

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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WASHINGTON, DC 20515-6143

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<https://oversight.house.gov>

August 17, 2023

The Honorable Colleen Shogan
Archivist of the United States
National Archives and Records Administration
700 Pennsylvania Avenue, NW
Washington, D.C. 20408

Dear Dr. Shogan:

The Committee on Oversight and Accountability is investigating President Biden's meetings and communications with certain family members and their business associates during his tenure as Vice President. The National Archives and Records Administration (NARA) has published the Biden Vice Presidential Records Collection, which contains information relevant to the Committee's work. Many of these records have been redacted for publication pursuant to the Presidential Records Act (PRA) and the Freedom of Information Act (FOIA). To further our investigation, it is essential that the Committee review these documents in their original format.

The Committee seeks unrestricted special access under the PRA to Case Number 2023-0022-F, entitled "Email Messages To and/or From Vice President Biden and Hunter Biden related to Burisma and Ukraine," which has been published on NARA's website.¹ These records have been redacted for public release pursuant to the PRA and FOIA. For example, an email bearing the subject "Friday Schedule Card," is withheld in part under a "P6" and "b(6)" restrictions, denoting personal information regarding the subject under the PRA and FOIA respectively. Attached to this email, and made available on the NARA website, is a document that indicates at 9:00 a.m. on May 27, 2016, Vice President Biden took a call with the president of Ukraine, Petro Poroshenko. It is concerning to the Committee, however, that this document was sent to "Robert L. Peters"—a pseudonym the Committee has identified as then Vice-President Biden. Additionally, the Committee questions why the then-Vice President's son, Hunter Biden—and only Hunter Biden—was copied on this email to then-Vice President Biden.

To further our investigation, the Committee needs to review these documents in their original format. The Committee also requests access to certain other documents and information described below. Please provide these documents no later than August 31, 2023:

1. Complete, unredacted versions of all documents from Case Number 2023-0022-F;

¹ NAT'L ARCHIVES & REC. ADMIN., BIDEN VICE PRESIDENTIAL RECORDS COLLECTION, *Email Messages To and/or From Vice President Biden and Hunter Biden related to Burisma and Ukraine*, Case No. 2023-0022-F, <https://www.archives.gov/research/vice-presidential-records/biden-records>.

2. Any document or communication in which a pseudonym for Vice President Joe Biden was included either as a sender, recipient, copied or was included in the contents of the document or communication, including but not limited to Robert Peters, Robin Ware, and JRB Ware;
3. Any document or communication in which Hunter Biden, Eric Schwerin, or Devon Archer was included either as a sender, recipient, copied, or was included in the contents of the document or communication; and
4. All drafts from November 1, 2015 to December 9, 2015 of then-Vice President Biden's speech delivered to the Ukrainian Rada on December 9, 2015.

Special access to presidential records may be granted “to...Congress” and “to the extent of matter within its jurisdiction, to any committee... if such records contain information that is needed for the conduct of its business and that is not otherwise available....”² Furthermore, the PRA subjects Vice-Presidential records to its provisions “in the same manner as Presidential records.”³

The Committee's need for these Vice-Presidential records is specific and well-documented. The Committee seeks to craft legislative solutions aimed at deficiencies it has identified in the current legal framework regarding ethics laws and disclosure of financial interests related to the immediate family members of Vice Presidents and Presidents—deficiencies that may place American national security and interests at risk. The Committee is concerned that foreign nationals have sought access and influence by engaging in lucrative business relationships with high-profile political figures' immediate family members, including members of the Biden family. For additional information regarding the Committee's legislative purpose regarding its investigation of the Biden family's international business, the Committee would direct you to three bank records memoranda it has released this year.⁴

The Committee on Oversight and Accountability has specific jurisdiction over NARA under House Rule X. Additionally, 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.

² 44 U.S.C. § 2205 (2)(C).

³ 44 U.S.C. § 2207.

⁴ 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.

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To schedule the delivery of responsive documents or if you have questions regarding this request, please contact Committee on Oversight and Accountability staff at (202) 225-5074. Thank you for your prompt attention to this important investigation.

Sincerely,

A handwritten signature in black ink, reading "James Comer", written over a horizontal line.

James Comer

Chairman

Committee on Oversight and Accountability

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