



**VIA EMAIL**

December 12, 2024

Michael Ding  
America First Legal Foundation  
foia@aflegal.org

Dear Michael Ding:

This letter is in response to your Freedom of Information Act (FOIA) request dated August 9, 2022 for access to Biden Vice Presidential records pertaining to Vice President Biden's records regarding official travel and White House visits by Hunter Biden and James Biden. Your request was received by the Archival Operations Division on August 9, 2022. 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 313 photographs and 19 Biden Vice Presidential email messages related to this request. Of this total, 182 photographs and 3 email messages in whole and 6 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 182 photographs and 3 email messages in whole and 6 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.

P6/(b)(6) - 12 photographs and 6 email messages  
(b)(7)(C) - 12 photographs  
(b)(7)(E) - 12 photographs  
(b)(7)(F) - 12 photographs  
PRM - 170 photographs and 3 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 131 photographs and 10 email messages in whole and 6 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 File" for 2022-0120-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 files under "Download Zip file" for 2022-0120-F [1].

If you are unsatisfied with this response, you have the right to file an administrative appeal of the withholding decisions under the exemption categories listed at 44 U.S.C. § 2204(a). The appeal must be submitted in writing to the Director, Archival Operations Division, National Archives and Records Administration, 700 Pennsylvania Avenue, NW, Room G-7, Washington, DC 20408-0001. You should also include a copy of your original request and our denial. Both your appeal letter and the envelope should be clearly marked "PRA/FOIA Appeal." To be considered timely, your appeal must be postmarked or electronically submitted within 90 calendar days from the date of this letter.

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 2022-0120-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 Jacob S. Siler, [jacob.s.siler@usdoj.gov](mailto:jacob.s.siler@usdoj.gov) with any questions about this interim response.

Sincerely,

A handwritten signature in blue ink that reads "KATE DILLON MCCLURE". The signature is written in a cursive style.

KATE DILLON MCCLURE  
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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[presidential.materials@nara.gov](mailto:presidential.materials@nara.gov)

### **Inventory for 2022-120-F[1]**

#### **Records on Official Travel and White House Visits by Hunter and James Biden**

##### **Extent**

313 photographs; 19 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 2201-2209) 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, June-July 2024. Previously restricted materials are added as they are released.

**Related Collections**

2022-0119-F, Records on Vice President Biden's Communications with Hunter and James Biden, Archival Operations Division

2022-0121-F, Records on Hunter Biden, James Biden, and Their Foreign Business Dealings, Archival Operations Division

**Scope and Content**

The materials in this series are selective, not necessarily all-inclusive, body of records responsive to the topic of FOIA case 2022-0120-F. The researcher submitted a Freedom of Information Act (FOIA) request for records for Biden Vice Presidential records concerning White House visits and official travel with his son Hunter Biden and brother James (Jim) Biden and narrowed their request to specific terms.

This series includes photographs taken by White House photographer David Lienemann depicting Hunter Biden at various events from 2012 to 2017. The photographs of Hunter Biden from 2012 relate to a personal event which occurred on April 27, 2012. These photographs are not open for public access. The photographs of Hunter Biden from 2013 depict his attendance at Vice President Biden's swearing-in ceremony on January 20, 2013, at a breakfast hosted by Senator John McCain on April 27, 2013 and at various events with Vice President Biden in Beijing, China from December 4th to December 5th, 2013. The photographs of Hunter Biden from 2014 depict him with Vice President Biden and former United States Ambassador to Romania Mark Gitenstein in Washington, D.C. on December 10, 2014. Photographs from 2016 include Vice President Biden, Second Lady Dr. Jill Biden, and Hunter Biden prior to a State Dinner on the South Lawn of the White House on October 18, 2016. The photographs depict the Bidens mingling with celebrities and dignitaries at the event.

This series also includes email messages involving Vice Presidential staff members from March 6, 2009 to September 14, 2011 sent and received by Jim Biden at his various email addresses. Email communications with Jim Biden involve Vice Presidential staff members Nancy Orloff, Michele Smith, Anthony Bernal, and physician Kevin C. O'Connor. Topics include attending events such as the STS-125 space shuttle launch in Orlando in May 2009; the dedication of the Flight 93 Memorial in Shanksville, Pennsylvania in September 2011; a September 2011 invitation to attend a December 2011 gala celebrating the 20th anniversary of Ukraine's independence; and generic vaccination recommendations for a planned trip to Tanzania in June 2010. Other emails received from Michele Smith entail coordination of Jim Biden accompanying Vice President Joe Biden on official travel to Orlando and Boston in October 2010 and Scranton in September 2011.

## **System of Arrangement**

Records responsive to this FOIA request were found in the Vice Presidential images collection from the White House Photo Office. 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.

The White House Photo Office assigned each image a unique number based on its roll and frame numbers. Identifying numbers for the Vice Presidential photographs begin with "V" to distinguish them from the Presidential photographs taken by White House photographers.

Images are reviewed and released at the item level in contrast with textual records which are reviewed at the folder level.

The responsive images retrieved from EOP ERA are saved in search results lists (SRLs) within the system. The following is a list of the SRLs saved and processed in response to FOIA 2022-120-F:

### **Biden Vice Presidential Records: White House Photo Office Vice Presidential Photographs Search A - WHPO 2012 Hunter Biden**

This SRL contains 169 photographs including Hunter Biden.

### **Biden Vice Presidential Records: White House Photo Office Vice Presidential Photographs Search A - WHPO 2013-2014 Hunter Biden**

This SRL contains 139 photographs including Hunter Biden.

### **Biden Vice Presidential Records: White House Photo Office Vice Presidential Photographs Search A - WHPO 2015-2017 Hunter Biden**

This SRL contains 5 photographs including Hunter Biden.

### **Biden Vice Presidential Records: Exchange Email - James Biden (Travel), 2009-2011**

This SRL contains 19 responsive email messages.

**Last modified:** July 23, 2024