

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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MEMORANDUM

May 3, 2023

To: Democratic Members of the Committee on Oversight and Accountability

Fr: Democratic Staff

Re: Oversight Committee Investigation into Presidential and Classified Records and Transcribed Interview of Former Executive Assistant to then-Vice President Biden

On February 4, 2023, Chairman James Comer requested a transcribed interview with Kathy Chung, former executive assistant to then-Vice President Biden, as part of Committee Republicans' investigation into "President Biden's mishandling of classified documents and possible violation of the Presidential Records Act."¹ The transcribed interview was held on April 4, 2023.

Both before and after the transcribed interview, Chairman Comer made multiple misrepresentations about the findings of the investigation and even promoted false, xenophobic, and racist conspiracy theories about Ms. Chung in an attempt to bolster his "top priority" investigation into the Biden family.² Chairman Comer's misrepresentations suggest that Committee Republicans are not interested in conducting a legitimate and balanced investigation. As a result, Democratic Members of the Committee should call on Chairman Comer to release

¹ Letter from Chairman James Comer, Committee on Oversight and Accountability, to Kathy Chung (Feb. 4, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/02/2023-02-04-Letter-to-Kathy-Chung.pdf>); Chairman Comer has sent no letters regarding the classified records recovered from former Vice-President Pence's home or the classified records recovered from former President Trump's Mar-a-Lago Club, even as mounting evidence has come to light that the former President may have obstructed the Department of Justice's efforts to recover these documents. See also *Justice Dept. Said to Have More Evidence of Possible Trump Obstruction at Mar-a-Lago*, Washington Post (Apr. 2, 2023) (online at www.washingtonpost.com/national-security/2023/04/02/trump-mar-a-lago-obstruction-classified/).

² *Oversight Chair Comer Reignites GOP's 'Top Priority' Probe into Hunter Biden, Sets Hearing with Twitter Execs*, Fox News (Jan. 11, 2023) (online at www.foxnews.com/politics/oversight-chair-comer-reignitesgops-top-priority-probe-hunter-biden-hearing-twitter-execs); see also, e.g., *Congressman Comer Joined Jenn Pellegrino on Newsmax Tonight*, Newsmax (Jan. 24, 2023) (online at www.facebook.com/CongressmanComer/videos/573322927985215/); *Right-Wing Media, Top Republican Team Up To Push Racist Conspiracy Theory About Ex-Biden Aide*, Huffington Post (Jan. 27, 2023) (online at www.huffpost.com/entry/james-comer-fox-news-newsmax-kathy-chung-conspiracy-theory_n_63d40273e4b04d4d18e5c5b5).

the full and complete transcript of Ms. Chung’s April 4, 2023, interview, as well as the January 31, 2023, interview of Gary Stern, General Counsel for the National Archives and Records Administration (NARA), so that the American public can evaluate the facts free from any partisan spin.

Democratic Committee staff is providing this memorandum to correct Chairman Comer’s misrepresentations regarding this investigation.

I. BACKGROUND

Chairman Comer launched this investigation in January 2023, following reports that classified records had been recovered from President Biden’s former office at the Penn Biden Center for Diplomacy and Global Engagement at the University of Pennsylvania (Penn Biden Center).³ In addition to the letter sent to Ms. Chung, Chairman Comer has also sent multiple letters to the White House and NARA requesting documents and information related to the recovery of classified records, and held a transcribed interview with General Counsel Stern.⁴ Neither transcript has been publicly released, which further calls into question Chairman Comer’s commitment to conducting a credible and fact-based investigation.⁵

II. CHAIRMAN COMER MADE ABSURD STATEMENTS MISREPRESENTING THE PURPOSE OF MS. CHUNG’S POSITION IN THE WHITE HOUSE

Ms. Chung served as Assistant to the Vice President during the final four years of the Obama-Biden Administration, after working for three U.S. Senators.⁶ In a Fox News interview prior to the transcribed interview, Chairman Comer stated: “We know from text messages and emails she [Ms. Chung] got the job to help with the Biden family moving documents at the recommendation of Hunter Biden.”⁷ On February 20, 2023, Ms. Chung’s attorney produced

³ See Penn Biden Center for Diplomacy & Global Engagement, *Our Mission Statement* (online at <https://global.upenn.edu/penn-biden-center/our-mission-statement>) (accessed Feb. 11, 2023).

