

United States Senate

WASHINGTON, DC 20510

October 24, 2023

VIA ELECTRONIC TRANSMISSION

The Honorable Merrick Garland
Attorney General
Department of Justice

The Honorable Christopher Wray
Director
Federal Bureau of Investigation

Dear Attorney General Garland and Director Wray:

Since July 25, 2022, I have requested information from the Justice Department and FBI with respect to legally protected whistleblower disclosures that informed my office of political bias infecting the decision-making process in investigations related to the Biden family.¹ Since that date, the Justice Department and FBI have failed to provide responsive records.

This letter is based on years of investigation, including the provision of information, records, and allegations from multiple Justice Department whistleblowers that indicate there is – and has been – an effort among certain Justice Department and FBI officials to improperly delay and stop full and complete investigative activity into the Biden family, including but not limited to FD-1023s referencing the Biden family. This alleged political infection breaks faith with the American people, and it will ruin our governmental institutions should it continue. As just one initial example, I've been made aware that at one point in time the FBI maintained over 40 Confidential Human Sources that provided criminal information relating to Joe Biden, James Biden, and Hunter Biden. An essential question that must be answered is this: did the FBI investigate the information or shut it down? Indeed, if those sources were improperly shut down, it wouldn't be out of the ordinary for the FBI, as this letter will address.

By way of initial background, since August 2019, Senator Johnson and I have investigated the Biden family's foreign financial dealings and business arrangements. On September 23, 2020, and November 18, 2020, we issued reports detailing our findings based in part on hundreds of Treasury Department Suspicious Activity Reports, transcribed interviews, and thousands of pages of Obama/Biden administration government records.² Our findings indicated potential criminal activity, to include money laundering, with respect to members of the Biden family and

¹ Letter from Senator Charles E. Grassley, Ranking Member, U.S. Senate Comm. on the Judiciary to Christopher Wray, Director, Federal Bureau of Investigation (July 25, 2022), available at https://www.grassley.senate.gov/imo/media/doc/grassley_to_justice_deptfbipoliticalbiasfollowup.pdf.

² Press Release, U.S. Senate Comm. on Fin., *Johnson, Grassley Release Report on Conflicts-of-Interest Investigation* (Sept. 23, 2020), <https://www.finance.senate.gov/chairmans-news/johnson-grassley-release-report-on-conflicts-of-interest-investigation>; Press Release, Senator Charles E. Grassley, Chairman, Senate Fin. Comm., *Grassley, Johnson Release Supplement To Report On Potential Conflicts Of Interest Stemming From Biden Family Foreign Business Arrangements* (Nov. 18, 2020), <https://www.grassley.senate.gov/news/news-releases/grassley-johnson-release-supplement-report-potential-conflicts-interest-stemming>.

their business associates as well as strong financial connections to questionable foreign nationals and foreign government-linked corporate entities. Then, in March and April of 2022, we gave three speeches on the Senate Floor and made public bank records supporting the same findings and further connecting the Biden family business to businesses linked to the communist Chinese government.³ After that, on October 26, 2022, Senator Johnson and I provided hundreds of pages of bank records to U.S. Attorney Weiss connecting the Biden family to Chinese-government linked entities.⁴ Since August 2019, the Justice Department and FBI have refused to answer our questions, cooperate with our investigation, and have made every effort to obstruct and frustrate legitimate and constitutional congressional oversight.

On July 25, 2022, I wrote to the both of you.⁵ In that letter, I described whistleblower allegations that the FBI developed information in 2020 about Hunter Biden's criminal financial and related activity but ultimately shut it down based on false assertions that it was subject to foreign disinformation. It's been alleged that the basis for shutting the investigative activity down was an August 2020 assessment created by FBI Supervisory Intelligence Analyst Brian Auten. That assessment was used by an FBI HQ team to improperly discredit negative Hunter Biden information as disinformation and caused investigative activity to cease. The precise basis for how the FBI HQ team selected the specific information for inclusion in Auten's assessment is unknown, but the focus of the FBI HQ team's attention involved derogatory information about Hunter Biden and Joe Biden.

