

NJM:AFM

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

JOHNATHAN BUMA,

Defendant.

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AFFIDAVIT IN SUPPORT
OF REMOVAL TO THE
CENTRAL DISTRICT OF
CALIFORNIA

(Fed. R. Crim. P. 5)

Case No. 25-MJ-95

EASTERN DISTRICT OF NEW YORK, SS:

Steven Deck, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigations ("FBI"), duly appointed according to law and acting as such.

On or about March 17, 2025, JOHNATHAN BUMA was taken into custody at a departure gate at John F. Kennedy International Airport ("JFK Airport"), where he was a ticketed passenger waiting to board an outbound international flight.

On or about March 18, 2025, a criminal complaint was filed in the United States District Court for the Central District of California, charging JOHNATHAN BUMA with violating Title 18, United States Code, Section 1905 (disclosure of confidential information).

The source of your deponent's information and the grounds for his belief are as follows:¹

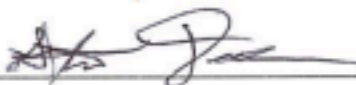
¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause as to the defendant's identity, I have not described all the relevant facts and circumstances of which I am aware.

1. On or about March 18, 2025, a complaint issued in the United States District Court for the Central District of California (the "Complaint") charging JOHNATHAN BUMA with violating Title 18, United States Code, Sections 1905. A true and correct copy of the Complaint is attached hereto as Exhibit A.

2. The defendant was arrested at JFK Airport on March 17, 2025, at approximately 10:00 P.M. by FBI personnel. The defendant stated to me that his name was "Johnathan Buma." I also recognized the defendant from previous encounters in the course of this investigation and from photographs of the defendant that I have previously reviewed.

3. Based on the foregoing, I submit that there is probable cause to believe that the defendant is the JOHNATHAN BUMA charged in the Central District of California.

WHEREFORE, your deponent respectfully requests that the defendant JOHNATHAN BUMA be removed to the Central District of California so that he may be dealt with according to law.



Steven Deck
Special Agent
Federal Bureau of Investigation

Sworn to before me this
18th day of March, 2025



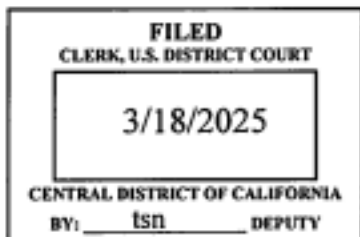
THE HONORABLE LARA K. ESHKENAZI
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

EXHIBIT A

UNITED STATES DISTRICT COURT

for the

Central District of California



United States of America

v.

Johnathan Buma,

Defendant

Case No.

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of November 2, 2023, in the county of Orange in the Central District of California, the defendant violated:

Code Section

18 U.S.C. § 1905

Offense Description

Disclosure of Confidential Information

This criminal complaint is based on these facts:

Please see attached affidavit.

Continued on the attached sheet.

/s/

Complainant's signature

Steven Deck, Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: March 18, 2025 at 6:36 a.m.

Judge's signature

City and state: Los Angeles, California

Hon. Stephanie S. Christensen, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Steven Deck, being duly sworn, declare and state as follows:

I. PURPOSE OF AFFIDAVIT

1. This affidavit is made in support of a criminal complaint against Johnathan Buma ("BUMA"), for a violation of Title 18, United States Code, Section 1905 (Disclosure of Confidential Information).

2. The facts set forth in this affidavit are based upon my personal observations; my training and experience; and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and part only, all amounts or sums are approximate, and all dates and times are on or about those indicated.

II. BACKGROUND OF AGENT

3. I am a Special Agent of the FBI and have been so employed since 2017. Since approximately January 2018, I have been assigned to the FBI's New York Field Office, Counterintelligence Division. During my tenure with the FBI, I have participated in counterespionage and counterintelligence investigations and, among other things, have conducted or participated in surveillance, the execution of search warrants,

and the review of stored electronic information for evidence of crime. Through my experiences in the field and training relating to counterespionage and counterintelligence and related crimes, I am familiar with some of the tactics, methods, and techniques of United States persons who possess, or have possessed a United States Government security clearance and may choose to harm the United States by misusing their access to sensitive United States Government information. I am also familiar, through my training and experience, with the use of cellphones and computers in criminal activity and the forensic analysis of electronically stored information.

