



April 27, 2023

Via eFOIA Portal

U.S. General Services Administration
FOIA Requester Service Center (LG)
1800 F Street, NW, 7308
Washington, DC 20405-0001
Fax: 202-501-2727

Freedom of Information Act Request: The Hunter Biden Emails

Dear FOIA Officer:

America First Legal Foundation is a national, nonprofit organization working to promote the rule of law in the United States, prevent executive overreach, and ensure due process and equal protection for all Americans, all to promote public knowledge and understanding of the law and individual rights guaranteed under 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 that work to a national audience through traditional and social media platforms. AFL's email list contains over 67,800 unique addresses, our Twitter page has 79,600 followers, the Twitter page of our Founder and President has over 436,000 followers, our Facebook page has 126,000 followers, and we have another approximately 31,800 followers on GETTR.

I. Background

50 U.S.C. § 3093(f) expressly prohibits the U.S. intelligence community from engaging in covert action "intended to influence United States political processes, public opinion, policies, or media."

On October 19, 2020, Politico released a letter from 51 former intelligence officials, including political partisans John Brennan, Jim Clapper, and Michael Hayden, alleging that "the arrival on the US political scene of emails purportedly belonging to Vice President Biden's son Hunter, much of it related to his time serving on the Board of the Ukrainian gas company Burisma, has all the classic earmarks of a Russian information operation." The 51 former intelligence officials further alleged that "For the Russians at this point, with Trump down in the polls, there is incentive for

611 Pennsylvania Ave SE #231
Washington, DC 20003

320 South Madison Avenue
Monroe, Georgia 30655

Moscow to pull out the stops to do anything possible to help Trump win and/or to weaken Biden should he win. A ‘laptop op’ fits the bill, as the publication of the emails are clearly designed to discredit Biden.” The officials concluded that “Our view that the Russians are involved in the Hunter Biden email issue” was shared by “*Executive Branch departments and agencies [and] It is high time that Russia stops interfering in our democracy.*”¹

This letter had a significant impact on the 2020 election. It was repeatedly cited by Democrat operatives to discredit the evidence of Biden’s political corruption. Also, it was used by Democrat-aligned media organs to suppress the evidence from Hunter Biden’s laptop on the grounds that it was hacked or faked Russian disinformation.

On March 16, 2022, the New York Times quietly admitted that the Hunter Biden laptop was genuine and that its contents were authentic.²

On April 20, 2023, the House Judiciary Committee revealed that the letter was the product of the Biden campaign.³

I. Custodians

- A. 2020 Biden Campaign: BIDEN FOR PRESIDENT
- B. Biden Victory
- C. Antony Blinken
- D. Suzanne “Suzy” A. George
- E. Alan E. Kohler
- F. Edward “Ned” Price
- G. Steve Ricchetti
- H. Shannon E. Ricchetti
- I. Jennifer Psaki
- J. Cedric Richmond
- K. Eric Garcetti
- L. Lisa Blunt Rochester
- M. Gretchen Whitmer
- N. Mike Donilon
- O. Valerie Biden Owens
- P. Neil Harvey MacBride
- Q. Katie Petrelius
- R. William X. Doerr

¹ Clapper, Brennan, et al, *Public Statement on the Hunter Biden Emails* (Oct. 19, 2020), <https://bit.ly/3FPVfnV>. (Emphasis in original).

² Katie Benner, Kenneth P. Vogel and Michael S. Schmidt, *Hunter Biden Paid Tax Bill, but Broad Federal Investigation Continues*, N. Y. TIMES (Mar. 16, 2022), <https://bit.ly/3PuwUHf>.

³ Press Release, *New Testimony Reveals Secretary Blinken and Biden Campaign Behind the Infamous Public Statement on the Hunter Biden Laptop*, H. COMM. ON THE JUDICIARY (Apr. 20, 2023), <https://bit.ly/41VyVks>.

S. Robert Golden
T. Erica Knievel Songer
U. Reema B. Shah
V. Ian Charles Sams
W. Adam J. Riff
X. Janice M. Nsor
Y. Jamie K. McFarlin
Z. Christopher John Le Mon
AA. Maria Paula Garcia Tufro
BB. Melissa Turley Toufanian
CC. Nazih El-Khatib
DD. Olivia Alair Dalton
EE. Salman S. Ahmed

II. Requested Records

AFL requests disclosure of the following records. The relevant time frame for items A-C is August 1, 2020, through March 21, 2021.

