

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-6906
judiciary.house.gov

February 6, 2023

The Honorable James R. Clapper
Belfer Center, Harvard Kennedy School
79 John F. Kennedy Street
Cambridge, MA 02138

Dear Mr. Clapper:

The Committee on the Judiciary and the Permanent Select Committee on Intelligence are conducting oversight of federal law-enforcement and intelligence matters within our respective jurisdictions. The Judiciary Committee made prior requests to you for documents and information about the public statement you signed in October 2020 that falsely implied the *New York Post's* reporting about Hunter Biden was the product of Russian disinformation. These requests, to include a request for a transcribed interview before the Committees, remain outstanding. These documents and your testimony are necessary to further our oversight. As we begin the 118th Congress, we write again to reiterate our outstanding requests and ask that you immediately comply in full.


You have been on notice about our oversight requests—and aware the requests are outstanding—for months. For your convenience, we have attached the letters from the Judiciary Committee dated April 6, 2022, and December 1, 2022.¹ To date, you have not complied with these requests. Accordingly, we reiterate our requests and ask that you comply promptly.

Please contact Judiciary Committee staff at (202) 225-6906 to schedule your interview and arrange for the production of the outstanding material. If you are represented by private counsel, please ask your attorney to respond promptly to the Committee on your behalf.

Thank you for your prompt attention to this matter.

Sincerely,


Jim Jordan
Chairman
Committee on the Judiciary


Michael R. Turner
Chairman
Permanent Select Committee on
Intelligence

¹ Letter from Reps. Jim Jordan, *et al.*, H. Comm. on the Judiciary, to James Clapper (Apr. 6, 2022); Letter from Reps. Jim Jordan, *et al.*, H. Comm. on the Judiciary, to James Clapper (Dec. 1, 2022).

The Honorable James R. Clapper

February 6, 2023

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cc: The Honorable Jerrold L. Nadler, Ranking Member, Committee on the Judiciary
The Honorable Jim Himes, Ranking Member, Permanent Select Committee on
Intelligence

Enclosures

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April 6, 2022

The Honorable James R. Clapper
Belfer Center, Harvard Kennedy School
79 John F. Kennedy Street
Cambridge, MA 02138

Dear Mr. Clapper:

On October 14, 2020, the *New York Post* published a report detailing how Hunter Biden used the position and influence of his father, now-President Joe Biden, for personal gain with the apparent awareness of President Biden.¹ This article raised doubts about President Biden's earlier denial of ever speaking to his son about his international business dealings.² The *Post* reported on an email in which a Ukrainian businessman urged Hunter Biden to "use [his] influence to convey a message / signal, etc. to stop what we consider to be politically motivated actions."³ In another email, the same businessman thanked Hunter Biden for arranging a meeting with his father, calling it "an honor and pleasure."⁴ The *Post* reported that these emails came from a laptop belonging to Hunter Biden that he had abandoned in a Delaware computer shop.⁵

On October 19, 2020, you signed a public statement attempting to discredit the contents of the *New York Post's* reporting about Hunter Biden.⁶ This statement emphasized the national security credentials of you and the other signatories, implying that the assertions and conclusions in the statement were grounded in information unavailable to other Americans. Referencing this unique experience, you wrote:

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.⁷

¹ Emma-Jo Morris & Gabrielle Fonrouge, *Smoking-gun email reveals how Hunter Biden introduced Ukrainian businessman to VP dad*, N.Y. Post, Oct. 14, 2020.

² E.g. Nick Givas, *Joe Biden again denies speaking to son about Ukrainian business dealings*, Fox News, Oct. 10, 2019.

³ Morris & Fonrouge, *supra* note 1.

⁴ *Id.*

⁵ *Id.*

⁶ Jim Clapper et al., Public Statement on the Hunter Biden Emails (Oct. 19, 2020).

⁷ *Id.*

Although this statement acknowledged that you had seen no actual “evidence” of Russian involvement with respect to the publication of Hunter Biden’s emails, you nonetheless conveyed a “deep[] suspicio[n] that the Russian government played a significant role in the case.”⁸ Later in the statement, you went further to state a “view”—not merely a suspicion anymore—“that the Russians are involved in the Hunter Biden email issue”⁹