In that same letter, I noted that in October 2020, an avenue of derogatory Hunter Biden reporting was ordered closed at the direction of Assistant Special Agent in Charge Tim Thibault. My office has been made aware that FBI agents responsible for the information that was shut down were interviewed by the FBI HQ team in furtherance of Auten's assessment. Publicly released portions of Thibault's interview with the House Judiciary Committee confirm the whistleblower allegations.⁶ The transcript reportedly notes that an FBI HQ and FBI Baltimore element wanted the Hunter Biden reporting closed, which Thibault followed through on.⁷

On October 13, 2022, I wrote to the both of you and U.S. Attorney Weiss with respect to specific records within the possession of the Justice Department and FBI indicating potential criminal activity in the Biden family's foreign business deals.⁸ This included the Biden family 1023 that

³ Senators Charles E. Grassley and Ron Johnson, Floor Speech to Discuss Investigation Into Biden Family Foreign Financial Entanglements – Part I (Mar. 28, 2022) (transcript available at https://www.grassley.senate.gov/news/remarks/grassley-johnson-discuss-investigation-into-biden-family-foreign-financial-entanglements_-part-1); Senators Charles E. Grassley and Ron Johnson, Floor Speech on Release of Bank Records Tying Biden Family To CCP-Linked Individuals & Companies (Mar. 29, 2022) (transcript available at <https://www.grassley.senate.gov/news/remarks/grassley-johnson-release-bank-records-tying-biden-family-to-ccp-linked-individuals-and-companies>); Senators Charles E. Grassley and Ron Johnson, Floor Speech on The Biden Family Investigation – Part III: James Biden (Apr. 5, 2022) (transcript available at https://www.grassley.senate.gov/news/remarks/the-biden-family-investigation_part-iii-james-biden).

⁴ Press Release, Senator Charles E. Grassley, *Grassley, Johnson Share Investigative Material With Prosecutors In Hunter Biden Criminal Probe* (Oct. 26, 2022), <https://www.grassley.senate.gov/news/news-releases/grassley-johnson-share-investigative-material-with-prosecutors-in-hunter-biden-criminal-probe>.

⁵ Letter from Senator Charles E. Grassley, Ranking Member, U.S. Senate Comm. on the Judiciary to Christopher Wray, Director, Federal Bureau of Investigation (July 25, 2022), available at https://www.grassley.senate.gov/imo/media/doc/grassley_to_justice_deptfbipoliticalbiasfollowup.pdf.

⁶ John Solomon, *FBI received evidence from second informant in Biden case but shut down, ex-agent testifies*, JUST THE NEWS, (Sept. 17, 2023), <https://justthenews.com/accountability/political-ethics/monfbi-had-second-informant-biden-case-was-asked-shut-source-down>.

⁷ *Id.*

⁸ Press Release, Senator Charles E. Grassley, *Grassley, Johnson Share Investigative Material With Prosecutors In Hunter Biden Criminal Probe* (Oct. 26, 2022), <https://www.grassley.senate.gov/news/news-releases/grassley-johnson-share-investigative-material-with-prosecutors-in-hunter-biden-criminal-probe>.

Chairman Comer and I ultimately made public on July 25, 2023. Specifically, I requested an array of records relating to that Biden family 1023. While all three recipients of my letter have failed to provide the requested information, none have disputed the allegations I've presented to them.

Although investigative activity was scuttled by the FBI in 2020, the origins of additional activity relate back to years earlier. For example, in December 2019, the FBI Washington Field Office closed a "205B" Kleptocracy case, 205B-WF [REDACTED] Serial 7, into Mykola Zlochevsky, owner of Burisma, which was opened in January 2016 by a Foreign Corrupt Practices Act FBI squad based out of the FBI's Washington Field Office. This Foreign Corrupt Practices Act squad included agents from FBI HQ. In February 2020, a meeting took place at the FBI Pittsburgh Field Office with FBI HQ elements. That meeting involved discussion about investigative matters relating to the Hunter Biden investigation and related inquiries, which most likely would've included the case against Zlochevsky. Then, in March 2020 and at the request of the Justice Department, a "Guardian" Assessment was opened out of the Pittsburgh Field Office to analyze information provided by Rudy Giuliani.

