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TINUBU FBI-DEA FILES: THE CRIMINAL INVESTIGATION FINDING EXPLAINED

The central claim is true - but it was not first revealed in a secret deposition

Reports are circulating that the FBI and DEA told Judge Beryl Howell, during a private court proceeding, that Nigerian President Bola Ahmed Tinubu had been the subject of a criminal investigation.

The central fact is correct. The description of how it became known is not.

There was no in-camera deposition. On 28 August 2026, the FBI submitted written sworn declarations to the United States District Court for the District of Columbia. Some supporting declarations were delivered under seal, ex parte and in camera. This means that Judge Howell may examine them privately while they remain unavailable to the parties and the public.

More importantly, Tinubu's status as one subject of a criminal investigation was not first disclosed in those confidential materials. Judge Howell had already stated the finding publicly in a signed memorandum opinion on 8 April 2025.

WHAT THE COURT ALREADY DECIDED

Judge Howell examined a 1993 affidavit from IRS Special Agent Kevin Moss. The affidavit had been incorporated into an official United States Department of Justice forfeiture complaint.

It described a broader investigation into money laundering connected with a Chicago-area heroin-distribution organisation. Information was supplied by agents of the IRS, FBI and DEA. Tinubu's identity emerged during that investigation, and the affidavit discussed funds in accounts controlled by him.

The court therefore concluded that the official records acknowledged that Tinubu was one subject of a criminal investigation involving, among other agencies, the FBI and DEA.

CONFIRMED LEGAL POSITION

It is accurate to report that Bola Tinubu was one subject of a broader criminal investigation involving the FBI and DEA. That finding is contained in a public federal-court judgment. It is not merely a rumour or a claim created by Nigerian political actors.



WHAT THE FBI SAID IN AUGUST 2026

Publicly circulated portions of the FBI's August declaration state that the responsive records were compiled in furtherance of an FBI investigation of multiple individuals for drug-trafficking crimes. The declaration also refers to the court's earlier determination that an investigation involving Tinubu had been officially acknowledged.

This reinforces the criminal-investigation context. It does not, however, amount to an entirely new revelation. The judge had already reached and published that conclusion in April 2025.

The public docket confirms that confidential declarations were delivered to the court on 28 August. Because the in-camera material remains sealed, journalists, political organisations and members of the public cannot responsibly claim to know everything contained in it.

WHAT THE FINDING DOES NOT ESTABLISH

Being a subject of an investigation is not the same as being convicted. It is not necessarily the same as being the principal target of the investigation. An investigation may examine several people in different capacities.

The present record does not establish that Tinubu was criminally charged or convicted of drug trafficking in the United States. The FOIA court has not found him guilty of an offence. Nor has the August filing commenced a new criminal prosecution.

The approximately \$460,000 connected with accounts associated with Tinubu was forfeited to the United States through civil proceedings in 1993. That forfeiture and the existence of a criminal investigation are significant facts, but they must not be inaccurately converted into a criminal conviction that did not occur.

WHAT THE JUDGE MUST STILL DECIDE

The present lawsuit concerns public access to government records. Judge Howell must decide whether the FBI and DEA have properly justified each disputed redaction or withholding under the Freedom of Information Act.

The agencies rely on exemptions protecting personal privacy, confidential sources, investigative techniques and information whose disclosure could endanger an individual. The judge may uphold some withholdings, reject others, or require the release of additional non-exempt portions.

GSR'S CLARIFICATION

The responsible conclusion is straightforward: the criminal-investigation finding is genuine and officially recognised. But it was already public. It did not originate from a secret deposition, and the sealed declarations do not permit outsiders to claim knowledge of facts that the court has not yet disclosed.

Accuracy requires both facts to be stated together: Tinubu was one subject of a criminal investigation, but he was not criminally convicted through that investigation or through the present FOIA case.

Primary sources: Greenspan v. Executive Office for U.S. Attorneys et al., Civil Action No. 23-1816 (BAH), Memorandum Opinion, 8 April 2025; public docket and Defendants' Notice of Compliance, 28 August 2026.