III. LEGAL BACKGROUND

4. Title 18, United States Code, Section 1905 provides: "Whoever, being an officer or employee of the United States or of any department or agency thereof, any person acting on behalf of the Federal Housing Finance Agency, or agent of the Department of Justice as defined in the Antitrust Civil Process Act (15 U.S.C. 1311-1314), or being an employee of a private sector organization who is or was assigned to an agency under chapter 37 of title 5, publishes, divulges, discloses, or makes known in any manner or to any extent not authorized by law any information coming to him in the course of his employment or official duties or by reason of any examination or investigation made by, or return, report or record made to or filed with, such department or agency or officer or employee thereof, which information concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the identity,

confidential statistical data, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or association; or permits any income return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; shall be fined under this title, or imprisoned not more than one year, or both; and shall be removed from office or employment."

IV. SUMMARY OF PROBABLE CAUSE

5. BUMA has worked for the FBI in various capacities for over 15 years. From 2013 to February 2022, BUMA focused on counterintelligence and counterproliferation matters. Beginning in 2018, he was assigned to the FBI's Los Angeles Field Office ("FBI-LA"), Orange County Resident Agency ("OCRA"). Until December 2022, BUMA's responsibilities included managing confidential human sources ("CHSs"). From in or around January 2023 to November 2023, he was assigned to a surveillance unit.

6. In 2022, BUMA began to voice his concerns to various government agencies, the United States Congress, and members of the news media, regarding the FBI's handling of certain investigations in which he was involved in his capacity as a special agent tasked with managing CHSs.¹ On Friday, October 27, 2023, BUMA printed approximately 130 files from the FBI's

¹ The government is informing the Court of BUMA's complaints in order to provide the Court with all relevant facts. The Government does not rely on BUMA's complaints to establish probable cause. Rather, as described below, the government relies on the facts and circumstances surrounding BUMA's printing, removal, and dissemination of confidential information.

internal network, several of which summarized information provided to the FBI by CHSs, some of which were clearly marked with warnings that made clear that the information was to be protected. BUMA also printed nine text-file documents which contained text that had been copied and pasted from reports which were marked in such a way that made clear that the information must be protected, and which summarized information provided to the FBI by CHSs. BUMA also printed out screenshots of messages he exchanged with an FBI CHS via an encrypted messaging application ("Encrypted Messaging Application 1"). After printing those materials, BUMA emailed FBI supervisors about his intent to go on leave without pay, then left the FBI office.

7. On Monday, October 30, 2023, BUMA posted several messages on a social networking site containing excerpts from a draft of a book he was writing about his career at the FBI. Between October and December 2023, BUMA emailed a draft of the book to various individuals. The book draft contained information that BUMA obtained through his position as an FBI Special Agent that relates to the FBI's efforts and investigations into a foreign country's weapons of mass destruction ("WMD") program. On November 2, 2023, BUMA wrote an email to various personal associates assisting him in negotiating a book deal with a publishing company. In that email, BUMA purported to "give authorization" to the recipients to share information that was subject to restrictions against

dissemination and that he became aware of in his capacity as an FBI special agent.

8. In the fall of 2023, a U.S. media entity published an article containing confidential information related to reporting that was provided by a CHS to the FBI related to an associate of a foreign government official and that BUMA knew he had a duty to protect. The article addressed the same events as those discussed in certain of the Encrypted Messaging Application 1 messages and documents that BUMA printed from the FBI's internal network on October 27, 2023, including documents which were clearly marked in a way to notify BUMA that he had a duty to protect the information.