⁴ *U.S. Attorney Reviewing Classified Documents from Joe Biden’s Vice Presidency Found at Biden Think Tank*, CBS News (Jan. 9, 2023) (online at www.cbsnews.com/amp/news/biden-center-classified-documents/); Letter from Chairman James Comer, Committee on Oversight and Accountability, to Stuart Delery, White House Counsel (Jan. 10, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/01/2023-01-10-Letter-WHCO-Biden-confidential-docs.pdf>); Letter from Chairman James Comer, Committee on Oversight and Accountability, to Debra Steidel Wall, Acting Archivist of the United States, National Archives and Records Administration (Jan. 10, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/01/2023-01-10-Letter-NARA-Biden-classified-docs.pdf>).

⁵ *Republican Leading Oversight Committee Discusses Plans to Investigate Biden*, PBS News Hour (Jan. 20, 2023) (online at www.pbs.org/newshour/show/republican-leading-oversight-committee-discusses-plans-to-investigate-biden).

⁶ Legistorm, *Kathy Chung* (online at www.legistorm.com/person/bio/75674/Kathy_S_Chung.html) (accessed Apr. 27, 2023).

⁷ *Biden Has ‘Unintentionally Helped’ The GOP-led Quest for Classified Documents: Rep. James Comer*, Fox News (Mar. 12, 2023) (online at www.foxnews.com/video/6322442043112).

more than 100 pages of text message and email communications to the Committee, however, none of the text message and email communications support Mr. Comer's claim.⁸

Following Chairman Comer's statement on Fox News, Ms. Chung's attorney wrote to Chairman Comer reminding him that Ms. Chung was "hired as an Assistant to the Vice President responsible for office affairs" and not "for the purpose of helping with moving documents."⁹ Ms. Chung's attorney called on Chairman Comer to correct his "absurd statements" and expressed concerns about Chairman Comer's intentions and whether Ms. Chung would be treated fairly.¹⁰ He wrote:

For you to say she got the job "to help with the Biden family moving documents at the recommendation of Hunter Biden" and further that you expect to pursue some bizarre notion that Hunter Biden recommended her because of a purported interest in documents indicates to us the real possibility that you do not intend to treat Ms. Chung fairly.¹¹

After being confronted with this mischaracterization, in a March 27, 2023, telephone call with Ms. Chung's attorneys, Republican Committee staff conceded that Chairman Comer "misspoke," though they failed to offer an apology on behalf of the Chairman.¹² During the transcribed interview, Ms. Chung confirmed that Chairman Comer failed to apologize for the statement or publicly correct the record:

Q: To your knowledge, did Chairman Comer apologize or correct the record about the statements that he made publicly on Fox News?

A: No, not that I'm aware.

Q: And these statements are not correct?

A: They are false.¹³

⁸ Letter from William W. Taylor, III, Zuckerman Spaeder LLP, to Staff, Committee on Oversight and Accountability (Feb. 20, 2023).

⁹ Letter from William W. Taylor, III, Zuckerman Spaeder LLP, to Chairman James Comer, Committee on Oversight and Accountability (Mar. 14, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2023-03-14%20Correspondence%20to%20Chairman%20Comer.PDF>).

¹⁰ *Id.*

¹¹ *Id.*

¹² Call with Staff, Committee on Oversight and Accountability, and Counsel for Ms. Chung, Zuckerman Spaeder LLP (Mar. 27, 2023).

¹³ Committee on Oversight and Accountability, Transcribed Interview of Kathy Chung (Apr. 4, 2023).