Your public statement served as a basis for Democrat operatives to try to delegitimize the scandalous allegations about Hunter Biden and the Biden family. On the same day as your statement, *Politico* published a story about the statement, with the conclusive headline, “Hunter Biden story is Russian disinfo, dozens of former intel officials say.”¹⁰ Departing from the statement’s careful wording, the *Politico* story quoted one signatory to the letter as being confident that “once again the Russians are interfering” in our elections.¹¹ Fifteen minutes after *Politico* published its story, Jen Psaki, who now serves as Press Secretary to the President, tweeted a link to the *Politico* story.¹² The Biden campaign repeatedly cited your statement to dismiss the allegations against Hunter Biden.¹³ During the final presidential debate, Vice President Biden also dismissed concerns about Hunter Biden’s international business dealings as part of a “Russian plan.”¹⁴

Your public statement was consistent with a broader effort to minimize and censor the *New York Post*’s reporting about Hunter Biden and the Biden family. National news organizations called the allegations about Hunter Biden “dubious” and a “non-scandal”; CBS News reporter Leslie Stahl said the allegations “can’t be verified”; and NPR called it a “waste . . . of time” and a “pure distraction.”¹⁵ Separately, Twitter and Facebook restricted access to the *New York Post*’s reporting about Hunter Biden, with Twitter locking the *Post*’s account and Facebook deferring to a so-called independent fact-check that never occurred.¹⁶ These efforts likely affected public awareness of the serious allegations surrounding the Biden family in the crucial weeks before the 2020 election.

We now know from subsequent reporting that the *New York Post*’s article about Hunter Biden was not, as you and your co-signatories alleged, part of a “Russian information

⁸ *Id.*

⁹ *Id.*

¹⁰ Natasha Bertrand, *Hunter Biden story is Russian disinfo, dozens of former intel officials say*, *Politico*, Oct. 19, 2020.

¹¹ *Id.*

¹² Tweet by Jen Psaki, Twitter.com (Oct. 19, 2020, 10:45 p.m.), <https://twitter.com/jrpsaki/status/1318382779659411458>.

¹³ E.g. Houston Keene, *Flashback: Biden officials pushed angle that Hunter laptop was ‘Russian disinfo,’* Fox News, Mar. 17, 2022.

¹⁴ Deirdre Shesgreen, “Nothing was unethical”: Joe Biden defends Hunter Biden under pressure from Trump in debate, *USA Today*, Oct. 22, 2020.

¹⁵ Joe Concha, *Media’s pre-election burial of Hunter Biden story proves dereliction of duty*, *The Hill*, Dec. 11, 2020.

¹⁶ E.g. Elizabeth Dwoskin, *Facebook and Twitter take unusual steps to limit spread of New York Post story*, *Wash. Post*, Oct. 15, 2020.

operation.”¹⁷ This belated verification of the *Post*’s reporting raises fresh questions about the public statement you signed in October 2020. At best, the public statement was a reckless attempt by you and your co-signatories to erroneously opine about purported election interference. At worse—and more likely—the public statement was a deliberate and coordinated effort to mislead the American people about information relevant to the 2020 presidential election by invoking your national security experience to falsely suggest that the allegations about Hunter Biden were not based in fact.

The concerted effort to suppress public dissemination of the serious allegations about Hunter Biden and the Biden family, as first reported in October 2020 by the *New York Post*, was a grave disservice to American citizens’ informed participation in our democracy. We are investigating the role that the public statement played in this effort. Accordingly, please provide the following material:

1. Identify all people with whom you communicated about the inception, drafting, editing, signing, publishing, or promotion of the “Public Statement on the Hunter Biden Emails” dated October 19, 2020; and
2. Produce all documents and communications referring or relating to the “Public Statement on the Hunter Biden Emails” dated October 19, 2020.

Please produce this material as soon as possible but no later than 5:00 p.m. on April 20, 2022. In addition, we request that you take all reasonable steps to preserve records that may be potentially responsive to this inquiry.

Thank you for your attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



Steve Chabot
Member of Congress

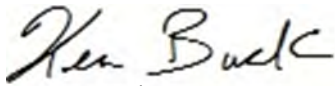


Louie Gohmert
Member of Congress



Darrell Issa
Ranking Member
Subcommittee on Courts, Intellectual
Property, and the Internet

¹⁷ E.g. Katie Brenner et al., *Hunter Biden paid tax bill, but broad federal investigation continues*, N.Y. Times, Mar. 16, 2022; Matt Viser et al., *Inside Hunter Biden’s multimillion-dollar deals with a Chinese energy company*, Wash. Post, Mar. 30, 2022.