V. STATEMENT OF PROBABLE CAUSE

A. BUMA's Employment with FBI

9. Based on my review of FBI employment records and my discussions with other FBI personnel, I know the following:

10. BUMA has been employed by the FBI since September 2008. In 2009, BUMA executed a nondisclosure agreement wherein he acknowledged having received a security indoctrination concerning the nature and protection of sensitive information subject to restrictions against dissemination. As part of the NDA, BUMA was advised as to the potential criminal consequences of the unauthorized disclosure, unauthorized retention, or negligent handling of information subject to such restrictions.

11. Beginning in 2013 and continuing through in or around February 2022, BUMA served with the FBI as a Special Agent and Supervisory Special Agent focused on counterintelligence and

counterproliferation matters. Between 2018 and 2022, BUMA held roles at OCRA, within FBI-LA, directly related to human intelligence and the management of the CHS policy. BUMA submitted a resignation letter to the FBI on March 16, 2025.

12. On July 15, 2023, BUMA testified before the United States Senate Committee of the Judiciary regarding a "whistleblower complaint" he claimed to have filed with FBI's Inspection Division.² Based on my review of the transcript of that testimony, I know that, according to BUMA, he filed that complaint in or around January 2022. According to BUMA's testimony, his complaint described "in detail numerous acts of intelligence suppression of [BUMA's] reporting related to foreign intelligence and the Capitol riots, [and] retaliatory acts and defamation of [his] own character through a hyperbolic narrative of administrative non-compliance" According to BUMA's testimony, in November 2022, he had also filed a complaint with the Equal Employment Opportunity Commission. Also according to BUMA, following his filing of the EEOC complaint, he was reassigned to an FBI surveillance squad located in Orange Country, California.

13. According to information provided by the Department of Justice's Office of Inspector General ("OIG"), BUMA filed a complaint with the FBI's Inspection Division in January 2022, asserting that he had been retaliated against as a result of his

² Statement of Johnathan C. Buma, United States Senate Committee of the Judiciary (July 15, 2023), available at <https://www.docdroid.net/hbEcLPL/jonathan-buma-judiciary-jul-15-pdf>.

activities as a whistleblower. FBI's Inspection Division referred that complaint to OIG, which ultimately declined to pursue the matter. BUMA and/or his representatives have subsequently filed two other complaints with OIG, which currently remain pending.

14. According to FBI personnel records, in or around January 2023, BUMA was removed from his roles relating to human intelligence and management of CHSs. At that time, BUMA was reassigned to a surveillance unit based in OCRA within FBI-LA.

15. In the fall of 2023, a U.S. media entity ("U.S. Media Entity 1") published a video interview of BUMA, in which he discussed details of intelligence reporting he received, and expressed his dissatisfaction with how that information was investigated within the FBI. In that interview, BUMA stated that he made a whistleblower disclosure to FBI's Inspection Division regarding his dissatisfaction, and that he was retaliated against after making that disclosure

B. October 27, 2023: BUMA Prints Sensitive Documents from FBI Servers

16. According to information seized from a phone in BUMA's possession pursuant to a federal search warrant, on October 27, 2023, BUMA sent a message to a personal associate stating, "took a halve a Loraz, two beers, a Cialis, and a Bystolic to get it down. It's all [in] Anticipation of what I know k [sic] need to get and do while there for five or so hours today; which mu [sic] be my last with my beloved bureau, which gave me so many opportunities to shine previously:("

17. Based on activity logs maintained by the FBI, BUMA's last day in the FBI-LA's OCRA office was Friday, October 27, 2023. According to information provided by BUMA's supervisor, at approximately 6:17PM on October 27, 2023, BUMA wrote an email to FBI supervisors discussing his complaints regarding his employment with the FBI and his reassignment to the surveillance unit. In that email, BUMA also stated that he had exhausted his paid leave and planned to go on leave without pay starting Monday, "since I came in the office today to handle administrative matters." The next week, BUMA did not report for duty, and did not respond to communications from his supervisor inquiring about his plans and status. On Thursday November 2, 2023, BUMA's supervisor informed him via email that he was being placed on leave without pay status.