III. CHAIRMAN COMER FALSELY AMPLIFIED BASELESS, XENOPHOBIC, AND RACIST CONSPIRACY THEORIES ABOUT MS. CHUNG

In a Newsmax interview on January 24, 2023, Chairman Comer amplified baseless, xenophobic, and racist conspiracy theories and attempted to tie Ms. Chung to the Chinese Communist Party.¹⁴ Newsmax host Jenn Pellegrino asked Chairman Comer, “Do you believe that Chung’s connection to Hunter Biden, possibly the Chinese Communist Party, and her role in transferring these classified documents is something that the House Oversight Committee should investigate?”¹⁵ In response, Chairman Comer confirmed “We are investigating that” and “It’s very troubling and very disturbing to see numerous ties the Biden family has to the CCP [Chinese Communist Party].”¹⁶

The following day, Chairman Comer repeated the same bigoted conspiracy theory during a Fox News interview with host Maria Bartiromo. Specifically, when Ms. Bartiromo questioned the Chairman about Ms. Chung’s role in “overseeing the packing” of presidential documents and asked “Do we know if she’s [Ms. Chung] reporting back to the CCP about any of this?,” Chairman Comer responded, “We’re looking into that. We’re looking into at least three different people that Hunter Biden was directly involved with that have very close ties to the Chinese Communist Party.”¹⁷

Ms. Chung, who was born in South Korea, confirmed during the transcribed interview that she does not have any relationship with the Chinese Communist Party:

Q: Do you have a relationship with the Chinese Communist Party?

A: No.

Q: You don’t?

A: No.

Q: So, if you were asked to come here today voluntarily for this interview--

A: Uh huh.

¹⁴ *Congressman Comer Joined Jenn Pellegrino on Newsmax Tonight*, Newsmax (Jan. 24, 2023) (online at www.facebook.com/CongressmanComer/videos/573322927985215/).

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Right-Wing Media, Top Republican Team Up to Push Racist Conspiracy Theory About Ex-Biden Aide*, Huffington Post (Jan. 27, 2023) (online at www.huffpost.com/entry/james-comer-fox-news-newsmax-kathy-chung-conspiracy-theory_n_63d40273e4b04d4d18e5c5b5).

Q: is your understanding that this is with respect to classified documents that were found in the Penn Biden Center, or does this have to do with something—some ties that you have with the Chinese Communist Party?

A: I hope it's regarding the documents.¹⁸

IV. CHAIRMAN COMER INCORRECTLY CLAIMED THAT MS. CHUNG PROVIDED “STARTLING” INFORMATION DURING THE TRANSCRIBED INTERVIEW

Contrary to Chairman Comer's claim that Ms. Chung “provided startling information that undermines the Biden White House's narrative” during the transcribed interview, no “startling” information or evidence of any intentional wrongdoing was revealed.¹⁹ Instead, Ms. Chung confirmed what has long been established: that neither she nor anyone else was aware that there were classified records at the Penn Biden Center before they were discovered by President Biden's attorneys in November 2022. Chairman Comer also claimed that the Committee “learned” a handful of new things during the interview despite public reporting on those same findings two months before the transcribed interview.²⁰

1. Ms. Chung's Interview Revealed Her Experience Appropriately Handling and Identifying Classified Documents

During the transcribed interview, Ms. Chung explained that as the former Assistant to the Vice President, she held a security clearance, had experience handling and identifying classified documents, and would have notified the appropriate contacts had she encountered any classified documents:

Q: Okay. And you mentioned earlier that you had a security clearance while you were in the Office of the Vice President.

A: Uh huh.

¹⁸ Committee on Oversight and Accountability, Transcribed Interview of Kathy Chung (Apr. 4, 2023).

¹⁹ Committee on Oversight and Accountability, *Press Release: Chairman Comer's Statement on Transcribed Interview with Kathy Chung* (Apr. 4, 2023) (online at <https://oversight.house.gov/release/chairman-comers-statement-on-transcribed-interview-with-kathy-chung/>); *Biden Stashed Classified Docs In Chinatown*, Fox News (Apr. 5, 2023) (online at <https://twitter.com/RepJamesComer/status/1643622290914004997?s=20>); *Fmr Biden Aide Questioned in Classified Doc Probe*, Fox News (Apr. 6, 2023) (online at <https://twitter.com/RepJamesComer/status/1644053338864885760?s=20>).