- A. All records of, mentioning, or regarding the “Public Statement on the Hunter Biden Emails” dated October 19, 2020, <https://politi.co/3LhhJzs>, and attached as Exhibit A.
- B. All emails, SMS text, Signal, WhatsApp, or other written or recorded communications, including recordings from Microsoft Teams Meetings or on encrypted messaging networks, to include external communications, or similar messaging platforms with the following terms:
 - “Hunter J. Biden” and “laptop”
 - “disinformation”
 - “Russian hacking organization”
 - “APT28”
 - “Aspen Digital Hack-and-Dump Working Group”
 - “The Burisma Leak”
 - “Russian propaganda dump”
- C. All emails mentioning “Hunter J. Biden” and “laptop” in addition to the custodians listed above, with any of the following accounts:
 - @rosemontseneca.com
 - @joebiden.com
 - @westexec.com
 - @pbc.upenn.edu
 - @nationalsecurityaction.org
 - robinware456@gmail.com
- D. All records regarding the processing of these items.

III. Processing and Production

AFL, as a news media requestor, seeks a waiver of all search and duplication fees. The requested documents will be posted in their entirety on our website and made freely available to the public, and this request is not being made for commercial purposes.

Processing should occur in strict compliance with applicable state laws and regulations. Among other things, you must search the custodians' personal emails and devices. Encrypted messaging does not shield disclosable records from public view.

If you have any questions about our request or believe further discussions regarding search and processing would facilitate more efficient production, then please contact me at FOIA@aflegal.org. Also, if AFL's fee waiver request is not granted in full, please contact us immediately upon making that determination.

To accelerate your release of responsive records, AFL welcomes production on an agreed rolling basis. 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/ Julia Haller

America First Legal Foundation

Public Statement on the Hunter Biden Emails

October 19, 2020

We are all individuals who devoted significant portions of our lives to national security. Some of us served in senior positions in policy departments and agencies, and some of us served in senior positions in the Intelligence Community. Some of us were political appointees, and some were career officials. Many of us worked for presidents of both political parties.

We are all also individuals who see Russia as one of our nation's primary adversaries. All of us have an understanding of the wide range of Russian overt and covert activities that undermine US national security, with some of us knowing Russian behavior intimately, as we worked to defend our nation against it for a career. A few of us worked against Russian information operations in the United States in the last several years.

Perhaps most important, each of us believes deeply that American citizens should determine the outcome of elections, not foreign governments. All of us agree with the founding fathers' concern about the damage that foreign interference in our politics can do to our democracy.

It is for all these reasons that we write to say that the arrival on the US political scene of emails purportedly belonging to Vice President Biden's son Hunter, much of it related to his time serving on the Board of the Ukrainian gas company Burisma, has all the classic earmarks of a Russian information operation.

We want to emphasize that we do not know if the emails, provided to the New York Post by President Trump's personal attorney Rudy Giuliani, are genuine or not and that we do not have evidence of Russian involvement -- just that our experience makes us deeply suspicious that the Russian government played a significant role in this case.

If we are right, this is Russia trying to influence how Americans vote in this election, and we believe strongly that Americans need to be aware of this.

There are a number of factors that make us suspicious of Russian involvement.

Such an operation would be consistent with Russian objectives, as outlined publicly and recently by the Intelligence Community, to create political chaos in the United States and to deepen political divisions here but also to undermine the candidacy of former Vice President Biden and thereby help the candidacy of President Trump. For the Russians at this point, with Trump down in the polls, there is incentive for Moscow to pull out the stops to do anything possible to help Trump win and/or to weaken Biden should he win. A "laptop op" fits the bill, as the publication of the emails are clearly designed to discredit Biden.

Such an operation would be consistent with some of the key methods Russia has used in its now multi-year operation to interfere in our democracy – the hacking (via cyber operations) and the dumping of accurate information or the distribution of inaccurate or misinformation. Russia did both of these during the 2016 presidential election – judgments shared by the US Intelligence Community, the investigation into Russian activities by Special Counsel Robert Mueller, and the entirety (all Republicans and Democrats) on the current Senate Intelligence Committee.

