

NBC's *Today*

08/09/22

7:00:28 a.m. [TEASE]

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[ON-SCREEN HEADLINE: Breaking Overnight; Search and Seizure]

SAVANNAH GUTHRIE: Breaking overnight, search and seizure. The FBI descends on President Trump's Mar-a-Lago home. An unprecedented move. Federal agents with a warrant reportedly tied to classified information taken from the white house. Trump from New York claiming Mar-a-Lago was under siege. Supporters gathering there in protest.

[TRUMP SUPPORTERS CHEERING]

GUTHRIE: Just ahead, what investigators may have been looking for.

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CRAIG MELVIN: But, first, stunning developments surrounding former President Trump after the FBI executed a search warrant at Mar-a-Lago, his home and club down in Florida.

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[ON-SCREEN HEADLINE: Breaking Overnight; FBI Searches Trump's Mar-a-Lago Home]

KERRY SANDERS: You can see there are still some protesters here and just beyond there is Mar-a-Lago. A senior U.S. official tells NBC News that the FBI spent much of Monday here at Mar-a-Lago. Another official telling NBC News that they were searching for documents that the former President allegedly brought with him after he left office to Mar-a-Lago. Mr. Trump saying that this is all a case of political persecution. But veteran FBI agents say it would take a very high bar for a federal judge to sign off on a search warrant.

[TRUMP SUPPORTERS CHEERING]

SANDERS: Overnight, supporters gathering outside former president Donald Trump's private club Mar-a-Lago.

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SANDERS: According to a source familiar with the search, it was related to classified information the former President allegedly took with him to Mar-a-Lago after leaving the White House. In February, the National Archives announced that classified material was discovered in 15 boxes of White House records stored at the estate.

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SANDERS: Republicans overnight criticizing the search. Senator Lindsey Graham writing: “Launching such an investigation of a former President this close to an election is beyond problematic.” The Justice Department is pursuing a separate investigation into January 6th.

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SANDERS: Of course, as a candidate in 2016, Mr. Trump repeatedly blasted candidate Hillary Clinton for mishandling information and e-mails. During the raid here yesterday, there was a representative for Mr. Trump, a lawyer, who says that she has been cooperating with the FBI and the Department of Justice. The head of the RNC saying what happened here was, “outrageous and an abuse of power.”

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SAVANNAH GUTHRIE: To — to obtain a search warrant against a former President and in his home is quite an aggressive and extraordinary step. This would have to go to the highest levels of the Justice Department and the FBI to be approved, would it not?

KEN DILANIAN: Absolutely, Savannah. Not just aggressive. This is unprecedented and there’s little doubt this was approved by Attorney General Merrick Garland. Look, Justice Department officials aren’t commenting, obviously. But you may recall that, in January, the National Archives retrieved 15 boxes of presidential records from Mar-a-Lago, that was with Trump’s permission. Because archivists said they found classified material in the boxes, they referred the matter to the DOJ, which began an investigation. Now, normally, if an ex-president has documents he shouldn’t have, the government would simply ask for them back. This move suggests something broke down in a big way between Trump and the Archives and that these

documents may have contained some very sensitive information. This move doesn't mean Trump will be charged, Savannah, but it's a big deal.

GUTHRIE: Well, what would the FBI have to establish to get a federal judge to authorize a warrant of this nature?

DILANIAN: The FBI would have had to convince the federal judge that there was evidence of a crime inside Trump's Florida home and that a search was the only way to retrieve it. And multiple people told us they were after — what — the FBI was trying to recover boxes of documents that may have included highly classified information and that they left there with lots of material.

GUTHRIE: How specific do they have to be about exactly what they're looking for? In other words, can this be some kind of fishing expedition?

DILANIAN: It can't be a fishing expedition. They have to tell the judge exactly what they're looking for and they have to file a document with the court saying what they took. But it's also true that, if they find evidence of other crimes, they're free to seize that [sic] materials.

GUTHRIE: Is there any reason to believe this warrant and this search has anything to do with something other than the National Archives case which you just laid out and the 15 boxes that the Archives got and then they referred it to the Justice Department? As we know, there are other investigations, state investigations, for example. Is there any reason to believe this — this search has anything to do with those other investigations or the January 6th hearings, I should add?

DILANIAN: Of course, we've asked that question, Savannah and we're being told you can't really rule everything out. We have to be humble about what we don't know here. There are not only state investigations. There's a federal grand jury investigation that is getting closer to Trump about what happened January 6th and the efforts to overturn the election. You know, Trump's election lawyer was served a search warrant. A senior Justice Department — former senior Justice Department lawyer was served a search warrant. Top former White House officials have been called before a grand jury here in Washington in recent weeks and we've reported that that grand jury is asking questions about Donald Trump. So, it's possible. We can't rule it out, that some of this has to do with this. But it's also possible that it doesn't, Savannah.

GUTHRIE: And, very quickly, the President has described this as a raid, said Mar-a-Lago was under siege, it was broken into. Do you have any information about how this search was conducted?

DILANIAN: Yeah. Officials I've spoken to have pushed back on describing this as a raid. You know, the FBI notified the Secret Service — which guards Mar-a-Lago — a few hours before the search. And Trump's lawyers were also told. He wasn't there. He was in New York. But it's also true, Savannah, that this warrant signed by a judge gave the FBI the authority to force its way into the house if that's what agents needed to do. That's what makes it such a big step, Savannah.

GUTHRIE: Alright, Ken Dilanian, our Justice correspondent, thank you very much.

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8:00:28 a.m.

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[ON-SCREEN HEADLINE: Stunning Search]

GUTHRIE: Coming up, stunning search.

NBC PRODUCER: Mr. Trump, can we get your reaction to the raid, sir?

GUTHRIE: FBI agents descend on former President Trump's Mar-a-Lago home in an unprecedented move. New details on what they were looking for as protesters gather there overnight.

[TRUMP SUPPORTERS CHEERING]

GUTHRIE: We're live with the very latest.

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8:02:55 a.m.

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[ON-SCREEN HEADLINE: Breaking Overnight; FBI Searches Trump's Mar-a-Lago Home]

GUTHRIE: We're going to start this morning with that unprecedented search of former President Trump's Florida home yesterday. FBI agents with a warrant were inside Mar-a-Lago said to be looking for classified information allegedly taken from the White House.

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SANDERS: Of course, in 2016, as a candidate, Mr. Trump repeatedly attacked Hillary Rodham Clinton, saying that she had classified documents on her personal e-mail server.