



April 27, 2023

Via eFOIPA Portal

Federal Bureau of Investigation
Attn: Initial Processing Operations Unit
Record/Information Dissemination Section
200 Constitution Drive
Winchester, VA 22602

Freedom of Information Act Request: Public Statement on the Hunter Biden Emails

Dear FOIPA 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 79,500 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, including the FBI, 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 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. Christopher Wray
- B. FBI Supervisory Special Agent Elvis M. Chan
- C. FBI’s Foreign Influence Task Force Laura Dehmlow
- D. FBI employee Nikki Floris
- E. FBI employee Bradley Benavides
- F. FBI Supervisory Intelligence Analyst Brian Auten
- G. General Counsel Baker
- H. Mathew Perry of FBI OGC
- I. FBI employee Paul Abbate
- J. FBI employee Brian C. Turner
- K. FBI employee Jonathan Lenzner
- L. FBI employee Ryan T. Young
- M. FBI employee Tonya Ugoretz
- N. FBI employee Larissa L. Knapp
- O. Alan E. Kohler

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>.

II. Requested Records

AFL requests disclosure of the following records:

A. 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”

AND one of the following terms:

- Clapper
- Hayden
- Panetta
- Brennan
- Finger
- Ledgett
- McLaughlin
- Morell
- Vickers
- Wise
- Rasmussen
- Travers
- Liepman
- Moseman
- Pfeiffer
- Bash
- Snyder
- Gerstell
- Buckley
- Bakos
- Brandmaier
- Bruce
- Cariens
- Kolbe
- Corsell

- Davis
- George
- Hall
- Harrington
- Hepburn
- Kilbourn
- Marks
- Mendez
- Nakhleh
- O'Shea
- Priess
- Purcilly
- Polymeropoulos
- Savos
- Shapiro
- Sipher
- Slick
- Strand
- Tarbell
- Terry
- Treverton
- Tullius
- Vanell
- Wiley
- Wood

B. All records regarding the processing of these items.

- The relevant time frame is August 1, 2020, through the date of production.

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