



August 9, 2022

Via Email - presidential.materials@nara.gov

ATTN: FOIA

Archival Operations Division – Vice Presidential Collections
National Archives and Records Administration
700 Pennsylvania Ave, NW, Room G7
Washington, DC 20408-0001

**Freedom of Information Act Request: Vice President Biden’s
Communications with Hunter Biden and James Biden**

Dear FOIA Officer:

America First Legal Foundation (“AFL”) is a national, nonprofit organization working to promote the rule of law, prevent executive overreach, protect due process and equal protection, and educate Americans about the individual rights guaranteed under the Constitution and laws of the United States. Our mission includes promoting government transparency and accountability by gathering official information, analyzing it, and disseminating it through reports, press releases, and media, including social media platforms, all to educate the public and to keep government officials accountable for their duty to faithfully execute, protect, and defend the Constitution and laws of the United States.

To that end, we file Freedom of Information Act (FOIA) requests on issues of pressing public concern, then disseminate the information we obtain, making documents broadly available to the public, scholars, and the media. Using our editorial skills to turn raw materials into distinct work, we distribute information to a national audience through traditional and social media platforms. For example, AFL’s employees regularly appear on radio and on cable and broadcast news programs; our email list contains over 34,000 unique addresses; our Facebook page has over 43,000 followers; our Twitter page has over 18,000 followers and the Twitter page of our Founder and President has over 199,000 followers; and we have another 30,800 followers on GETTR.

611 Pennsylvania Ave SE #231
Washington, DC 20003

I. Requested Records

- A. All communications, including emails and text messages, with Hunter Biden, including, but not limited to, any email sent to, or received from, <hbiden@rosemontseneca.com> or <hbiden@senecaga.com>.
- B. All emails sent to or received from any person with an email address containing “@rosemontseneca.com”, “@senecaga.com”
- C. All communications, including emails and text messages, with James “Jim” Biden, including, but not limited to, any email sent to, or received from, <jbiden@lionhallgp.com>.
- D. All emails sent to or received from any person with an email address containing “@lionhallgp.com”

II. Processing

The National Archives and Records Administration (“NARA”) must comply with the processing guidance in the Attorney General’s Memorandum on Freedom of Information Act Guidelines.¹ If you have any questions or believe further discussions regarding search and processing will facilitate a more efficient production of records of interest to AFL, please do not hesitate to contact me at FOIA@aflegal.org.

Also, AFL requests expedited processing of this request. In support thereof, AFL certifies its compelling need for expedited processing under 5 U.S.C. § 552(a)(6)(E) and 36 C.F.R. § 1250.28(a), which provides in relevant part:

(a) NARA processes requests and appeals on an expedited basis whenever we determine that one or more of the following criteria exist: ... (3) An urgent need to inform the public about an actual or alleged Federal Government activity (this criterion applies only to those requests made by a person primarily engaged in disseminating information to the public); or (4) A matter of widespread and exceptional media interest in which there exist possible questions that affect public confidence in the Government’s integrity.

As many federal agencies have acknowledged in granting AFL expedited processing, AFL is primarily engaged in disseminating information so the American people are informed about the activities in which their government is engaging. Herein, there is an urgent need to inform the public regarding actions on the part of a sitting President who was Vice President for eight years and a United States senator for more than 30 years to determine whether he used his public office for private gain or

¹ U.S. Dep’t of Just. (Mar. 15, 2022), <https://tinyurl.com/4duy4r5k>.

for the private gain of his relatives, including his son Hunter Biden and his brother James Biden. This is a matter of pressing national importance.

Our request also meets NARA's regulatory test for expedited processing based on a matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity that affect public confidence. As already discussed, both requirements are met here, because there has been extensive public interest in Hunter Biden and James Biden's financial dealings,² and because then Vice President Biden's involvement in these dealings clearly impacts the confidence of the public in the government's integrity and in the sitting President of the United States.³ This request seeks to expose that involvement to public inspection, before irreparable harm is done to the nation's interest, in violation of the law.

Accordingly, AFL as an organization engaged in, among other actions, gathering, analyzing, and disseminating information, asserts there is great urgency to inform the public concerning events of intense public interest. That the allegations at hand go directly to public confidence in the integrity of the government further compels that our expedited processing request should be granted.

III. Production

To accelerate release of responsive records, AFL welcomes production on an agreed rolling basis. If possible, please provide responsive records in an electronic format by email. Alternatively, please provide responsive records in native format or in PDF format on a USB drive to America First Legal Foundation, 611 Pennsylvania Ave SE #231, Washington, DC 20003.

Thank you in advance for your cooperation.

Sincerely,

/s/ Michael Ding

Michael Ding

America First Legal Foundation

² Matt Viser et al., *Inside Hunter Biden's Multimillion-Dollar Deals With a Chinese Energy Company*, WASH. POST (Mar. 30, 2022), <https://wapo.st/3A8rjjW>.

³ Emily Crane and Miranda Devine, *Biden Wrote College Recommendation Letters for Kids of Chinese Exec Tied to Hunter*, N.Y. POST (Apr. 6, 2022), <https://bit.ly/3vFlaJy>.