²⁰ Committee on Oversight and Accountability, *Press Release: Chairman Comer's Statement on Transcribed Interview with Kathy Chung* (Apr. 4, 2023) (online at <https://oversight.house.gov/release/chairman-comers-statement-on-transcribed-interview-with-kathy-chung/>); *The Longtime Biden Aide at the Center of Classified Documents Furor*, Washington Post (Feb. 3, 2023) (online at www.washingtonpost.com/politics/2023/02/03/longtime-biden-aide-center-classified-documents-furor/); *How the Hasty Packing of Biden Papers Led to a Special Counsel*, New York Times (Feb. 10, 2023) (online at www.nytimes.com/2023/02/10/us/politics/biden-documents-aides.html).

Q: Is that correct?

A: Yes.

Q: Okay. Can you describe for me how you might know a document's classified?

A: Things that we've come across or I've come across always had a cover on it. It was either orange or red, or it was in a - it was in an envelope, and those were usually for eyes only.

Q: Okay.

A: Yeah.

Q: And so, you would say you were generally familiar with what the cover sheet looked like or what the markings of a classified document would look like?

A: Yes.

Q: And did you encounter any classified documents when you unpacked?

A: No.

Q: No. Okay. And if you had come across what appeared to be a classified document, what would you have done?

A: Alerted someone - and I don't know who I would alert, but it - it should not be in our possession.

Q: Okay. And that's because it's government property?

A: It's government property, and it needs to be in a secure position.

Q: Okay. So, as we've already established, you mentioned that you're familiar with classified documents, including that they often have red, orange cover sheets, or specific markings. Did you encounter any classified documents when you packed up the files.

A: No.

Q: Okay. And during your time at the Penn Biden Center, did you ever notice classified documents?

A: No.

Q: And what would you have done if you had come across documents with classified markings at any point?

A: Secure it and, you know, contact someone who could take possession of it.²¹

2. **Ms. Chung Affirmed That She Did Not Know or Believe the Vice President's Boxes Packed at the White House Contained Classified Documents**

During the transcribed interview, Ms. Chung repeatedly stated that she did not know or believe there were classified documents in the materials she packed at the White House at the end of the Obama-Biden Administration. Ms. Chung stated that she was conscientious about tracking records, including classified records, during her tenure in Vice President Biden's White House office, and that during the presidential transition process she and others worked quickly to pack up the office and did not review individual documents. Ms. Chung also confirmed that no one in the Biden family instructed her on what to pack, including classified documents, or was involved in the packing process.

Q: Okay. So, you said that you - to your knowledge and the best of your recollection, that there were no Presidential records or classified records when you packed. How do you come to make that conclusion?

A: We were very - during - throughout the day, we were very conscientious, and we paid attention to what we were doing and where records were kept, like - like I said before, we cleaned up his office. We cleaned up his desk. He cleaned up his desk. So, he knew, you know, where things were. And - and we did. We worked every - there was so much paper all day long, so we had to keep it clean.

Q: But - well, when you were packing up in this transition period at the end, was it your understanding that all classified documents and Presidential records had already been removed from the office?

A: It was my understanding, yes.

Q: So, as you were packing these 13 boxes, I believe we talked about - approximately 13 boxes, did you double check to make sure there were no classified documents or Presidential records?

A: No.

²¹ Committee on Oversight and Accountability, Transcribed Interview of Kathy Chung (Apr. 4, 2023).

Q: But they were in a file folder first before they went in a box, correct?

A: Well, the file folder was in the drawer, and we gathered up the file folders and put in a box.

Q: And at that time when you took the file folders, there were documents in the file folders?

A: Yes.

Q: Did you go through the file folders and the documents at that point?

A: No.

Q: But it was yourself and Ann Marie--

A: Yes.

Q: that were primarily responsible for packing?

A: Correct.

Q: Okay. And what type of activities did you undertake? So, for example, did you sort through files and pack boxes?

A: No.

Q: No?

A: We did not sort through files.

Q: Okay. Did you pack boxes?

A: Yes. We packed up boxes.

