

Congress of the United States
Washington, DC 20515

April 15, 2024

The Honorable Avril Haines
Director of National Intelligence
Office of the Director of National Intelligence
1500 Tysons McLean Drive
McLean, VA 22102

Dear Director Haines:

The House Committee on Oversight and Accountability (Oversight Committee) and the House Committee on the Judiciary (Judiciary Committee, collectively, the Committees) are investigating whether sufficient grounds exist to draft articles of impeachment against President Biden for consideration by the full House.¹ Along with the House Committee on Ways and Means (Ways and Means Committee), the Committees set forth in a September 27, 2023, memorandum the evidence justifying the inquiry and scope of this impeachment investigation.² On December 13, 2023, the House of Representatives adopted a resolution directing the Committees to continue this investigation.³ As part of the impeachment inquiry, we seek to understand if, as Vice President or as a candidate for the presidency, Joe Biden received so-called “defensive” briefings regarding his son’s foreign business dealings. We therefore write to request relevant material from the Office of the Director of National Intelligence (ODNI).

The Committees have uncovered evidence showing that President Biden was aware of, and involved in, his family’s influence peddling scheme.⁴ Despite this, President Biden has publicly denied his knowledge of and involvement in that scheme. The Biden family, including Hunter Biden, received millions of dollars from foreign companies and nationals while Joe Biden was Vice President.⁵ For example, in 2014, a Kazakhstani oligarch, Kenes Rakishev sent one of Hunter Biden’s shell companies, Rosemont Seneca Bohai, \$142,300.⁶ Around this same time,

¹ See H. Res. 918, 118th Cong. (2023) [H. Res. 918]; Memorandum from Hon. James Comer, Chairman, H. Comm. on Oversight & Accountability, Hon. Jim Jordan, Chairman, H. Comm. on the Judiciary, & Hon. Jason Smith, Chairman, H. Comm. on Ways & Means, to H. Comm. on Oversight & Accountability, H. Comm. on the Judiciary, & H. Comm. on Ways & Means. Re: Impeachment Inquiry (Sept. 27, 2023) [hereinafter Impeachment Inquiry Memorandum].

² See Impeachment Inquiry Memorandum.

³ See H. Res. 918.

⁴ See generally Impeachment Inquiry Memorandum.

⁵ *Id.* at 28 (internal citations omitted).

⁶ Memorandum from Maj. Comm. staff, H. Comm. on Oversight & Accountability, Members of the H. Comm. on Oversight & Accountability, Re: Third Bank Records Memorandum from the Oversight Committee’s Investigation into the Biden Family’s Influence Peddling and Business Schemes (Aug. 9, 2023).

Russian oligarch Yelena Baturina transferred \$3.5 million to Rosemont Seneca Thornton, another one of Hunter Biden's shell companies.⁷ In 2014, Hunter Biden was named a member of the board of directors of Burisma, a Ukrainian energy company, and received a \$1 million salary despite having no relevant experience to serve on this board.⁸

Shortly after Vice President Joe Biden left office, an entity affiliated with CEFC China Energy (CEFC), a now-defunct Chinese conglomerate with close ties with the Chinese Communist Party, wired \$3 million to an account controlled/owned by one of Hunter Biden's business associates.⁹ Over a three-month period, the Biden family then received just over \$1 million of that amount.¹⁰ After another CEFC-entity wired \$1 million to Hunter Biden's entity, a bank investigator raised concerns that the "frequency of payments appear erratic" and "millions in fees are being paid but does not appear to have any services rendered by Owasco PC,"¹¹ which was Hunter Biden's entity. The bank investigator also cautioned that "[m]ore recent negative news indicate China [is] targeting children of politicians and purchase of political influence through 'sweetheart deals.'"¹²

On July 19, 2023, the Judiciary Committee conducted a transcribed interview of Nikki Floris, the Intelligence Analyst in Charge of the Federal Bureau of Investigation's (FBI) Washington Field Office's Intelligence Division.¹³ Floris explained that ODNI utilizes a "Notification Framework" to determine when a defensive briefing is purportedly warranted.¹⁴ After intelligence is received, any analyst can "nominate [the intelligence] to the Credibility Assessment Group," or the "CAG," which determines the credibility of that intelligence.¹⁵ If it "is indicative of potential foreign interference or influence in the election," the information then goes to the "experts group" to decide if a defensive briefing is necessary.¹⁶ If the briefing is necessary, the FBI, rather than ODNI, delivers the briefing, even if the underlying intelligence is "not FBI information."¹⁷ Floris's testimony made clear that "ODNI owns this whole process . . ."¹⁸

The Committees seek to understand if, because of Hunter Biden's foreign business dealings and his vulnerabilities, Joe Biden was given "defensive" briefings to discuss potential foreign interference either during his time as Vice President or while he was a presidential

⁷ *Id.*

⁸ *Id.*

⁹ Memorandum from Maj. Comm. staff, H. Comm. on Oversight & Accountability, Members of the H. Comm. on Oversight & Accountability, Re: Second Bank Records Memorandum from the Oversight Committee's Investigation into the Biden Family's Influence Peddling and Business Schemes (May 10, 2023).

¹⁰ *Id.*

¹¹ Email from Redacted Bank Investigator re: Hudson West III – Wire Transfer Order \$1MM to OWASCO LLC (Jun. 26, 2018).

¹² *Id.*

¹³ Transcribed Interview of Nikki Floris at 1 (July 19, 2023).

¹⁴ *Id.* at 24.

¹⁵ *Id.*

¹⁶ *Id.* at 24-25.

¹⁷ *Id.* at 25.

¹⁸ *Id.* at 27.

The Honorable Avril Haines

April 15, 2024

Page 3

candidate. Accordingly, to further the Committees' ongoing oversight and impeachment inquiry, please provide the following documents and information:

1. Any script(s), including all drafts, that ODNI prepared for the FBI to brief Vice President Joe Biden regarding Hunter Biden's foreign business dealings;
2. Any script(s), including all drafts, that ODNI prepared for the FBI to brief candidate Joe Biden after April 25, 2019;
3. A list of the Intelligence Community agency or agencies that nominated the intelligence that served as the basis for any defensive briefing of Vice President or candidate Joe Biden;
4. A list of the individuals on the ODNI's CAG and the Experts Group involved in the decision to provide the defensive briefings to Vice President or candidate Joe Biden; and
5. All documents and communications created by the CAG and the Experts Group in connection with the determination to provide a defensive briefing to Vice President or candidate Joe Biden.

Please provide this material as soon as possible but no later than April 29, 2024. If a full and complete response to this request requires the production of classified material, please provide all unclassified information directly to the Committees and any classified information under separate cover to the Committees. If you have any questions about this request, please contact Judiciary Committee staff at (202) 225-6906 or Oversight Committee staff at (202) 225-5074.

Thank you for your prompt attention to this matter.

Sincerely,



James Comer
Chairman
Committee on Oversight and Accountability



Jim Jordan
Chairman
Committee on the Judiciary

cc: The Honorable Jamie Raskin, Ranking Member
Committee on Oversight and Accountability

The Honorable Jerrold L. Nadler, Ranking Member
Committee on the Judiciary