

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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October 16, 2023

Mr. Robert Hur
Office of Special Counsel
Transmitted Electronically

Dear Mr. Hur:

The Committee on Oversight and Accountability (“Committee” or “Oversight Committee”) is investigating President Biden’s mishandling of classified documents. The Committee has developed significant evidence regarding President Biden’s retention of classified materials at Penn Biden Center. Witness testimony, emails, and text messages establish there were at least five current and former White House employees who coordinated accessing boxes, which contained classified documents, between 2021 and October 2022.¹ The Committee is concerned as to why President Biden has not been fully transparent about the White House’s involvement in accessing these materials prior to November 2, 2022.² As such, we requested certain documents and transcribed interviews from the White House.³ Recent reports indicate you recently interviewed President Biden and other individuals involved in this matter, and the Committee now seeks information from your office to further our investigation.⁴

As detailed in the Oversight Committee’s bank memoranda and Impeachment Inquiry Memorandum, evidence suggests President Biden may have used certain members of his family—particularly his son, Hunter Biden—to accumulate millions of dollars from foreign individuals and entities for the benefit of his family and himself.⁵ Indeed, the Biden family received millions of dollars from foreign sources while President Biden served in public office

¹ See Letter from H. Comm. on Oversight and Accountability, Chairman James Comer to White House Counsel, Edward Siskel (Oct. 11, 2023) (attached to this correspondence).

² *Id.*

³ *Id.*

⁴ Arden Farhi, CBS News, *Biden interviewed in special counsel investigation into documents found at his office and home* (Oct. 9, 2023).

⁵ See Impeachment Memorandum from Comm. Chairmen James Comer, Jim Jordan, and Jason Smith (Sept. 27, 2023); Memorandum (Mar. 16, 2023), H. Comm. on Oversight & Accountability. From Maj. Comm. staff to Comm. Members. Re: New Evidence Resulting from the Oversight Committee’s Investigation into the Biden Family’s Influence Peddling and Business Schemes; Memorandum (May 10, 2023), H. Comm. on Oversight & Accountability. From Maj. Comm. staff to Comm. Members. Re: Second Bank Records Memorandum from the Oversight Committee’s Investigation into the Biden Family’s Influence Peddling and Business Schemes; Memorandum (Aug. 9, 2023), H. Comm. on Oversight & Accountability. From Maj. Comm. staff to Comm. Members. Re: Third Bank Records Memorandum from the Oversight Committee’s Investigation into the Biden Family’s Influence Peddling and Business Schemes.

and afterwards.⁶ If any of the classified documents mishandled by President Biden involved countries or individuals that had financial dealings with Biden family members or their related companies, the Committee needs access to that information to evaluate whether our national security has been compromised.

As you may be aware, Biden family members, their business associates, and their related companies received significant payments from individuals and companies in China, Russia, Ukraine, Kazakhstan, and Romania.⁷ In addition, other evidence recently released by the Ways and Means Committee identified over 20 different countries with ties to the Biden family's influence peddling schemes.⁸ The Committee is concerned that President Biden may have retained sensitive documents related to specific countries involving his family's foreign business. Further, we seek to understand whether the White House or President Biden's personal attorneys placed any limitations or scoping restrictions during the interview that would have precluded a line of inquiry regarding evidence (emails, text messages, or witness statements) directly linking Joe Biden to troublesome foreign payments.⁹

President Biden's retention of certain classified documents begs the question as to why he kept these particular materials. Of the many classified documents he reviewed over his lengthy career, why did President Biden keep these specific documents in his home and office? The sensitive nature of the information contained in the documents may answer that question for the Committee, which is why we seek to review those materials. There is also no reasonable explanation to date as to why five White House employees (Dana Remus, Anthony Bernal, Ashley Williams, Annie Tomasini, and an unidentified employee), a Department of Defense employee (Kathy Chung), and private attorneys (Bob Bauer and Patrick Moore) were tasked with obtaining what were purportedly personal documents not subject to the Presidential Records Act. The evidence shows the White House was concerned about potential document retention issues prior to November 2, 2022, and used significant government resources to obtain the materials. The Committee seeks to further understand why President Biden retained certain classified documents, if such information related to any of his family's foreign business interactions, and why so many White House officials were involved in obtaining these materials.

Since certain members of Congress have already reviewed the classified documents at issue, we urge you to cooperate in a timely manner with our investigation.¹⁰ Accordingly, we request the following information, without redactions, to be reviewed in a mutually agreed upon secured location:

⁶ *Id.*

⁷ *Id.*

⁸ See Press Release, Comm. On Ways and Means, ICYMI: New Documents Link Biden Family Influence Peddling Scheme to 23 Countries, Four Continents (Oct. 5, 2023), <https://gop-waysandmeans.house.gov/icymi-new-documents-link-biden-family-influence-peddling-scheme-to-23-countries-four-continents/>.

⁹ See *supra* fn. 5. Notably, text messages, email communications, and witness testimony are all admissible evidence during hearings and trials pursuant to the Federal Rules of Evidence.

¹⁰ Natasha Bertrand, Lauren Fox, and Alayna Treene, CNN Politics, *Key lawmakers granted access to Biden, Trump and Pence classified documents* (Apr. 11, 2023).

1. Any terms, agreements, or scoping limitations related to your office's interview of President Biden (*i.e.*, Was your office permitted to ask about evidence obtained by the United States Attorney's Office for the District of Delaware ("Delaware-USAO") and subsequently released by Internal Revenue Service whistleblowers related to the Biden family's foreign business dealings?);
2. A copy of the report and agents' notes from the interview of President Biden;
3. A copy of the report and agents' notes from any interview, if conducted, of Dana Remus;
4. A list of the countries named in any documents with classification markings recovered from Penn Biden Center, President Biden's residence, including the garage, in Wilmington, Delaware, or elsewhere;
5. A list of the individuals named in any documents with classification markings recovered from Penn Biden Center, President Biden's residence, including the garage, in Wilmington, Delaware, or elsewhere; and
6. All documents with classification markings recovered from the Penn Biden Center, President Biden's residence, including the garage, in Wilmington, Delaware, or elsewhere.

To further discuss this request, please contact James Mandolfo or Jake Greenberg at (202) 225-5074 by October 30, 2023.

The Committee on Oversight and Accountability is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X.

Thank you for your prompt attention to this important matter.

Sincerely,



James Comer
Chairman
Committee on Oversight and Accountability

cc: The Honorable Jamie B. Raskin, Ranking Member
Committee on Oversight and Accountability