

United States Senate  
WASHINGTON, DC 20510

December 12, 2024

**VIA ELECTRONIC TRANSMISSION**

The Honorable Merrick Garland  
Attorney General  
Department of Justice

The Honorable Christopher A. Wray  
Director  
Federal Bureau of Investigation

Dear Attorney General Garland and Director Wray:

On July 14, 2024, the Department of Justice (DOJ) filed a 15-page complaint in support of the arrest of Asif Merchant, a Pakistani native with ties to Iran.<sup>1</sup> On August 6, 2024, the DOJ, specifically the United States Attorney's Office of the Eastern District of New York, made that complaint and Merchant's detention memo public in a press release on its website.<sup>2</sup> On September 11, the DOJ made its indictment against Merchant public.<sup>3</sup> Merchant was arrested on July 12, 2024, after law enforcement reportedly discovered his plans to assassinate President Trump and other high-ranking government officials.<sup>4</sup>

On April 13, 2024, Merchant arrived in Houston, Texas, and began recruiting individuals to carry out his assassination plot.<sup>5</sup> The government also alleged that on or about April 22, 2024, Merchant arrived in New York City and met with an individual, who the Federal Bureau of Investigation (FBI) identified as a confidential source (CS), to discuss help with a clothing business Merchant and his uncle owned.<sup>6</sup> During this visit, Merchant told the confidential source that he traveled to Iran two weeks prior to arriving to the United States.<sup>7</sup> The complaint also noted that Merchant has an "affinity" for Iran.<sup>8</sup> On June 3, 2024, Merchant flew back to

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<sup>1</sup> *United States v. Merchant*, 24-mj-00467 (E.D.N.Y. 2024), Criminal Complaint, <https://www.justice.gov/usao-edny/media/1362826/dl>; *United States v. Merchant*, 24-mj-00467 (E.D.N.Y. 2024), Detention Memo, <https://www.justice.gov/usao-edny/media/1362831/dl>.

<sup>2</sup> United States Attorney's Office, Eastern District of New York, *Pakistani National with Ties to Iran Charged in Connection with Foiled Plot to Assassinate a Politician or U.S. Government Officials* (Aug. 6, 2024), PRESS RELEASE, <https://www.justice.gov/usao-edny/pr/pakistani-national-ties-iran-charged-connection-foiled-plot-assassinate-politician-or>.

<sup>3</sup> United States Attorney's Office, Eastern District of New York, *Pakistani National with Ties to Iran Indicted on Terrorism Charge in Connection with Foiled Plot to Assassinate U.S. Politicians and Government Officials* (Sep. 11, 2024), PRESS RELEASE, <https://www.justice.gov/usao-edny/pr/pakistani-national-ties-iran-indicted-terrorism-charge-connection-foiled-plot>.

<sup>4</sup> Aaron Katersky and Jack Date, *Pakistani national charged with alleged plot to assassinate Donald Trump, other public officials: DOJ*, ABC News (Aug. 6, 2024), <https://abcnews.go.com/US/pakistani-national-charged-alleged-plot-assassinate-donald-trump/story?id=112617075>; *United States v. Merchant*, 24-mj-00467 (E.D.N.Y. 2024), Criminal Complaint, <https://www.justice.gov/usao-edny/media/1362826/dl>; *United States v. Merchant*, 24-mj-00467 (E.D.N.Y. 2024), Indictment, <https://www.justice.gov/usao-edny/media/1367116/dl>; *United States v. Merchant*, 24-mj-00467 (E.D.N.Y. 2024), Detention Memo, <https://www.justice.gov/usao-edny/media/1362831/dl>; Office of Public Affairs, Department of Justice, *Pakistani National with Ties to Iran Charged in Connection with Foiled Plot to Assassinate a Politician or U.S. Government Official* (Sep. 11, 2024), PRESS RELEASE, <https://www.justice.gov/opa/pr/pakistani-national-ties-iran-charged-connection-foiled-plot-assassinate-politician-or-us-0>; United States Attorney's Office, Eastern District of New York, *Pakistani National with Ties to Iran Charged in Connection with Foiled Plot to Assassinate a Politician or U.S. Government Officials* (Aug. 6, 2024), PRESS RELEASE, <https://www.justice.gov/usao-edny/pr/pakistani-national-ties-iran-charged-connection-foiled-plot-assassinate-politician-or>; United States Attorney's Office, Eastern District of New York, *Pakistani National with Ties to Iran Indicted on Terrorism Charge in Connection with Foiled Plot to Assassinate U.S. Politicians and Government Officials* (Sep. 11, 2024), PRESS RELEASE, <https://www.justice.gov/usao-edny/pr/pakistani-national-ties-iran-indicted-terrorism-charge-connection-foiled-plot>.

