as deputy attorney general last month.

The FBI was once almost a power unto itself. J. Edgar Hoover, who led the country's top police agency for 48 years from 1924, had a legendary upper hand over the White House thanks to secret files on politicians he amassed over decades.

But since then FBI chiefs have served presidents at their own peril. Hoover's successor L. Patrick Gray, acting director under President Richard Nixon, was forced out after just under a year for obeying White House orders and burning Watergate-related documents.

In 1993, President Bill Clinton fired director William Sessions, who served nearly six years, citing a report about managerial abuse but also clearly seeking his own top cop.

But Sessions replacement, Louis Freeh, turned the tables. The former FBI agent became a constant antagonist as the Clinton White House plunged into a series of scandals, most notably the Monica Lewinsky affair, which nearly saw Clinton removed from office.

But it also made Freeh look partisan, on the side of a Republican assault on the Democratic president.

Freeh was never apologetic about taking a stance against Clinton, whom he said lacked a "moral compass."

"His closets were full of skeletons just waiting to burst out," Freeh wrote in a 2005 tell-all book.

Comey was liked by the FBI rank and file after President Barack Obama named him director in September 2013. The former lawyer and prosecutor paid attention to staff needs, said 25-year agency veteran Ed Shaw.

But when Comey went public on July 5, 2016, to announce he would not recommend criminal charges against Clinton for mishandling classified emails, Shaw says he and many of his colleagues were deeply disappointed.

In the middle of the election, Comey dangerously dragged the agency into politics, Shaw said, when he should have stayed quiet and forwarded his conclusions in the complicated case to the Department of Justice.

"That was recklessly poor judgment," he said. "You don't talk about investigations, let DOJ do that. That's their job."

No one knew at the time that Comey was also juggling another case that involved the Trump campaign and Russian interference into the election.

Together, analysts say, the cases put him in an almost impossible situation — anything revealed before or after the Nov. 8 vote could draw a severe backlash from political parties and accusations of favoritism.

"When you are going up that high on the food chain, the higher you fly, the harder you fall if you make a mistake," said Shaw.

Agents critical of Comey's handling of the Clinton case nevertheless worry about what happens next.

The FBI Agents Association said in a statement they want a voice in who Trump nominates.

Comey's focus "was to ensure that the Bureau's investigations complied with the law and the Constitution, and that agents performed their mission with integrity and professionalism."

Michael Tabman, a retired FBI veteran in Kansas City, Missouri, was critical of Comey's handling of the Clinton case. But the firing was something else, he said.

"I think many agents are going to question whether this was politically motivated and it's going to be very disheartening to these agents, who work very hard to remain apolitical and just do their job," he told KCTV, a Kansas City station.