18. Based on my review of FBI surveillance video footage, on Friday, October 27, 2023 - his last day at FBI prior to assuming his "leave without pay" status - BUMA arrived at OCRA shortly before 1:30PM. He arrived wearing a black backpack. He remained at OCRA for approximately five hours, until approximately 6:30PM. During that time, based on my review of FBI internal computer activity logs, BUMA accessed and printed approximately 130 files from FBI's internal network (the "Confidential Material").

19. The Confidential Material included (1) at least eight sensitive information reports relating to a foreign adversary; (2) at least eight reports relating to CHS reporting between

2021 and 2022; and (3) at least one product derived from a sensitive collection method.

20. Additionally, based on my discussions with FBI personnel who reviewed the documents that BUMA printed, BUMA also printed from FBI's internal network on October 27, 2023, nine text-file documents, all of which have file names ending with the ".txt" extension. Based on the FBI's review, the information contained in these text-file documents appeared to be copied verbatim from sensitive FBI reports that summarize information reported to the FBI by CHSs and were marked in such a way to indicate that BUMA had a duty to protect the information. The original reports, unlike the text files, contain various markings reflecting that the reports contain information which BUMA had a duty to protect. Based on my experience and training, I believe that BUMA likely created these text files in order to duplicate the contents of the original FBI reports in a manner that obscures the restrictions against disclosing the information in the reports and thereby evade detection.

21. Additionally, BUMA printed out screenshots of messages that appear to have been between BUMA and an FBI CHS and were sent via Encrypted Messaging Application 1.

C. October 30, 2023: BUMA Does Not Report for Duty at FBI and Posts Online Excerpts from His Draft Book About the FBI

22. In the early morning hours of October 30, 2023, BUMA made approximately eight posts on a personal social networking account (Account 1). Based on my review the posts appeared to

be excerpts from several chapters of a book that BUMA is writing about the FBI.

23. Each post contains a full page of single-spaced text. The first page of text appears under the header, "Preface." It begins, "This book is about my life as a special agent in the Federal Bureau of Investigation." The "Preface" goes on to state that BUMA's "primary goal is to describe how, and more importantly, why [he] became a whistleblower with an urgent message for the American people that needs to be delivered right away before it's too late." BUMA then wrote, "[a]fter drafting this manuscript, I will resign and travel around the country NOT to promote myself but to promote the importance of the information I sacrificed my career to dig out for the American people with hope it's not too late."

24. The next post contains a single-spaced page of text under the header, "Subject: Chapter 1 - My life leading up to the FBI." In that post, BUMA describes his childhood and how those who knew him "would have never believed" that he would become "one of the nation's top performing counterintelligence agents at catching and flipping Russian spies, combatting international corruption, trans-national organized crime, and foreign influence," nor that he "would become the most significant whistleblower in FBI history."

25. The next several posts contain single-spaced pages of text detailing BUMA's various assignments in the FBI. The final post, under the header "Chapter 8 - Untouchables - Edit 1" ends with, "What happens when certain components of the government

become compromised? What happens when an FBI agent sees this from deep inside the Bureau and tries to investigate the pressing matter through official channels, but is prevented from doing so and then retaliated against—blackballed and cast aside by fellow agents he thought were his friends? An agent would have no choice but to do what I was forced to do - continue investigating the core matter of concern in compliance with policy as long as possible, and then use legal instruments for personal protection as long as possible until muzzled, and then plead with management to do the right thing, and then take the information over the Director's head directly to . . . Congress, and then, if suppressed by Congress, go to the media and beg the people to do the right thing and save their country. That is what I did and now am doing. I feel I have no choice."

26. According to BUMA's FBI-LA supervisor, the supervisor attempted to contact BUMA on several occasions beginning on October 30, 2023, and did not receive a reply until November 9, 2023. BUMA's supervisor formally notified BUMA on November 2, 2023, of his placement on leave-without-pay status. On November 7, and again on November 8, BUMA's supervisor wrote to BUMA to ask if the supervisor could go to BUMA's residence to collect his government property, including his firearm, badge, and FBI credentials. On the evening of November 9, BUMA responded and arranged with the supervisor to meet at OCRA on the morning of November 13, 2023, to turn in his government property.











