

United States Senate
WASHINGTON, DC 20510

September 16, 2024

VIA ELECTRONIC TRANSMISSION

The Honorable Merrick Garland
Attorney General
Department of Justice

The Honorable Christopher Wray
Director
Federal Bureau of Investigation

Dear Attorney General Garland and Director Wray:

On August 2, 2024, *The Washington Post* published a report based on internal Department of Justice (Justice Department) and Federal Bureau of Investigation (FBI) records about another investigation FBI officials tried to advance against President Trump which was ultimately closed for lack of evidence.¹ The article was reportedly based, in part, on “interviews with people familiar with the case as well as documents and contemporaneous notes of the investigation” and “a review of thousands of pages of government records, including sealed court filings and exhibits.”² The reporting also refers to “classified U.S. intelligence,” indicating that Justice Department and FBI officials may have divulged classified information to the media.³ This appears to be yet another example of the Justice Department and FBI leaking material and information to the media while stiff-arming congressional requests for the same type of information. More than that, it also appears the Biden-Harris Justice Department and FBI intentionally leaked this information, to include potentially classified information, to the media roughly 90 days before the 2024 presidential election. This ongoing election interference by your agencies is another reason why the American people continue to lose faith in the agencies you’re responsible for leading.

The reported investigation was led by then-Special Counsel Robert Mueller and began in part because of a “confidential informant who had previously provided useful information.”⁴ According to *The Washington Post*, they reviewed “previously unreported documents” relating to “records from a handful of Trump’s most heavily used bank accounts” that Mueller’s team had obtained.⁵ According to reporting, the case was not advanced because of concerns it would be a “fishing expedition” and a “lack of sufficient evidence.”⁶

¹ Aaron Davis and Carol Leonnig, *\$10M Cash Withdrawal Drove Secret Probe Into Whether Trump Took Money From Egypt*, THE WASHINGTON POST, (August 2, 2024),

<https://www.washingtonpost.com/investigations/2024/08/02/trump-campaign-egypt-investigation/>.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

The reported basis for opening the investigation – a “confidential informant who had previously provided useful information” – is similar to the basis contained in the FD-1023 summarizing Biden family bribery allegations, which, according to the FBI, was based on a “highly credible” confidential informant that the FBI had used since 2010 and had been paid hundreds of thousands of dollars.⁷ The FD-1023 source had been deemed so credible by the FBI and Justice Department that his information was used in criminal investigations and prosecutions, and he was allowed to engage in criminal activity for the FBI.⁸ Ultimately, the Justice Department indicted that confidential informant in 2024 after Congress made the FD-1023 public; however, the FD-1023 was created in June 2020 and therefore questions remain with respect to what investigative action the Justice Department and FBI took for those years.

Accordingly, did the Justice Department and FBI obtain bank records relating to the Biden family just as they did for the Trump family? If not, why not? Since the creation of the FD-1023 in June 2020, did the Justice Department and FBI make every effort to obtain the text messages, bank records, and audio tapes referenced in it or determine they don’t exist? If not, why not? If so, when did you make those efforts? Either these records exist, or they don’t, and the Justice Department and FBI have an obligation to put this matter to rest and provide assurances to the American people that political bias hasn’t infected Special Counsel David Weiss’s operations.

On October 26, 2022, we sent hundreds of pages of bank records to U.S. Attorney Weiss.⁹ Those bank records connected the Biden family to communist Chinese financial interests and exposed millions of dollars in financial transactions between and among the Biden family, its associates, and foreign interests. To-date, we have yet to hear anything with respect to what has been done with those records and whether Special Counsel Weiss has obtained any additional bank records. Yet, the Justice Department and FBI without hesitation provided internal records, sealed records, and potentially classified information to the media about Trump investigative matters that were closed for a lack of sufficient evidence. Moreover, Congress repeatedly asked the both of you for information relating to the Biden family FD-1023 and were rebuffed, forcing Congress to make the document public to bring transparency and accountability to the matter. Here, with respect to *The Washington Post* reporting, your agencies apparently provided more information to the media than when Congress asked about the FD-1023 and supplied bank records. Your continued failure to be forthcoming to Congress and the American people further erode trust in your efforts to ensure political bias hasn’t infected your agencies’ decision-making process.

⁷ Sen. Charles E. Grassley and Ron Johnson, *Grassley and Johnson Obtain Names and Request Transcribed Interviews of Handling Agent and Supervisors of Former FBI Confidential Human Source*, NEWS RELEASES, (April 10, 2024), <https://www.grassley.senate.gov/news/news-releases/grassley-and-johnson-obtain-names-and-request-transcribed-interviews-of-handling-agent-and-supervisors-of-former-fbi-confidential-human-source>; see also Sen. Charles E. Grassley, *Grassley Sets the Record Straight on Oversight of FBI-Generated 1023 Document*, NEWS RELEASES, (February 27, 2024), <https://www.grassley.senate.gov/news/remarks/grassley-sets-the-record-straight-on-oversight-of-fbi-generated-1023-document>.

⁸ *Id.*

⁹ Sen. Charles E. Grassley and Ron Johnson, *Grassley, Johnson Share Investigative Material with Prosecutors in Hunter Biden Criminal Probe*, NEWS RELEASES, (October 26, 2022), <https://www.grassley.senate.gov/news/news-releases/grassley-johnson-share-investigative-material-with-prosecutors-in-hunter-biden-criminal-probe>.

Aside from the voluminous leaks to the media, the amount of time, relentless effort, energy, and resources the Justice Department and FBI have put into investigating Trump, his family, and his associates undermines the integrity of your investigative and prosecutorial efforts. In light of the recent reporting, to potentially include leaks of classified information to the media, have you opened a media leak investigation into “Team R” and “Team 10” as reported in *The Washington Post*? If not, why not? Please respond by September 30, 2024.

Sincerely,



Charles E. Grassley
Ranking Member
Committee on the Budget



Ron Johnson
Ranking Member
Permanent Subcommittee
on Investigations

cc:

The Honorable Sheldon Whitehouse
Chairman, Committee on the Budget

The Honorable Richard Blumenthal
Chairman, Permanent Subcommittee on Investigations

The Honorable Michael Horowitz
Inspector General
Department of Justice

The Honorable David Weiss
Special Counsel