Ken Buck
Ranking Member
Subcommittee on Antitrust, Commercial
and Administrative Law



Matt Gaetz
Member of Congress



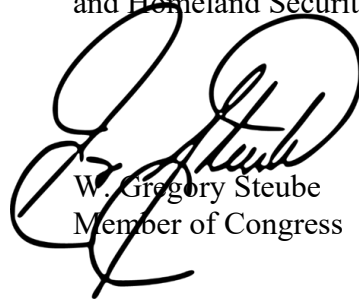
Mike Johnson
Ranking Member
Subcommittee on the Constitution,
Civil Rights and Civil Liberties



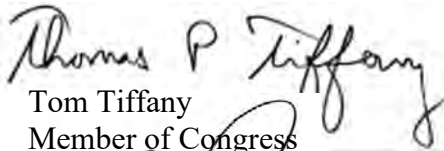
Andy Biggs
Ranking Member
Subcommittee on Crime, Terrorism
and Homeland Security



Tom McClintock
Ranking Member
Subcommittee on Immigration
and Citizenship



W. Gregory Steube
Member of Congress



Tom Tiffany
Member of Congress



Thomas Massie
Member of Congress



Chip Roy
Member of Congress



Dan Bishop
Member of Congress



Michelle Fischbach
Member of Congress



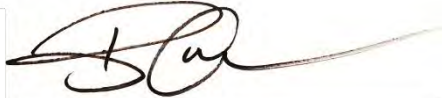
Victoria Spartz
Member of Congress



Scott Fitzgerald
Member of Congress



Cliff Bentz
Member of Congress



Burgess Owens
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December 1, 2022

The Honorable James R. Clapper
Belfer Center, Harvard Kennedy School
79 John F. Kennedy Street
Cambridge, MA 02138

Dear Mr. Clapper:

On April 6, 2022, we wrote to you requesting documents and information about the public statement you signed in October 2020 that falsely implied the *New York Post*'s reporting about Hunter Biden was the product of Russian disinformation.¹ This statement served as a basis for partisan operatives to attempt to delegitimize allegations, as reported in the *Post*, that Hunter Biden had used the position and influence of his father for personal gain with the awareness of President Biden.² The statement was part of a broader effort among national news organizations and social media companies to minimize and censor the *Post*'s reporting—and thereby limit public awareness of the allegations—weeks before the 2020 presidential election.

The coordinated effort to suppress public dissemination of the serious allegations about Hunter Biden and the Biden family was a grave disservice to American citizens' informed participation in our democracy. You have not responded to our letter of April 6, which is enclosed. Accordingly, we reiterate our requests and ask that you provide the requested information and documents immediately. You can be assured that Committee Republicans will continue to examine this matter into the 118th Congress, including by compulsory process if necessary.

¹ Letter from Jim Jordan, Ranking Member, H. Comm. on the Judic., et al. to John Brennan (Apr. 6, 2022). See Emma-Jo Morris & Gabrielle Fonrouge, *Smoking-gun email reveals how Hunter Biden introduced Ukrainian businessman to VP dad*, N.Y. Post, Oct. 14, 2020.

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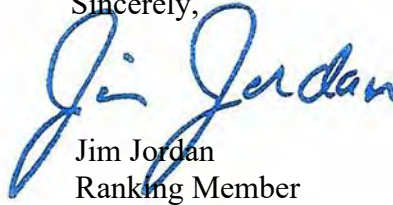
The Honorable James R. Clapper

December 1, 2022

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The Committee on the Judiciary is authorized to conduct oversight of matters involving civil liberties, including free speech and the First Amendment.³ If you are represented by private counsel, please ask your attorney to contact Committee staff at (202) 225-6906 on your behalf. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Jim Jordan". The signature is written in a cursive, flowing style.

Jim Jordan
Ranking Member

cc: The Honorable Jerrold L. Nadler
Chairman

Enclosure

³ Rules of the House of Representatives, R. X (2021).

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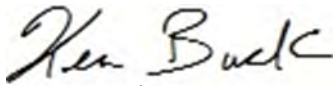


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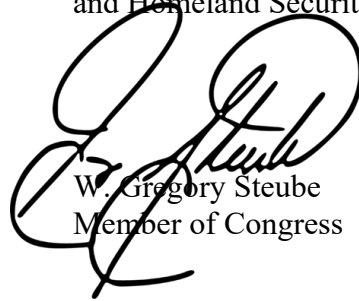
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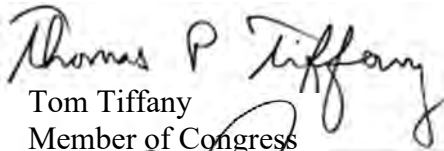
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Chip Roy
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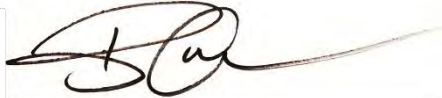
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