



Office of the Attorney General
Washington, D. C. 20530

January 14, 2025

The Honorable Charles Grassley
Chairman, Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Jim Jordan
Chairman, Committee on the Judiciary
United States House of Representatives
Washington, D.C. 20515

The Honorable Dick Durbin
Ranking Member, Committee on the
Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Jamie Raskin
Ranking Member, Committee on the
Judiciary
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Grassley, Chairman Jordan, Ranking Member Durbin, and Ranking Member Raskin:

On January 8, 2025, in accordance with 28 C.F.R. § 600.9(a)(3), I informed you that Special Counsel John L. Smith had concluded his investigation and submitted to me a two-volume final report with appendices (Report). In that notification, I stated that, when permitted to do so by the court, I intended to provide to you and to the public Volume One of the Report. I also stated that consistent with local court rules and Department policy and to avoid any risk of prejudice to Waltine Nauta and Carlos De Oliveira, whose criminal cases remain pending, I have determined, at the recommendation of the Special Counsel, that Volume Two should not be made public so long as those defendants' criminal proceedings are ongoing. I further informed you that when permitted to do so by the court, I intended to make Volume Two available to you for in camera review upon your request and agreement not to release any information from Volume Two publicly. As I have made clear regarding every Special Counsel who has served since I took office, I am committed to making as much of the Special Counsel report public as possible, consistent with legal requirements and Department policy.

The Special Counsel regulations provide that, when the Attorney General notifies Congress of the closure of a Special Counsel investigation, that notification is to include, consistent with applicable law, "a description and explanation of instances (if any) in which the Attorney General concluded that a proposed action by a Special Counsel was so inappropriate or unwarranted under established Departmental practices that it should not be pursued." 28 C.F.R. § 600.9(a)(3). As I informed you in my January 8, 2025, notification letter, there were no such instances during Special Counsel Smith's investigation.

On January 14, 2025, at 12:00 am, the Order of Southern District of Florida United States District Judge Aileen M. Cannon that temporarily enjoined the Department of Justice from releasing Volume One of the Report outside the Department expired. *United States v. Nauta*, No. 23-cr-80101 (S.D. Fla. Jan. 13, 2025), ECF No. 697 at 5 n.5 (Order). Accordingly, attached is Volume One of the Report and, except for Volume Two and its appendices, all other materials as provided to me by Special Counsel Smith on January 7, 2025, without any further additions, redactions, or other modifications. Releasing these materials to you and the public at this time is consistent with 28 C.F.R. § 600.9(c) and other applicable law, and is in furtherance of the public interest in informing a co-equal branch and the public regarding this significant matter, consistent with law and Department policy.

The Department remains under a temporary injunction against releasing Volume Two, including its appendices, outside the Department, pending resolution by the Court. *See* Order at 5. As stated in my January 8, 2025 notification letter to you, once the ongoing criminal proceedings related to Mr. Nauta and Mr. De Oliveira have concluded, releasing Volume Two of the Report to you and to the public also would be in the public interest, consistent with law and Department policy.

Finally, consistent with 28 C.F.R. § 600.9(c), I will disclose to the public this letter, Special Counsel Smith's transmittal letter, Volume One, its appendix, a letter from counsel for President Trump, and a letter from Special Counsel Smith in response, after delivering these materials to you.

Sincerely,

A handwritten signature in black ink, appearing to read "Merrick Garland", written in a cursive style.

Merrick B. Garland
Attorney General

Enclosure