Such an operation is also consistent with several data points. The Russians, according to media reports and cybersecurity experts, targeted Burisma late last year for cyber collection and gained access to its emails. And Ukrainian politician and businessman Adriy Derkach, identified and sanctioned by the US Treasury Department for being a 10-year Russian agent interfering in the 2020 election, passed purported materials on Burisma and Hunter Biden to Giuliani.

Our view that the Russians are involved in the Hunter Biden email issue is consistent with two other significant data points as well. According to the Washington Post, citing four sources, “U.S. intelligence agencies warned the White House last year that Giuliani was the target of an influence operation by Russian intelligence.”

In addition, media reports say that the FBI has now opened an investigation into Russian involvement in this case. According to USA Today, “...federal authorities are investigating whether the material supplied to the New York Post by Rudy Giuliani...is part of a smoke bomb of disinformation pushed by Russia.”

We do not know whether these press reports are accurate, but they do suggest concern within Executive Branch departments and agencies that mirrors ours. It is high time that Russia stops interfering in our democracy.

Signed by,

Jim Clapper
Former Director of National Intelligence
Former Under Secretary of Defense for Intelligence
Former Director of the National Geospatial Intelligence Agency
Former Director of the Defense Intelligence Agency

Mike Hayden
Former Director, Central Intelligence Agency
Former Director, National Security Agency
Former Principal Deputy Director of National Intelligence

Leon Panetta

Former Director, Central Intelligence Agency
Former Secretary of Defense

John Brennan
Former Director, Central Intelligence Agency
Former White House Homeland Security and Counterterrorism Advisor
Former Director, Terrorism Threat Integration Center
Former Analyst and Operations Officer, Central Intelligence Agency

Thomas Finger
Former Deputy Director of National Intelligence for Analysis
Former Assistant Secretary for Intelligence and Research, Department of State
Former Chair, National Intelligence Council

Rick Ledgett
Former Deputy Director, National Security Agency

John McLaughlin
Former Acting Director, Central Intelligence Agency
Former Deputy Director, Central Intelligence Agency
Former Director of Analysis, Central Intelligence Agency
Former Director, Slavic and Eurasian Analysis, Central Intelligence Agency

Michael Morell
Former Acting Director, Central Intelligence Agency
Former Deputy Director, Central Intelligence Agency
Former Director of Analysis, Central Intelligence Agency

Mike Vickers
Former Under Secretary of Defense for Intelligence
Former Operations Officer, Central Intelligence Agency

Doug Wise
Former Deputy Director, Defense Intelligence Agency
Former Senior CIA Operations Officer

Nick Rasmussen
Former Director, National Counterterrorism Center

Russ Travers
Former Acting Director, National Counterterrorism Center
Former Deputy Director, National Counterterrorism Center
Former Analyst of the Soviet Union and Russia, Defense Intelligence Agency

Andy Liepman

Former Deputy Director, National Counterterrorism Center
Former Senior Intelligence Officer, Central Intelligence Agency

John Moseman

Former Chief of Staff, Central Intelligence Agency
Former Director of Congressional Affairs, Central Intelligence Agency
Former Minority Staff Director, Senate Select Committee on Intelligence

Larry Pfeiffer

Former Chief of Staff, Central Intelligence Agency
Former Director, White House Situation Room

Jeremy Bash

Former Chief of Staff, Central Intelligence Agency
Former Chief of Staff, Department of Defense
Former Chief Counsel, House Permanent Select Committee on Intelligence

Rodney Snyder

Former Chief of Staff, Central Intelligence Agency
Former Director of Intelligence Programs, National Security Council
Chief of Station, Central Intelligence Agency

Glenn Gerstell

Former General Counsel, National Security Agency

David B. Buckley

Former Inspector General, Central Intelligence Agency
Former Democratic Staff Director, House Permanent Select Committee on Intelligence
Former Counterespionage Case Officer, United States Air Force

