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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

November 20, 2024

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Ave NW
Washington, D.C. 20535

Dear Director Wray:

We request that you provide to the Senate Committee on the Judiciary the complete evidentiary file, including all FD-302 forms memorializing interviews, in the closed investigation of former Congressman Matt Gaetz's alleged sex trafficking of minors. As you are aware, President-elect Trump has announced his intent to nominate Mr. Gaetz to be Attorney General. The Senate has a constitutional duty to provide advice and consent on presidential nominees, and it is crucial that we review all the information necessary to fulfill this duty as we consider Mr. Gaetz's nomination.

The grave public allegations against Mr. Gaetz speak directly to his fitness to serve as the chief law enforcement officer for the federal government. The unanswered questions regarding Mr. Gaetz's alleged conduct are particularly significant given that his associate, Joel Greenberg, pleaded guilty to the sex trafficking charge for which Mr. Gaetz was also investigated.¹

There is substantial precedent for providing such materials to Congress. In fact, during a February 6, 2002 House Committee on Government Reform hearing into impropriety within the confidential informant program at the FBI Boston Regional Office, Dan Bryant, the then-Department of Justice's Assistant Attorney General for Legislative Affairs, acknowledged dozens of prior instances of deliberative documents relating to open and closed investigations being shared with Congress.² Since then, the FBI has continued to produce materials concerning

¹ Press Release, United States Attorney's Office for the Middle District of Florida, Former Seminole County Tax Collector Joel Micah Greenberg Pleads Guilty to Multiple Federal Offenses (May 17, 2021), <https://www.justice.gov/usao-mdfl/pr/former-seminole-county-tax-collector-joel-micah-greenberg-pleads-guilty-multiple>.

² Transcript of Feb. 6, 2002 House Committee on Government Reform Hearing, <https://www.govinfo.gov/content/pkg/CHRG-107hhr78051/pdf/CHRG-107hhr78051.pdf#page=613>.

both open and closed investigations—such as testimony, memos, communications, and FD-302s—to both chambers of Congress, including:

- More than 2,000 pages of FBI interview summaries to House committees pertaining to the investigation into allegations of improper fundraising by the Clinton/Gore campaign;³
- More than 880,000 pages of documents to House committees pertaining to the investigation and decision not to charge Hillary Clinton for her use of a private email server, notwithstanding at least two concurrent federal investigations,⁴ including FD-302s for the July 2, 2016 interview of Hillary Clinton and other interviews conducted during the Midyear Exam investigation;⁵
- More than 2,000 pages of unclassified and classified documents relating to the Crossfire Hurricane investigation to the Senate Judiciary Committee and more than 4,000 pages of documents to the Senate Homeland Security and Governmental Affairs Committee;⁶
- More than 3,000 pages of unclassified and classified documents to House committees relating to Foreign Intelligence Surveillance Act applications involving individuals associated with President Trump’s 2016 presidential campaign or administration;⁷
- Grand jury material to the House Committee on Interstate and Foreign Commerce pertaining to an investigation into allegations that the City of Jacksonville had been overcharged in its petroleum purchases during the Arab Oil Embargo;⁸
- Testimony, memos, and evidence to House committees pertaining to allegations that certain oil corporations had engaged in fraudulent fuel pricing and that federal authorities neglected to adequately investigate the matter;⁹
- Interviews, internal reports, and underlying materials to the Senate Judiciary Committee pertaining to the Ruby Ridge matter, notwithstanding an ongoing federal investigation;¹⁰ and

³ Committee on Government Reform — Minority Staff Special Investigations Division, *Congressional Oversight of The Clinton Administration*, United States House of Representatives (Jan. 17, 2006), p. 6, <https://wayback.archive-it.org/4949/20141031200116/http://oversight-archive.waxman.house.gov/documents/20060117103516-91336.pdf>.

⁴ Statement for the Record, The Honorable Christopher A. Wray before the House Judiciary Committee (Jun. 28, 2018), <https://www.fbi.gov/news/testimony/oversight-of-fbi-and-doj-actions-surrounding-the-2016-election>.

⁵ Press Release, Federal Bureau of Investigation, FBI Releases Documents in Hillary Clinton E-Mail Investigation, <https://www.fbi.gov/news/press-releases/fbi-releases-documents-in-hillary-clinton-e-mail-investigation>; Matt Zapposky & Karoun Demirjian, *FBI defends decision not to charge Clinton as it submits probe documents to Congress*, WASH. POST (Aug. 16, 2016), <https://www.washingtonpost.com/news/powerpost/wp/2016/08/16/hillary-clinton-interviews-by-fbi-have-been-delivered-to-congress/>.

⁶ Records on file with the Senate Judiciary Committee.

⁷ Records on file with the House Permanent Select Committee on Intelligence and House Judiciary Committee.

⁸ Michael Foster, *Federal Grand Jury Secrecy: Legal Principles and Implications for Congressional Oversight*, Congressional Research Service (Jan. 10, 2019), p. 36, <https://crsreports.congress.gov/product/pdf/R/6>.

⁹ Alissa Dolan & Todd Garvey, *Congressional Investigations of the Department of Justice, 1920-2012: History, Law, and Practice*, Congressional Research Service (Nov. 5, 2012), p. 23-24, <https://fas.org/sgp/crs/misc/R42811.pdf>.

¹⁰ *Id.* at 34-35.

- FD-302 for the October 23, 2020 interview of Anthony “Tony” Bobulinski, while the related investigation into allegations against Hunter Biden remained open.¹¹

In order for the Senate to perform its constitutional duty in this instance, we must be able to thoroughly review all relevant materials that speak to the credibility of these serious allegations against Mr. Gaetz.

Thank you for your prompt attention to this important matter.

Sincerely,



Richard J. Durbin
United States Senator



Richard Blumenthal
United States Senator



Sheldon Whitehouse
United States Senator



Amy Klobuchar
United States Senator



Mazie K. Hirono
United States Senator



Raphael G. Butler
United States Senator



Christopher A. Coons
United States Senator



Peter Welch
United States Senator

¹¹ Records on file with the House Oversight Committee.



Cory A. Booker
United States Senator



Alex Padilla
United States Senator

cc: The Honorable Lindsay O. Graham
Ranking Member, Senate Committee on the Judiciary