

United States Senate

WASHINGTON, DC 20510

November 21, 2025

FOIA and Privacy Office
Civil Division
Department of Justice
1100 L Street, NW, Room 8400
Washington, DC 20035

Dear FOIA Officer:

Implicit in Article I of the Constitution is Congress's power of inquiry, which is an essential component of Congress's legislative and oversight functions. Concurrent with inquiries we have made to the Department of Justice pursuant to our Article I oversight authority, which have not yet received a response, we are submitting a parallel expedited request under the Freedom of Information Act, 5 U.S.C. § 552, and 28 C.F.R. Part 16, for the following records.

Requested Records

Before becoming FBI Director, Kash Patel testified during 2022 before a federal grand jury in the U.S. District Court for the District of Columbia in the matter that became *United States v. Trump*, 9:23-cr-80101 (S.D. Fla.). A final judgment was entered as to all remaining defendants in that case on February 11, 2025. Director Patel testified to the Senate Judiciary Committee in September that his 2022 grand jury testimony in that case was "sealed by the Department of Justice" but that he has since "worked with the Department of Justice" to "publicly" release a transcript of his testimony. Both Director Patel and Attorney General Pam Bondi committed to providing Senator Whitehouse with a copy of the transcript of Patel's testimony when they appeared before the Senate Judiciary Committee.

Please produce within twenty business days the following records:

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For all parts of this request, please provide all responsive records from October 13, 2022, through the date the search is conducted.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii) and 28 C.F.R. § 16.10(k), a waiver of fees associated with processing this request is appropriate. Disclosure of the requested information is in the public interest because it (i) would shed light on the operations or activities of the government; (ii) would contribute significantly to the general public's understanding of government operations and activities; and (iii) is necessary to carry out Congress's Article I oversight functions, as opposed to for a commercial purpose.

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Chief, FOIA/PA Unit
Criminal Division
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United States Senator
Ranking Member,
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Courts, Oversight, Agency
Action, and Federal Rights



Richard Blumenthal
United States Senator



Adam B. Schiff
United States Senator

United States Senate

WASHINGTON, DC 20510

November 21, 2025

Michael G. Seidel
Section Chief
Record/Information Dissemination Section
Federal Bureau of Investigation
200 Constitution Drive
Winchester, VA 22602

Dear FOIA Officer:

Implicit in Article I of the Constitution is Congress's power of inquiry, which is an essential component of Congress's legislative and oversight functions. Concurrent with inquiries we have made to the Department of Justice pursuant to our Article I oversight authority, which have not yet received a response, we are submitting a parallel expedited request under the Freedom of Information Act, 5 U.S.C. § 552, and 28 C.F.R. Part 16, for the following records.

Requested Records

Before becoming FBI Director, Kash Patel testified during 2022 before a federal grand jury in the U.S. District Court for the District of Columbia in the matter that became *United States v. Trump*, 9:23-cr-80101 (S.D. Fla.). A final judgment was entered as to all remaining defendants in that case on February 11, 2025. Director Patel testified to the Senate Judiciary Committee in September that his 2022 grand jury testimony in that case was "sealed by the Department of Justice" but that he has since "worked with the Department of Justice" to "publicly" release a transcript of his testimony. Both Director Patel and Attorney General Pam Bondi committed to providing Senator Whitehouse with a copy of the transcript of Patel's testimony when they appeared before the Senate Judiciary Committee.

Please produce within twenty business days the following records:

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Your office is in the best position to identify where responsive records are likely to reside, but at a minimum, a reasonable search for responsive records should include:

- a. Office of the Attorney General;
- b. Office of the Deputy Attorney General;
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- d. Office of the Assistant Attorney General for the Civil Division;
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- f. Department of Justice, Office of Legislative Affairs;
- g. Executive Office of U.S. Attorneys;
- h. U.S. Attorney's Office for the District of Columbia;
- i. Federal Bureau of Investigation, Office of the Director, Deputy Director, and Associate Deputy Director; and
- j. Federal Bureau of Investigation, Office of Congressional Affairs.