Q: Okay. And I think you described this earlier, that you took out file folders from various places, cabinets in the office, and put them into GSA transition boxes?

A: Yes.

Q: And so, you've mentioned this already, that you and Ann Marie were largely responsible for sorting and packing I'm sorry. Not sorting. You had said that

you and Ann Marie were largely responsible for packing the office. Why didn't you sort through the documents before packing?

A: We didn't have the time or we didn't think that we needed to sort through them. We just were tasked with - to pack up.

Q: Okay. So, nobody in the Biden family was involved in packing boxes, right?

A: No.

Q: And nobody in the Biden family instructed you on what to pack, right?

A: No. Not in the West Wing, no.

Q: Okay. And nobody told you to hide specific documents in the boxes you were packing, right?

A: No.

Q: And nobody told you or instructed you to pack classified documents from the Vice President's office, right?

A: No.

Q: Okay. So, would it be accurate to say that, to the best of your recollection, most of the items that were packed were, as you've already described, personal effects, such as challenge - the challenge coins or other memorabilia or correspondence personal correspondence?

A: Yes. There were some, yep.

Q: Okay. Were there other items that, to your recollection, you remember being packed in those boxes?

A: Some condolence letters for Beau. We had, you know, copies of his schedules as Vice President, copies of his file - copies of his speeches, past speeches. You know, there were some policy folders that said, you know, ACA, Cancer Moonshot, things like that.²²

3. **Ms. Chung Corroborated Previously Reported Information That Vice President Biden's Boxes Were Stored in Temporary Locations**

Chairman Comer's claim that "startling" information was revealed in Ms. Chung's interview about the location of Vice President Biden's boxes is contradicted by previous

²² *Id.*

reporting.²³ For example, on February 3, 2023—nearly two months before Ms. Chung’s interview—*The Washington Post* reported that boxes of material were packed at the Office of the Vice President in the White House at the end of the Obama-Biden Administration, and were first stored in the transition office, then in a temporary location leased by the Penn Biden Center, and then in the Penn Biden Center itself.²⁴

During the transcribed interview, Ms. Chung confirmed *The Washington Post* reporting, explaining that after the end of the Obama-Biden Administration, Vice President Biden’s materials were first stored in a temporary space rented by the General Services Administration (GSA) as part of the presidential transition process. At the conclusion of the six-month presidential transition period, the Penn Biden Center office was not ready to be occupied. As a result, Vice President Biden’s materials were temporarily stored in a private office space in the Chinatown neighborhood of Washington, D.C. Ms. Chung described this timeline:

Q: So after - so we have the timeline down, the Obama-Biden Administration is winding down and you and some other staffers pack boxes with various documents. Is that correct?

A: Documents, file folders, and also there’s, like I had mentioned before, a lot of photos, books. There were, you know, Challenge Coins. So, it wasn’t just all documents.

Q: Various items?

A: Correct.

Q: And those boxes that were taken from the West Wing then went for a period to a private office location that GSA was renting for an interim time period, correct?

A: Six months.

Q: And then the boxes went to Penn Biden Center once you got access to them?

A: We - after the six months, the office, the Penn Biden Center was not ready. So, for and I do not recall exactly for how long. Maybe a month. I don’t know. I can’t recall. We went to another temporary space and then moved permanently into Penn Biden Center.

Q: Where was the second temporary space?

²³ Committee on Oversight and Accountability, *Press Release: Chairman Comer’s Statement on Transcribed Interview with Kathy Chung* (Apr. 4, 2023) (online at <https://oversight.house.gov/release/chairman-comers-statement-on-transcribed-interview-with-kathy-chung/>); *Biden Stashed Classified Docs In Chinatown*, Fox News (Apr. 5, 2023) (online at <https://twitter.com/RepJamesComer/status/1643622290914004997?s=20>).

²⁴ *The Longtime Biden Aide at the Center of Classified Documents Furor*, Washington Post (Feb. 3, 2023) (online at www.washingtonpost.com/politics/2023/02/03/longtime-biden-aide-center-classified-documents-furor/).