During the course of that assessment, Justice Department and FBI officials located an FD-1023 from March 1, 2017, relating to the "205B" Kleptocracy investigation of Zlochevsky. That FD-1023 included a reference to Hunter Biden being on the board of Burisma, which the handling agent deemed at the time non-relevant information to the ongoing criminal financial case. And when that FD-1023 was discovered, Justice Department and FBI officials asked the handler for the Confidential Human Source (CHS) to re-interview that CHS. According to reports, there was "a fight for a month" to get the handler to re-interview the CHS.⁹ Eventually, that re-interview took place and the Biden family 1023 about the alleged criminal scheme between then-Vice President Biden, Hunter Biden, and Zlochevsky was created in June 2020. A 1023 must be serialized to a case, so that Biden family 1023 was serialized to the Pittsburgh Assessment. Accordingly, claims that the Biden family 1023 was part of the information provided by Giuliani are incorrect. The information in the Biden family 1023 was obtained separate from Giuliani from a long-standing, high-paid FBI CHS who's been used in other investigative matters by the FBI, as the Zlochevsky case illustrates.¹⁰ That Biden family 1023 was serialized into the Pittsburgh Assessment simply because it was the administrative avenue to house the source information.

Due to the fact there was no case and merely an assessment, Justice Department and FBI officials were limited in their investigative abilities including conducting database checks instead of using subpoenas and search warrants. In addition, my office has been informed that the FBI agents and DOJ officials working the Pittsburgh Assessment had to pause their work for weeks at a time because the assessment had to be reapproved every 30 days by multiple DOJ and FBI officials. On June 30, 2020, the Biden family 1023 was serialized into the Pittsburgh Assessment, and FBI leadership would likely have been briefed on it due to the nature of the reporting. Either on that

⁹ Josh Boswell, *Exclusive: Trusted informant's claim that Joe and Hunter Biden were bribed with \$10 million by a 'corrupt' Ukrainian oligarch is corroborated in part by the FBI*, DAILY MAIL, (July 21, 2023), <https://www.dailymail.co.uk/news/article-12322067/Trusted-informants-claim-Joe-Hunter-Biden-bribed-10million-corrupt-Ukrainian-oligarch-CORROBORATED-FBI.html>; Josh Christenson, *Feds fought over decision to interview FBI's Biden bribe informant: 'Scared of their own shadows'*, NEW YORK POST, (July 21, 2023), <https://nypost.com/2023/07/21/feds-fought-over-decision-to-interview-fbis-biden-bribe-informant-scared-of-their-own-shadows/>.

¹⁰ Brooke Singman, *Person alleging Biden criminal bribery scheme is a 'highly credible' FBI source used since Obama admin: source*, FOX NEWS, (June 2, 2023), <https://www.foxnews.com/politics/person-alleging-biden-criminal-bribery-scheme-is-a-highly-credible-fbi-source-used-since-obama-admin-source>.

day or shortly thereafter, travel mentioned in the Biden family 1023 was confirmed as well as some meetings that took place.¹¹

In August 2020, and possibly earlier, Supervisory Intelligence Analyst Brian Auten opened the aforementioned assessment, which was used by the Foreign Influence Task Force to seek out CHS holdings at FBI Field Offices across the country relating to the Biden family and falsely discredit them as foreign disinformation. Also, in August 2020, the Foreign Influence Task Force improperly briefed me and Senator Johnson with respect to our Biden family investigation after pressure from congressional Democrats.¹² That improper briefing was used by Democrats and the partisan media to falsely claim our investigation, which was based on Obama/Biden administration records, was impacted by foreign disinformation.¹³

On September 3, 2020, the Pittsburgh Assessment was closed – after a mere six months – and on September 14, 2020, the Foreign Influence Task Force communicated with the handling agent for the Biden family 1023. According to information provided to my office, the Foreign Influence Task Force attempted to shut down that reporting by falsely saying it was subject to foreign disinformation. It should be emphasized that the basis for trying to shut down the Biden family 1023 has been described to my office as highly suspect and is contradicted by other documents my office has been told exist within the Foreign Influence Task Force, FBI Seattle Field Office, FBI Baltimore Field Office, and FBI HQ holdings.