For all parts of this request, please provide all responsive records from October 13, 2022, through the date the search is conducted.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii) and 28 C.F.R. § 16.10(k), a waiver of fees associated with processing this request is appropriate. Disclosure of the requested information is in the public interest because it (i) would shed light on the operations or activities of the government; (ii) would contribute significantly to the general public's understanding of government operations and activities; and (iii) is necessary to carry out Congress's Article I oversight functions, as opposed to for a commercial purpose.

First, disclosure of the requested records would shed light on what Kash Patel, now FBI Director, told a federal grand jury during an investigation into possible misconduct by the President and why Patel initially invoked his Fifth Amendment privilege against self-incrimination. Director Patel has publicly confirmed that he testified in 2022 before a federal grand jury regarding Donald Trump's potential retention of classified documents. Director Patel testified only after invoking his Fifth Amendment privilege against self-incrimination and subsequently receiving immunity from prosecution. *See* Devlin Barrett, *Patel Invoked the Fifth Amendment in a Case Tied to Trump*, N.Y. Times (Jan. 30, 2025), <https://www.nytimes.com/2025/01/30/us/politics/patel-took-fifth-amendment.html>. Under the Supreme Court's 1968 decision in *Marchetti v. United States*, Director Patel must have shown that his testimony would have put him at "substantial and 'real'" risk of criminal prosecution to properly invoke his Fifth Amendment privilege. Congress and the public have a strong interest in knowing the basis for Director Patel's invocation of his Fifth Amendment privilege, including what criminal offense now-Director Patel feared he could have been prosecuted for. Indeed, recognizing Congress's legitimate interest in such information, Director Patel and Attorney General Bondi testified under oath during oversight hearings before the Senate Judiciary Committee that they would provide Senator Whitehouse with a transcript of Director Patel's grand jury testimony.

Furthermore, the requested records would shed light on whether Director Patel misled Congress. Director Patel testified to the Senate Judiciary Committee that he successfully worked with the Justice Department to release his testimony publicly, which he said was "sealed" by court order. Current evidence suggests Director Patel's grand jury testimony reflecting the basis for his Fifth Amendment assertion is not publicly available. *See* Kyle Cheney (@kyledcheney), X.com (Sept. 16, 2025, 10:25 AM), <https://x.com/kyledcheney/status/1967957986191773921>.

Second, disclosure of the requested records would contribute significantly to the general public's understanding of the questions described above. This information is not already in the public domain, despite questioning during oversight hearings and several congressional oversight requests. Upon receipt

of these records, we intend to disseminate pertinent information along with our analysis through publication on our offices' various platforms, which will enhance the public's understanding of the government's activities.

Third, the request is wholly for non-commercial purposes. Our Senate offices operate as part of the federal government. We seek the requested information not for commercial use, but to aid in congressional oversight, good government, and transparency for the American people.

Expedited Processing Request

Pursuant to 5 U.S.C. 552(a)(6)(E) and 28 C.F.R. § 16.5(e)(1)(ii) and (iv), expedited processing is warranted. Expedition is required when there is a compelling need for the requested information, including where requests involve urgency to inform the public concerning actual or alleged federal government activity or a matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity that affect public confidence. We certify to be true and correct to the best of our knowledge that circumstances warranting expedited processing exist here.

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Second, it is urgent that the public know whether Director Patel committed a criminal offense, as well as whether sitting Senate-confirmed officials have misled Congress. Upon receipt of responsive documents, we intend to disseminate pertinent information along with our analysis through publication on our offices' various platforms.

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custody of your officials, such as personal email accounts or text messages. Records of official business conducted using unofficial systems or stored outside of official files are subject to the Federal Records Act and FOIA.

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Chief, Initial Request Staff
Office of Information Policy
Office of the Attorney General
Office of the Deputy Attorney General
Office of the Associate Attorney General
Department of Justice
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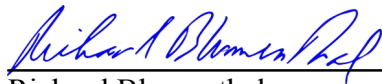
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