

United States Senate

WASHINGTON, DC 20510

May 24, 2023

The Honorable Christopher Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Ave. NW
Washington, D.C. 20535-0001

Dear Director Wray:

We write to request an update from the Federal Bureau of Investigation (FBI) on a letter sent to you on April 13, 2021, and signed by 18 United States Senators, and to provide additional, relevant information that has recently come to our attention.

In that letter, the 18 Senators requested that the FBI investigate whether Dr. Colin Kahl, who at the time was President Joe Biden's nominee to be Under Secretary of Defense for Policy, after leaving government employment under the Obama Administration, (1) publicly disclosed classified information and controlled unclassified information, (2) discussed classified information and controlled unclassified information with U.S. government officials, or (3) solicited U.S. government officials to provide, or otherwise received, classified information and controlled unclassified information. (*See attachment 1.*)

Our concerns have only grown after news reports emerged on March 9, 2023, that Under Secretary Kahl "leaked classified information about the Chinese spy balloon to deflect blame about the Biden administration's mishandling of the situation." Indeed, only a day earlier, two Senators sent a letter to Secretary of Defense Lloyd Austin raising concerns about Kahl's alleged leak of classified information (*see attachment 2*), noting:

It remains unclear whether this leak was cleared internally through the proper channels. Either way, it was a brazen attempt to shift blame. Most egregiously, Dr. Kahl omitted a key detail in his distribution of this sensitive information to the press—the prior Chinese balloons were only discovered much later. The Trump administration did not have an opportunity to respond at the time.

Given this and other developments, we continue to believe that Kahl's actions require investigation by the FBI to determine whether any laws were broken, as described in the Senators' letter to you dated April 13, 2021. Thank you for your consideration of this matter of importance to the Senate and U.S. national security interests.

Sincerely,



Bill Hagerty
United States Senator



Roger F. Wicker
United States Senator



Ted Cruz
United States Senator



Tom Cotton
United States Senator



Marco Rubio
United States Senator

Attachments:

- (1) April 13, 2021, Letter from 18 Senators to FBI Director Christopher Wray
- (2) March 8, 2023, Letter from 2 Senators to Secretary of Defense Lloyd J. Austin, III