

August 10, 2022

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

Dear Director Wray:

Like many Americans, I was outraged to learn of the Federal Bureau of Investigation's (FBI's) unprecedented raid on former President Trump's residence in Palm Beach, Florida from the media. The FBI's actions, less than three months from the upcoming elections, are doing more to erode public trust in our government institutions, the electoral process, and the rule of law in the U.S. than the Russian Federation or any other foreign adversary. These values represent the very core of what the United States stands for, and what the FBI is mandated to protect. Yet the FBI raid sows the same division – and exacerbates the same loss of confidence in the U.S. political process – that adversaries like Vladimir Putin go to great lengths to foment.

According to press reports, the August 8, 2022 raid may relate to an ongoing national security investigation regarding compliance with the protection of classified information. No one is above the law, but every American also deserves equal justice under it. The FBI appears to have taken steps related to President Trump that it has never taken with any other former President, and that it has generally failed to take with respect to certain criminal referrals made from elements of the Intelligence Community (IC) to the U.S. Department of Justice (DoJ) relating to instances where individuals allegedly disclosed classified information without authorization.

As such, I request the answers to the following questions, no later August 17, 2022, as it relates to criminal referrals made by any element of the IC to the DoJ regarding unauthorized disclosure of classified information during the past five years:

- Of referrals made by other elements of the IC, what percentage of those referrals resulted in the FBI opening preliminary investigations? What percentage of those referrals resulted in full investigations?
- In what percentage of the referrals did the FBI raid the private residence of the individual in question?
- Of the referrals made, what percentage of those referrals resulted in a formal filing of criminal charges?

All Americans deserve the right to know why the FBI raided President Trump's residence, but the law requires that you inform, at a minimum, the leadership of the

congressional intelligence committees regarding such activities if the purpose of the raid was related to an investigation regarding the unauthorized disclosure of classified information with intelligence equities.

Therefore, I expect an explanation as to why I, and to the best of my knowledge every other leader of the congressional intelligence committees, first learned of this raid on President Trump's residence via the media, despite the law requiring the committees to be fully and currently informed of all intelligence activities undertaken by the U.S. Government, including any significant anticipated intelligence activity.

In addition, I request a meeting to understand the FBI's concerns regarding the handling of classified material in this instance, and to understand why the FBI did not keep the congressional intelligence committee leadership fully and currently informed as the FBI has done in previous sensitive cases.

Thank you for your prompt response to these important issues.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Rubio', with a stylized flourish at the end.

Marco Rubio
U.S. Senator