

ONE HUNDRED EIGHTEENTH CONGRESS

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-6906  
judiciary.house.gov

February 16, 2024

The Honorable Janet Yellen  
Secretary  
U.S. Department of the Treasury  
1500 Pennsylvania Avenue, NW  
Washington, D.C. 20220

Dear Secretary Yellen:

The Committee on the Judiciary and the Select Subcommittee on the Weaponization of the Federal Government are continuing to conduct oversight of financial surveillance of American citizens, including the disclosure of private financial records to federal authorities without legal process. As part of its oversight, the Committee and Select Subcommittee have received documents from Bank of America (BoA) that indicate BoA likely filed a Suspicious Activity Report (SAR) in the weeks following January 6, 2021, in coordination with the Federal Bureau of Investigation (FBI).<sup>1</sup> To assist our oversight efforts, we request that you provide us with the SAR and related filings.

Pursuant to the Committee and Select Subcommittee's oversight work, we received testimony from retired FBI Supervisory Intelligence Analyst George Hill that, shortly after January 6, 2021, BoA provided the FBI—voluntarily and without legal process—with a list of individuals who had made transactions in the Washington, D.C. metropolitan area with a BoA credit or debit card between January 5 and January 7, 2021.<sup>2</sup> According to his testimony, the materials also elevated to the top of the list individuals who had previously purchased a firearm, regardless of when or where the firearm was purchased.<sup>3</sup> At a subsequent transcribed interview, Mr. Hill's former supervisor, Special Agent-in-Charge of the Boston Field Office Joseph Bonavolonta, corroborated Mr. Hill's testimony. SAC Bonavolonta testified:

[A] lead had been sent to our office from a unit within FBI Headquarters that fell under the Office of Private Sector . . . in the body of the lead, there was . . . information that was provided by Bank of America following a certain number of criteria that in essence aggregated a list of individuals that were supposedly living

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<sup>1</sup> See BofA-HJUD-00000001 (on file with Committee); see also BofA-HJUD-00000197 (on file with Committee).

<sup>2</sup> Transcribed Interview of Mr. George Hill at 74-75 (Feb. 7, 2023).

<sup>3</sup> *Id.* at 74.

up in the New England area who . . . either had potentially made . . . certain credit card purchases . . . for hotel reservations or plane tickets, or potential purchases at certain gun stores in and around . . . January 6th or planned for the inauguration date.<sup>4</sup>

Mr. Bonavolonta also testified that, “one of the [list’s] criteria . . . in terms of Bank of America’s data . . . was related to purchases that had been made at either gun shops or . . . stores that would sell firearms.”<sup>5</sup>

Steven Jensen, the former Section Chief of the FBI’s Domestic Terrorism Operations Section, later told the Committee that the FBI “maintain[s] partnerships with the private sector, to include Bank of America” and that he was “aware that they provided information to the FBI.”<sup>6</sup> When that information was brought to his attention, however, Jensen said he acted to “pull” the BoA material from FBI systems because “the leads lacked allegations of federal criminal conduct” and because he was “concerned” about where the leads “originated” from.<sup>7</sup> The Committee and Select Subcommittee are similarly concerned with how the BoA information ended up in the possession of the FBI.

While it appears that BoA voluntarily turned over this information to the FBI, we are in receipt of documents indicating that the FBI was an active partner in the creation and receipt of this information.<sup>8</sup> In fact, on January 15, 2021, an FBI official emailed BoA employees with the subject line “upcoming SAR product idea/brainstorming and check-in with you both.”<sup>9</sup> The FBI employee sought to arrange a time to discuss SARs with the BoA employees.<sup>10</sup> A subsequent follow-up email from the FBI noted that the agency was “interested in all financial relationships” of any BoA customer transacting in Washington, D.C. and that had made “ANY historical purchase” of a firearm, or that had purchased a hotel, Airbnb, or airline travel within a given date range.<sup>11</sup>

