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Monday, Nov. 10, 2014

Eric H. Holder, Jr., Esq.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

James B. Comey, Jr., Esq.
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Holder and Director Comey,

Every day, citizens of the United States are warned to change their passwords frequently and take other precautions to avoid identity theft and fraud. Yet last Friday we learned that the FBI, at the forefront of this concern, was itself impersonating an Associated Press reporter and created a fake AP article in the search for information during a 2007 investigation. Like anyone who has had his identity stolen, this misappropriation constitutes a theft of our reputation and credibility.

One of the reasons the FBI's ruse was believable, of course, is because the AP is a trusted source of news. In stealing our identity, the FBI tarnishes that reputation, belittles the value of the free press rights enshrined in our Constitution and endangers AP journalists and other newsgatherers around the world. This deception corrodes the most fundamental tenet of a free press – our independence from government control and corollary responsibility to hold government accountable.

The violation is yet another example of the Department of Justice overreaching. Last year, the DOJ informed us that it had secretly seized a wide swath of AP phone records in the search for the source of a leak. That operation, like the impersonation disclosed last week by Director Comey, erodes our ability to gather news by intimidating sources who might otherwise speak freely with our journalists and by degrading our legacy of objectivity, truth, accuracy and integrity. For AP reporters in conflict zones -- and their colleagues working for other news organizations -- the FBI's actions put them at risk by making suspect our claim to operate separately and freely from the U.S. government.

In a letter to The New York Times last week, Director Comey stated that the FBI use of such a technique today would “probably require higher level approvals than in 2007, but it would still be lawful and, in a rare case, appropriate.”

That is no comfort for the AP and other news organizations. We need to know who approved this action in 2007, what process was followed for its approval and how the requirements today to impersonate the media are different from seven years ago. We also

want to know whether such operations are still authorized and being carried out. If so, we ask that they be ceased.

Most importantly, we want assurances that this won't happen again.

We look forward to a response.

Sincerely,

A handwritten signature in black ink, reading "Gary Pruitt". The signature is written in a cursive, flowing style with a large initial "G" and "P".

Gary Pruitt
President and CEO
The Associated Press