A: It was near Chinatown. It's like Seventh - and I see the Starbucks across the street. So, it's like Seventh and - I can't remember the other - it was - yeah. So, 701 Seventh, yeah, Seventh Street.

Ms. Chung further confirmed that the boxes stored at the Seventh Street location remained packed until they could be moved to the Penn Biden Center:

Q: Were the boxes unpacked when you were at the - I'm going to refer to it as the second office space since we don't have the address. When you were at the second office space, were the boxes unpacked at that point?

A: No.

Q: They remained in the boxes?

A: Correct.²⁵

4. Ms. Chung Confirmed That She Did Not Review the Materials She Unpacked at the Penn Biden Center but Was Informed in November 2022 That Some Were Classified

Ms. Chung also confirmed that she did not review or study the materials she unpacked from the boxes she had originally packed at the end of the Obama-Biden Administration. After the Obama-Biden Administration, Ms. Chung continued to work for Mr. Biden, including at the Penn Biden Center and on Vice President Biden's 2020 presidential campaign. As part of this role, she set up former Vice President Biden's office at the Penn Biden Center and unpacked some materials that she had packed for former Vice President Biden at the White House. Ms. Chung confirmed that she re-packed President Biden's materials at the Penn Biden Center in June 2022.

Q: And did anyone tell you what to unpack?

A: No.

Q: And then how did you know what to unpack?

A: Well, there were - like those boxes with the Cancer Moonshot and some of the policy papers, I knew. You know, we unpacked those. And we also unpacked some of the boxes with - you know, the Vice President loves photos of his family, so just to make his office look nice, we unpacked those and put those out.

²⁵ Committee on Oversight and Accountability, Transcribed Interview of Kathy Chung (Apr. 4, 2023).

Q: Okay. Did you study each file that you decided to unpack, or would you say you just generally looked at the titles on the file folders?

A: Barely. We just picked up the file folder from the boxes and put it in the cabinet.

Q: Okay.

A: So, you know, I - you can tell that, you know, that's Cancer Moonshot, you know, that's where it is.

Q: Okay. So you didn't study the files?

A: No.

Q: Okay. You didn't sort through them?

A: No.

Q: These were documents that he cared about?

A: Yes.

Q: Both policy documents and personal documents that he cared about. Is that right?

A: I - sort of getting to know what the job was and what he cared about, I, you know, assumed that these were things that he would want, and I had to move it over.

Q: But they weren't necessarily things that he looked at on a daily basis. Is that correct?

A: No. No.²⁶

Ms. Chung also confirmed during the interview that it was not until November 2022 that she was informed by President Biden's attorney, Robert Bauer, that the boxes she had packed at the Penn Biden Center contained some classified documents:

Q: So, when you received that call from Mr. Bauer in early November, that was the first time you learned there were—that was the first you heard of classified documents being at the Penn Biden Center. Is that correct?

A: Yes.

²⁶ *Id.*

Q: Did you have any reason to believe that anyone else, including Mr. Bauer or Ms. Remus, knew about classified documents at the Penn Biden Center prior to November 2022?

A: No.²⁷

5. Ms. Chung Confirmed Previously Reported Information that the Former White House Counsel Requested Assistance to Pack up Penn Biden Center Materials

Following the transcribed interview, Chairman Comer’s press release stated that the Committee “learned” a handful of things from the transcribed interview, including that former White House Counsel Dana Remus requested Ms. Chung to assist with packing up President Biden’s materials at the Penn Biden Center.²⁸ However, on February 10, 2023—nearly two months before the interview—the *New York Times* reported that same finding.²⁹

During the transcribed interview, Ms. Chung confirmed *New York Times* reporting that former White House Counsel, Dana Remus, requested her assistance in packing materials at President Biden’s Penn Biden Center office. Ms. Chung also acknowledged that she was an appropriate person for Ms. Remus to contact about the task because she had served as an assistant to former Vice President Biden. She further explained to Committee staff that she did not closely review the files that she packed at the Penn Biden Center given that her goal was to pack quickly:

Q: So, I think as our - my Republican colleagues have already established, you received a request from Dana Remus in May 2022 about packing up the President’s office at the Penn Biden Center. Is that correct?