<sup>5</sup> *Id.* *United States v. Merchant*, 24-mj-00467 (E.D.N.Y. 2024) at 4, <https://www.justice.gov/usao-edny/media/1362826/dl>.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* at 5.

<sup>8</sup> *Id.* at 10.

New York City to meet with the CS and discussed killing a politician or government official.<sup>9</sup> During this June 3, 2024, meeting with the CS, Merchant illustrated potential assassination plots and plans on a napkin and discussed with the CS various targets and scenarios.<sup>10</sup> Further, on June 10, 2024, Merchant met with two hitmen, who the FBI later identified as undercover agents, requesting their assistance to “kill somebody” and that the person was a “political person.”<sup>11</sup> On June 21, 2024, Merchant paid the undercover agents to carry out the plot.<sup>12</sup> Finally, on July 12, 2024, Merchant was arrested by law enforcement after he made flight arrangements and planned to travel outside of the country.<sup>13</sup>

On September 5, 2024, Senator Grassley wrote to the FBI regarding Asif Raza Merchant, a Pakistani native with ties to Iran.<sup>14</sup> In that letter, Senator Grassley raised concerns regarding unclassified FD-302 relating to Merchant’s interview with the FBI that was provided to his office through legally protected whistleblower disclosures.<sup>15</sup> Specifically, Senator Grassley requested documents and asked questions related to the FBI’s investigation of Merchant, and the steps the Bureau has taken to substantiate the claims in the unclassified FD-302.<sup>16</sup> To date, this letter has yet to receive a response.

Additionally, on September 9, 2024, Senators Grassley and Paul wrote to the Justice Department and FBI regarding a September 4, 2024, briefing the FBI provided to congressional staff on election year threats and threats posed by Iran to the election and government officials.<sup>17</sup> The letter noted that the FBI did not provide full transparency during that briefing based on information contained in the unclassified FD-302.<sup>18</sup> We asked the FBI and DOJ to provide answers to outstanding congressional requests, as well as requested a briefing relating to the unclassified FD-302.<sup>19</sup> To date, this letter has yet to receive a response.

As Senator Grassley’s staff reiterated to the public and to the FBI, the FD-302 is an unclassified document and its release by Senator Grassley is in keeping with Congress’s independent constitutional authority, which the FBI and DOJ acknowledged to Senator Grassley’s staff.<sup>20</sup>

More recently, a Politico article calls into question how the DOJ and FBI are investigating the Iran threat, as well as how the agencies view the seriousness of the threats.<sup>21</sup> According to the Justice Department, “Iran has made it very clear that they are determined to seek retaliation against former officials in connection with the [Qasem] Soleimani strike.”<sup>22</sup> Further, according to former government officials, “the U.S. government

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<sup>9</sup> *Id.* at 5.

<sup>10</sup> *Id.* at 6.

<sup>11</sup> *Id.* at 8-9.

<sup>12</sup> *Id.* at 9.

<sup>13</sup> *Id.* at 13. (“[L]aw enforcement agents observed MERCHANT placed his luggage in the trunk of a vehicle outside his place of residence.”)

<sup>14</sup> Letter from Sen. Charles E. Grassley, Ranking Member, Senate Budget Committee, to the Honorable Christopher Wray, Director, Federal Bureau of Investigation (Sep. 5, 2024), On File with Committee Staff.

<sup>15</sup> July 17, 2024, FD-302 relating to Asif Raza Merchant.

<sup>16</sup> Letter from Sen. Charles E. Grassley, *supra* note 13.

