

MAYBE JIM COMEY KILLED OFF THE NATION'S PREMIER LAW ENFORCEMENT AGENCY?

Update: The change went into effect on July 1, 2013, so before Comey's coronation.

I've been tracking the FBI's embrace of its national security/intelligence role (with a consequent inattention to bank crimes, in particular) for years – notably with this post on its self-congratulation a decade after 9/11. (See also this post, this post, and this one.)

So regular readers will be unsurprised by Foreign Policy's report that the FBI's boilerplate fact sheet now hails its primary function to be national security.

But quietly and without notice, the agency has finally decided to make it official in one of its organizational fact sheets. Instead of declaring "law enforcement" as its "primary function," as it has for years, the FBI fact sheet now lists "national security" as its chief mission. The changes largely reflect the FBI reforms put in place after September 11, 2001, which some have criticized for de-prioritizing law enforcement activities. Regardless, with the 9/11 attacks more than a decade in the past, the timing of the edits is baffling some FBI-watchers.

But I am a bit interested in the question FP goes onto ask: when did this happen. It appears to have happened during the summer.

"What happened in the last year that changed?" asked Kel McClanahan, a Washington-based national security lawyer.

McClanahan noticed the change last month while reviewing a Freedom of Information Act (FOIA) request from the agency. The FBI fact sheet accompanies every FOIA response and highlights a variety of facts about the agency. After noticing the change, McClanahan reviewed his records and saw that **the revised fact sheets began going out this summer.** "I think they're trying to rebrand," he said. "So many good things happen to your agency when you tie it to national security."

What FP doesn't answer is why this happened.

But one possibility is the arrival of Jim Comey.

Comey didn't take over as FBI Director until September 4, 2013. But his confirmation hearing (more of a coronation, really) was on July 9; his confirmation vote was on July 29. So he had plenty of time to complete the FBI's rebranding as a domestic spy agency rather than its premier domestic law enforcement agency before he officially took over.

I checked his ~~confirmation hearing~~ coronation, to see if he announced this rebranding. I've been unable to find a formal statement (!!). And while later in the hearing he talked about balancing the intelligence side with the law enforcement side (the FBI itself emphasized this part of the hearing), what apparently extemporaneous statement he did give focused on the FBI's transition under Robert Mueller to an intelligence agency. (This is my transcription of the non-family part, which took up half of the statement; it starts around 42:30.)

If I'm confirmed for this position I will follow a great American, one who has been clear-eyed about the threat facing our country, especially the metastasizing terrorist threat, the cyber-threat, that poses a risk to our secrets, to our commerce, to our people,

and most ominously, to the networks we depend upon as our lifeblood. I know he has changed the FBI, as the Chairman and the Ranking Member described, in fundamental and crucial ways. I know that this will be a hard job. I'm sure that things will go wrong and I will make mistakes. What I pledge to you though is to follow Bob Mueller's example of staring hard at those mistakes, learning from those mistakes, and getting better as a result of those mistakes. His legacy of candor and straight-forwardness and integrity is one that I pledge to continue. I also know that the FBI is and must be an independent entity in the life of America. It cannot be associated with any party or any interest or any group. It has to be seen as the good guys and good gals in this country. The FBI is and must be about finding the facts and only the facts in a fair, thorough, and objective way, and to do that with a rock-solid commitment to our Constitution and to our laws. That culture of commitment to law and resistance to any jeopardy of independence is at the core of the FBI. I know it is deep inside FBI Agents. Those values are the things that I love about the FBI.

It wouldn't be surprising that a guy with roots in NY who was prosecuting terrorism even before 9/11 would adopt this focus. Nor do I, thus far, have reason to believe he won't be better at going after banksters than Mueller was (and Obama has finally shifted some focus to it).

But I do hope – given his appeal to independence – he realizes that making the FBI a domestic intelligence agency does make the FBI a partisan institution, because it de-emphasizes a threat every bit as serious as terrorists and cybercriminals: the banksters.