



**VIA EMAIL**

December 28, 2023

Michael Ding  
America First Legal Foundation  
foia@aflegal.org

Dear Michael Ding:

This letter is in further response to your Freedom of Information Act (FOIA) request dated August 9, 2022 for access to Biden Vice Presidential records related to the foreign business dealings of Hunter and James Biden. FOIA requests for Biden Vice Presidential records are processed and reviewed for access under provisions of the 1978 Presidential Records Act, as amended (PRA) (44 U.S.C. §§ 2201-2209), which incorporates the Freedom of Information Act (5 U.S.C. § 552) in substantial part.

We have completed processing approximately 154 Biden Vice Presidential email messages related to this request. Of this total, 66 email messages in whole and 58 email messages in part have been exempted from release in compliance with the restrictions of the PRA and applicable FOIA exemptions, which specify what material may be released to the public. All necessary steps were taken to segregate and release non-exempt information. The 66 email messages in whole and 58 email messages in part restricted from access are listed along with the exemption categories below. Some email messages may be restricted under more than one category.

P3/(b)(3) - 24 email messages (exempt under 10 USC 130b)  
P5 - 40 email messages  
P6/(b)(6) - 106 email messages  
(b)(7)(C) - 18 email messages  
(b)(7)(E) - 18 email messages  
(b)(7)(F) - 22 email messages  
PRM - 5 email messages

A list of the PRA restrictions and FOIA exemptions, as well as a copy of the finding aid that describes the processed material are attached.

The remaining 30 email messages in whole and 58 email messages in part are available. The released records are available for download at <https://www.archives.gov/research/vice-presidential-records/biden-records>. Click on "Download Zip Files" for 2022-0121-F, your FOIA case number which will take you to a new page with links to the finding aids and records for all released

segments of your request. You can then click on the zip file under “Download Zip file” for 2022-0121-F [11].

If you need any further assistance, please contact our staff at 202-357-5200 or [presidential.materials@nara.gov](mailto:presidential.materials@nara.gov). Your FOIA case number is 2022-0121-F. Please have this number accessible for reference during any future contact concerning this case.

You may also contact United States Department of Justice Attorney Laurel Lum, [Laurel.H.Lum@usdoj.gov](mailto:Laurel.H.Lum@usdoj.gov), with any questions about this interim response.

Sincerely,

A handwritten signature in blue ink that reads "Beth Fidler". The signature is written in a cursive, slightly stylized font.

BETH FIDLER  
Acting Director  
Archival Operations Division

## **PRA Restrictions and FOIA Exemptions**

### **Presidential Records Act – [44 U.S.C. §2204(a)]**

- P1 National security classified information [(a)(1) of the PRA]
  - P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
  - P3 Release would violate a Federal statute [(a)(3) of the PRA]
  - P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
  - P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
  - P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]
- PRM Personal record misfile defined in accordance with 44 U.S.C. 2201(3)

### **Freedom of Information Act – [5 U.S.C. §552(b)]**

- (b)(1) National security classified information [(b)(1) of the FOIA]
- (b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- (b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- (b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- (b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- (b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
  - (b)(7)(A) Release would disclose information concerning pending or prospective law enforcement proceedings [(b)(7)(A) of the FOIA]
  - (b)(7)(B) Release of information would deprive a person of a right to a fair trial or an impartial adjudication [(b)(7)(B) of the FOIA]
  - (b)(7)(C) Release of information could reasonably be expected to constitute an unwarranted invasion of personal privacy [(b)(7)(C) of the FOIA]
  - (b)(7)(D) Release of information could reasonably be expected to disclose the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, information furnished by a confidential source [(b)(7)(D) of the FOIA]
  - (b)(7)(E) Release of information would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law [(b)(7)(E) of the FOIA]
  - (b)(7)(F) Release of information could reasonably be expected to endanger the life or physical safety of an individual [(b)(7)(F) of the FOIA]
- (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- (b)(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]



## NATIONAL ARCHIVES

### **Archival Operations Division**

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### **Inventory for FOIA 2022-0121-F [11]**

#### **Records on Hunter Biden, James Biden, and Their Foreign Business Dealings**

##### **Extent**

154 email messages

##### **Access**

Collection is open to all researchers. Access to Biden Vice Presidential records is governed by the Presidential Records Act, as amended (PRA) (44 USC 22) and the Freedom of Information Act (FOIA) (5 USC 552, as amended) and therefore may be restricted in whole or in part in accordance with legal restrictions and exemptions.

##### **Copyright**

Records in this collection that were prepared by officials of the United States Government as part of their official duties are in the public domain. Researchers are advised to consult the copyright law of the United States (Title 17, USC) which governs the making of photocopies or other reproductions of copyrighted material.

##### **Provenance**

Official records of the Joseph Biden vice presidency are in the custody of the Archival Operations Division in Washington, DC and are administered by the National Archives and Records Administration (NARA) under the provisions of the Presidential Records Act, as amended (PRA).

##### **Processed By**

Staff Archivists, September 2023. Previously restricted materials are added as they are released.

### **Scope and Content**

The materials in this series are a selective, not necessarily all inclusive, body of records responsive to the topic of FOIA case 2022-0121-F.

This series consists of email messages from October 2014 to April 2015 that include the company name "Rosemont Seneca." Many of the email messages include communications related to the India State Luncheon held on September 30, 2014, and the Japan State Luncheon held on April 28, 2015, which Hunter Biden attended. These records include White House guest lists, RSVP lists, table seating information, and menus. There are also email messages related to external scheduling requests for Vice President Biden including an invitation to speak at the Truman National Security Project annual conference on June 26, 2015, and a request for Vice President Biden to receive an award.

### **System of Arrangement**

Records responsive to this FOIA request were found in the Biden Vice Presidential Electronic Records collection which includes email messages and electronic files. These records are maintained in the Executive Office of the President instance of the Electronic Records Archive (EOP ERA) which contains electronic records created or received by the administration of President Barack Obama. These electronic records are born-digital files and are primarily .eml, .pdf, .wpd, and .doc files.

The responsive electronic records retrieved from EOP ERA are saved in search results lists (SRLs) and are arranged chronologically by creation date.

The following is a list of the SRLs saved and processed in response to FOIA 2022-0121-F [11]:

#### **Biden Vice Presidential Records: Electronic Records**

##### **Exchange Email - Rosemont Seneca (2014-10-01 to 2015-04-30)**

This SRL contains 154 responsive email messages.

**Last modified:** 12/22/2023