On September 21, 2020, after closure of the Pittsburgh Assessment, U.S. Attorney Scott Brady transmitted a report to Principal Associate Deputy Attorney General Rich Donoghue summarizing the findings of the FBI assessment. The subject line of that report stated, “VETTING.” According to information provided to my office, the officials involved in the assessment had limited ability to verify all information in the Biden family 1023 because the Justice Department did not authorize them to use a grand jury and, therefore, they didn’t have all the tools at their disposal to run the information to ground, including subpoenas to obtain documents and interviews. However, the report included a recommendation that additional investigative activity be done. Notably, my office has been informed that, with respect to the CHS in the Biden family 1023, the U.S. Attorney’s Office for the Western District of Pennsylvania coordinated with the U.S. Attorney’s Office for the Eastern District of New York in 2020 and found no hits to known sources of Russian disinformation. The report, including information on the Biden family 1023, was ultimately transmitted to U.S. Attorney Weiss who, according to Attorney General Garland, had every investigative tool at his disposal even before being designated as a special counsel.¹⁴

¹¹ Margot Cleveland, *FBI Told Delaware U.S. Attorney It Had Already Partially Corroborated Biden Bribery Claims* THE FEDERALIST (July 24, 2023), <https://thefederalist.com/2023/07/24/fbi-told-delaware-u-s-attorney-it-had-already-partially-corroborated-biden-bribery-claims-source-says/>; Josh Boswell, *Exclusive: Trusted informant's claim that Joe and Hunter Biden were bribed with \$10 million by a 'corrupt' Ukrainian oligarch is corroborated in part by the FBI*, DAILY MAIL, (July 21, 2023), <https://www.dailymail.co.uk/news/article-12322067/Trusted-informants-claim-Joe-Hunter-Biden-bribed-10million-corrupt-Ukrainian-oligarch-CORROBORATED-FBI.html>; Josh Christenson, *Feds fought over decision to interview FBI's Biden bribe informant: 'Scared of their own shadows'*, NEW YORK POST, (July 21, 2023), <https://nypost.com/2023/07/21/feds-fought-over-decision-to-interview-fbis-biden-bribe-informant-scared-of-their-own-shadows/>.

¹² *Grassley: Government Abuse, Political Treachery to Quash Congressional Investigation Is Scarier than Fiction*, SENATOR GRASSLEY REMARKS, (Feb. 9, 2023), <https://www.grassley.senate.gov/news/remarks/grassley-government-abuse-political-treachery-to-quash-congressional-investigation-is-scarier-than-fiction>.

¹³ *Id.*

¹⁴ Brooke Singman, *AG Garland testified that Weiss had full authority in Hunter Biden probe, but never discussed specifics* FOX NEWS (Sept. 20, 2023), <https://www.foxnews.com/politics/ag-garland-testifies-weiss-full-authority-hunter-biden-probe-never-discussed-specifics>.

Since making the Biden family 1023 public on July 25, 2023, it's been made clear by former Attorney General Barr, Director Wray, and Deputy Director Abbate that the 1023 is part of an ongoing investigative matter, indicating its investigative credibility and authenticity.¹⁵ As such, it's essential that we examine the alleged attempts by FBI personnel to sweep it under the rug, as well as what steps U.S. Attorney Weiss has taken to use the document for his ongoing investigation.

On October 5, 2020, Supervisory Special Agent Eric Miller and Assistant Special Agent in Charge Thibault participated in a call with the Washington Field Office; Baltimore Field Office; Wilmington, Delaware FBI agents; and FBI management personnel. That call allegedly included Assistant Special Agent in Charge Alfred Watson, Supervisory Special Agent Joe Gordon, Special Agent Susan Roepcke and Special Agent Joshua Wilson. Notably, FBI agents from the Baltimore Field Office were attached to U.S. Attorney Weiss's investigation. My office has been informed that on that call it was confirmed the Delaware case currently run by U.S. Attorney Weiss was opened as a money laundering and Foreign Agents Registration Act case, not a bribery case as the Biden family 1023 would appear to require, and that it was jointly worked with the IRS. On that call, it was made clear that Delaware FBI agents were in possession of email evidence that contradicted denials made by Joe Biden that he was never aware of or involved in Hunter Biden's business arrangements.