Documents obtained by the Committee and Select Subcommittee indicate that BoA complied with these requests, responding to the FBI directly on January 17, 2021, with an email stating that the FBI “should have an email” with BoA’s “filing on the parameters you discussed” with BoA “last week.”<sup>12</sup> From this information, it appears that the FBI requested BoA to submit a SAR concerning wide-scale financial transactions in Washington, D.C., including the purchase of firearms or travel arrangements, without any precise nexus to specific criminal activity. In response to the Committee and Select Subcommittee’s demand, BoA has refused to turn over this

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<sup>4</sup> Transcribed Interview of Mr. Joseph Bonavolonta at 12-13 (May 4, 2023).

<sup>5</sup> *Id.* at 17.

<sup>6</sup> Transcribed Interview of Mr. Steven Jensen 146-47 (May 19, 2023).

<sup>7</sup> *Id.* at 150-152, 166.

<sup>8</sup> *See, e.g.*, BofA-HJUD-00000001 (on file with Committee).

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

<sup>10</sup> *See* BofA-HJUD-00000002 (on file with Committee).

<sup>11</sup> *Id.*

<sup>12</sup> *See* BofA-HJUD-00000197 (on file with Committee).

SAR, citing various confidentiality provisions of the Bank Secrecy Act and the Anti-Money Laundering Act as prohibiting disclosure of these documents.<sup>13</sup>

Pursuant to the Rules of the House of Representatives, the Committee is authorized to conduct oversight of matters involving civil liberties and criminal law to inform potential legislative reforms.<sup>14</sup> In addition, H. Res. 12 authorized the Judiciary Committee's Select Subcommittee on the Weaponization of the Federal Government to investigate "issues related to the violation of the civil liberties of the United States."<sup>15</sup> H. Res. 12 also authorized the Select Subcommittee to investigate "how executive branch agencies work with, obtain information from, and provide information to the private sector, non-profit entities, or other government agencies to facilitate action against American citizens."<sup>16</sup>

The Supreme Court has recognized that Congress has a "broad and indispensable" power to conduct oversight, which "encompasses inquiries into the administration of existing laws, studies of proposed laws, and surveys in our social, economic or political system for the purpose of enabling Congress to remedy them."<sup>17</sup> These potential legislative reforms could include, among other proposals, legislation to prescribe how federal law-enforcement entities collect or receive private customer data, legislation to enhance the protections of civil liberties for customers of financial institutions, or legislation to prevent the misuse of Americans' private financial information. The documents we are requesting from the Treasury Department are necessary to inform such potential legislation.

Accordingly, to assist with this investigation, please produce all Bank Secrecy Act filings, including SARs, that were filed between January 15, 2021, and January 18, 2021, by BoA or any other financial institution and that refer or relate to (1) transactions made from January 5 to 7, 2021; (2) the purchase of travel or lodging to or around the Washington, D.C., metropolitan area; or (3) the purchase of firearms. We request that you produce these documents no later than March 1, 2024. Please contact the Committee if you have any questions about this request.

Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan  
Chairman

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<sup>13</sup> See *id.*; See also Letter from Ms. Karen Christian and Mr. Raphael Prober, Legal Counsel for Bank of Am., to Rep. Jim Jordan Chairman, H. Comm. on the Judiciary (Dec. 15, 2023) (discussing the Anti-Money Laundering Act and the Bank Secrecy Act as "prevent[ing] the Bank from disclosing certain documents.").

<sup>14</sup> Rules of the U.S. House of Representatives, R. X (2023) (118<sup>th</sup> Cong.).

<sup>15</sup> H. Res. 12 § 1(b)(1).

<sup>16</sup> *Id.*

<sup>17</sup> See, e.g., *Trump v. Mazars LLP*, No. 19-715 at 11 (U.S. slip op. July 9, 2020) (internal quotation marks and citations omitted).

The Honorable Janet Yellen

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cc: The Honorable Jerrold L. Nadler, Ranking Member