<sup>17</sup> Letter from Sen. Charles E. Grassley, Ranking Member, Senate Budget Committee, and Sen. Rand Paul, Ranking Member, Senate Homeland Security Committee, to the Honorable Merrick Garland, Attorney General, Department of Justice, and to the Honorable Christopher Wray, Director, Federal Bureau of Investigation (Sep. 9, 2024), On File with Committee Staff.

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> Emails on File with Senate Budget Committee Staff; Jasmine Baehr, *Grassley releases new details of Iran-backed assassination plots against Trump, Biden and others* (Sep. 5, 2024), FOX NEWS, <https://www.foxnews.com/politics/iran-backed-new-details-assassination-plot-against-trump-others?msocid=2c7a053cbcee6f980b4a111fbdfc6ea2>.

<sup>21</sup> John Sakellariadis, *Iran has a hit list of former Trump aides. The U.S. is scrambling to protect them.*, POLITICO (Oct. 11, 2024), <https://www.politico.com/news/2024/10/11/iran-trump-assassination-plans-00183488>.

<sup>22</sup> *Id.*

is still coming to grips with the Iranian threat and hasn't yet found a sustainable way to protect all those who are at risk for as long as they need — creating an opening for Tehran to make good on its threats.”<sup>23</sup>

Given the reported threats, we want to know what rubric is used to assess the threat and provide a protective detail, including an explanation with respect to why that hasn't been done in all cases.<sup>24</sup> The lack of security calls into question just how serious the DOJ is taking Iran threats and whether that seriousness has been communicated to the United States Secret Service (USSS). Based on the Politico report, the USSS has withdrawn protection for government officials as opposed to ramping it up.<sup>25</sup>

We welcome additional explanation from your agency to better understand what steps have been taken to protect the United States, its citizens, and its current and former government officials from Iran and other foreign adversaries. For Congress to conduct independent oversight, provide a response to the following questions no later than December 26, 2024:

1. Provide answers and all responsive records to Senator Grassley's September 5, 2024, letter and Senators Grassley and Paul's September 9, 2024, letter.<sup>26</sup>
2. Provide a classified and unclassified briefing on the Iran threat to current and former government officials.
3. Provide all communications between FBI and DOJ with the USSS related to Iranian threats, including against all former and current government officials.
4. Did the FBI or DOJ advise the USSS on threat levels for former and current government officials? If so, when, how, and for whom? Provide all records.
5. Provide a list of current and former government officials that have been subject to cyberattacks and cyber-threats from Iran. Provide a complete list of current and former government officials that are receiving protection from cyberattacks and cyber-threats from Iran.
6. Provide a list of resources that the DOJ, FBI, and other agencies have made available to support and protect current and former government officials (e.g. identity protection services, IT support, protection for events, protective services abroad through coordination with international partners) facing threats from Iran in the United States and abroad. Provide all records. If the DOJ and FBI do not have a list of resources available, why not?
  - a. Provide an overview of funding used for these purposes.
  - b. Provide a breakdown of the types of support and protection that has been offered to current and former government officials and how determinations to offer resources were made with resources offered broken down by individual.
  - c. Please provide a list of federal, state, and local law enforcement agencies that support DOJ and FBI throughout this process.

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<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> “Records” include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether they resulted in final documents).

7. Provide all FISA records related to Merchant.

In keeping with Executive Order 13526, please segregate all unclassified materials within the classified documents, and provide all unclassified information directly to the committees, and provide a classified addendum to the Office of Senate Security. Although the committees comply with all laws and regulations governing the handling of classified information, it is not bound, absent prior agreement, by any handling restrictions.

Thank you for your prompt review and response. If you have any questions, please contact Tucker Akin of Senator Grassley's staff at (202) 224-0642, Kendal Tigner of Senator Paul's staff at (202) 228-0813, or Brian Downey of Senator Johnson's staff at (202) 224-2627.

Sincerely,



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Charles E. Grassley  
Ranking Member  
Senate Committee on the Budget



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Rand Paul, M.D.  
Ranking Member  
Senate Committee on  
Homeland Security and Governmental Affairs



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Ron Johnson  
Ranking Member  
Senate Committee on  
Homeland Security and Governmental Affairs  
Permanent Subcommittee on Investigations