Nada Bakos

Former Analyst and Targeting Officer, Central Intelligence Agency

Patty Brandmaier

Former Senior Intelligence Officer, Central Intelligence Agency
Former Deputy Associate Director for Military Affairs, Central Intelligence Agency
Former Deputy Director of Congressional Affairs, Central Intelligence Agency

James B. Bruce

Former Senior Intelligence Officer, Central Intelligence Agency
Former Senior Intelligence Officer, National Intelligence Council

Considerable work related to Russia

David Cariens

Former Intelligence Analyst, Central Intelligence Agency
50+ Years Working in the Intelligence Community

Janice Cariens

Former Operational Support Officer, Central Intelligence Agency

Paul Kolbe

Former Senior Operations Officer, Central Intelligence Agency
Former Chief, Central Eurasia Division, Central Intelligence Agency

Peter Corsell

Former Analyst, Central Intelligence Agency

Brett Davis

Former Senior Intelligence Officer, Central Intelligence Agency
Former Deputy Director of the Special Activities Center for Expeditionary Operations, CIA

Roger Zane George

Former National Intelligence Officer

Steven L. Hall

Former Senior Intelligence Officer, Central Intelligence Agency
Former Chief of Russian Operations, Central Intelligence Agency

Kent Harrington

Former National Intelligence Officer for East Asia, Central Intelligence Agency
Former Director of Public Affairs, Central Intelligence Agency
Former Chief of Station, Central Intelligence Agency
Former Analyst, Central Intelligence Agency

Don Hepburn

Former Senior National Security Executive

Timothy D. Kilbourn

Former Dean, Sherman Kent School of Intelligence Analysis, Central Intelligence Agency
Former PDB Briefer to President George W. Bush, Central Intelligence Agency

Ron Marks

Former Officer, Central Intelligence Agency
Twice former staff of the Republican Majority Leader

Jonna Hiestand Mendez
Technical Operations Officer, Central Intelligence Agency

Emile Nakhleh
Former Director of the Political Islam Strategic Analysis Program, Central Intelligence Agency
Former Senior Intelligence Analyst, Central Intelligence Agency

Gerald A. O'Shea
Senior Operations Officer, Central Intelligence Agency
Served four tours as Chief of Station, Central Intelligence Agency

David Priess
Former Analyst and Manager, Central Intelligence Agency
Former PDB Briefer, Central Intelligence Agency

Pam Purcilly
Former Deputy Director of Analysis, Central Intelligence Agency
Former Director of the Office of Russian and European Analysis, Central Intelligence Agency
Former PDB Briefer to President George W. Bush, Central Intelligence Agency

Marc Polymeropoulos
Former Senior Operations Officer, Central Intelligence Agency
Former Acting Chief of Operations for Europe and Eurasia, Central Intelligence Agency

Chris Savos
Former Senior Intelligence Officer, Central Intelligence Officer

Nick Shapiro
Former Deputy Chief of Staff and Senior Advisor to the Director, Central Intelligence Agency

John Sipher
Former Senior Operations Officer, Central Intelligence Agency
Former Deputy Chief of Russian Operations, Central Intelligence Agency

Stephen Slick
Former Senior Director for Intelligence Programs, National Security Council
Former Senior Operations Office, Central Intelligence Agency

Cynthia Strand
Former Deputy Assistant Director for Global Issues, Central Intelligence Agency

Greg Tarbell

Former Deputy Executive Director, Central Intelligence Agency

Former Analyst of the Soviet Union and Russia, Central Intelligence Agency

David Terry

Former Chairman of the National Intelligence Collection Board

Former Chief of the PDB, Central Intelligence Agency

Former PDB Briefer to Vice President Dick Cheney, Central Intelligence Agency

Greg Treverton

Former Chair, National Intelligence Council

John Tullius

Former Senior Intelligence Officer, Central Intelligence Agency

David A. Vanell

Former Senior Operations Officer, Central Intelligence Agency

Winston Wiley

Former Director of Analysis, Central Intelligence Agency

Former Chief, Counterterrorism Center, Central Intelligence Agency

Kristin Wood

Former Senior Intelligence Officer, Central Intelligence Agency

Former PDB Briefer, Central Intelligence Agency

In addition, nine additional former IC officers who cannot be named publicly also support the arguments in this letter.