A: Yes.

Q: And what was your understanding of why she was reaching out to you?

A: She wanted to take possession of the materials.

Q: Did you find it unusual that she was reaching out to you?

A: No.

Q: And why not?

²⁷ *Id.*

²⁸ Committee on Oversight and Accountability, *Press Release: Chairman Comer’s Statement on Transcribed Interview with Kathy Chung* (Apr. 4, 2023) (online at <https://oversight.house.gov/release/chairman-comers-statement-on-transcribed-interview-with-kathy-chung/>).

²⁹ *How the Hasty Packing of Biden Papers Led to a Special Counsel*, *New York Times* (Feb. 10, 2023) (online at www.nytimes.com/2023/02/10/us/politics/biden-documents-aides.html).

A: I've known her for a long time, and I work at the Penn Biden Center.

Q: Did you have some level of familiarity with President Biden's files?

A: Yes.

Q: And that was because you worked in the Penn Biden Center?

A: Yes.

Q: And was that also because you were responsible for his day-to-day schedule, briefing books, within the VP's office from 2012 to 2017?

A: Yes.

Q: Okay. And is it fair to say that you were - you knew who Dana Remus was?

A: Yes.

Q: Okay. Were you friendly with Dana Remus?

A: Yeah.

Q: Okay.

A: Uh huh.

Q: So, it wasn't unusual that she would reach out to you?

A: No.

Q: Okay. Is it fair to say that you wanted to be helpful to a request that was coming from the White House Counsel's Office?

A: Yes.

Q: Okay. And because you helped set up the former Vice President's office at the center, is it fair to say that you were also a logical person to pack up the files?

A: Yes.

Q: Okay. And so, when you packed up the files, would you say that you closely reviewed them?

A: No.

Q: Was your goal to quickly finish the task?

A: Yes.

Q: Do you have a sense of how much time you spent packing files?

A: I would say maybe a couple hours, not even. You know, a couple hours.

Q: And you did this in your personal capacity?

A: Yes.³⁰

6. Ms. Chung Confirmed Hunter Biden Did Not Have Access to Classified Documents at the White House or the Penn Biden Center

During the transcribed interview, Ms. Chung confirmed that she has never given classified documents to individuals who should not have had access to them. She also confirmed that Hunter Biden did not have access to classified documents at the White House or after the Obama-Biden Administration at the Penn Biden Center:

Q: Have you ever intentionally given classified documents to someone who you knew should not have access to them?

A: No.

Q: And then, did Hunter Biden have access to classified documents at the White House?

A: No, not that I'm aware. Nope.

Q: Did Hunter Biden have access to classified documents that may have been at the Penn Biden Center?

A: No.³¹

³⁰ Committee on Oversight and Accountability, Transcribed Interview of Kathy Chung (Apr. 4, 2023).

³¹ *Id.*

7. **Ms. Chung Has Cooperated with All Investigations into the Documents Recovered from Penn Biden Center**

In addition to cooperating with the Committee's investigation, including by responding to more than four hours of questions in a voluntarily transcribed interview and providing over 100 pages of documents, during the transcribed interview, Ms. Chung confirmed that she has also cooperated with the Department of Justice's concurrent investigation:

Q: Okay. And after a handful of classified documents were identified within the files that you helped unpack and repack at the Penn Biden Center, did investigators with the FBI, DOJ, and/or special counsel's office request that you sit for an interview?

A: Yes.

Q: And did you do so?

A: Yes.

Q: And did anyone tell you not to cooperate with any of those investigations?

A: No.

Q: And then the emails and text messages that we've been discussing today in the exhibits, those are documents that you voluntarily turned over to the Committee and the special counsel's office, correct?

A: Correct.³²

In light of Chairman Comer's decision to cherry-pick and misrepresent critical information in this investigation while refusing to publicly release the full interview transcripts, the Committee's Democratic staff will endeavor to provide ongoing updates to all Democratic Members on the status of this investigation to ensure the Committee's work is carried out in a transparent fashion.

³² *Id.*