On October 23, 2020, Tony Bobulinski met with and was interviewed by James Dawson, a Washington Field Office Special Agent in Charge, Acting Assistant Special Agent in Charge Giulio Arseni, Special Agent William Novak, and Special Agent Garrett Churchill.¹⁶ Bobulinski provided first-hand knowledge as an eye and ear witness to Joe Biden's involvement in potentially criminal schemes with Hunter Biden. Notably, on October 13, 2022, I wrote a letter to the both of you and U.S. Attorney Weiss with respect to a summary of Bobulinski's FBI interview that my staff reviewed which included, in part, reference to the Biden's receiving an unsecured \$5 million loan, intended to be forgivable, from CEFC in 2017 that would serve as payment for actions Joe Biden took during his vice presidency. This financial strategy to illegally treat income as a loan is consistent with IRS whistleblower testimony that indicated Hunter Biden attempted the same with respect to other income, including payments received from Burisma.¹⁷

Also on October 23, 2020, Justice Department and FBI Special Agents from the Pittsburgh Field Office briefed Assistant U.S. Attorney Lesley Wolf, one of U.S. Attorney Weiss's top prosecutors, and FBI Special Agents from the Baltimore Field Office with respect to the contents of the Biden family 1023. However, the meeting did not include any IRS agents, and AUSA Wolf prevented investigators from seeking information about Joe Biden's involvement in Hunter Biden's criminal arrangements.¹⁸

¹⁵ Josh Christenson, *Former AG Bill Barr rips 'confused' Rep. Jamie Raskin over scope of Biden bribe probe*, NEW YORK POST, (June 8, 2023), <https://nypost.com/2023/06/08/bill-barr-rips-confused-rep-raskin-over-biden-bribe-probe/>; Jerry Dunleavy, *Biden investigation: FBI defends redacting form on alleged Burisma bribery scheme*, WASHINGTON EXAMINER, (June 13, 2023), <https://www.washingtonexaminer.com/news/justice/biden-investigation-fbi-defends-redacting-burisma-form>. On a May 31, 2023, call with Ranking Member Grassley and Chairman Comer, Director Wray stated that the Biden family 1023 was relevant to an ongoing investigative matter.

¹⁶ Dawson and Arseni left the interview after initial introductions.

¹⁷ Transcript of Gary Shapley Interview, House Committee on Ways and Means (May 26, 2023) https://waysandmeans.house.gov/wp-content/uploads/2023/06/Whistleblower-1-Transcript_Redacted.pdf

¹⁸ Letter from Senator Charles E. Grassley, Ranking Member, Senate Budget Comm., to U.S. Attorney Weiss, (July 9, 2023), https://www.grassley.senate.gov/imo/media/doc/grassley_to_weiss_1023.pdf.

Based on the information provided to my office over a period of years by multiple credible whistleblowers, there appears to be an effort within the Justice Department and FBI to shut down investigative activity relating to the Biden family. Such decisions point to significant political bias infecting the decision-making of not only the Attorney General and FBI Director, but also line agents and prosecutors. Our Republic cannot survive such a political infection and you have an obligation to this country to clear the air.

Accordingly, based on the aforementioned information, I've obtained the names of 25 DOJ and FBI personnel to interview at a future date, some of whom are named above, who either had a direct or indirect role in the allegations described above. In addition, please provide the requested information no later than November 17, 2023:

1. All records¹⁹ between and among the U.S. Attorney's Office for the Western District of Pennsylvania and the U.S. Attorney's Office for the Eastern District of New York relating to Hunter Biden, James Biden, Joe Biden, and the Biden family 1023.
2. An unredacted copy of the September 2020 report transmitted by Justice Department officials to PADAG Richard Donoghue.
3. All records, including FD-71, FD-209a, FD-302, FD-794b, FD-1023, FD-1040a, FD-1057 and Guardian leads, from January 1, 2014, to the date of this letter that reference Mykola Zlochevsky, Hunter Biden, James Biden, and Joe Biden.
4. Was Tony Bobulinski's interview summary placed within Guardian? Was it placed within an investigative case file?
5. All records relating to the May 2, 2017, and May 3, 2017, meetings between Tony Bobulinski and Joe Biden.
6. The case file for the Auten assessment.
7. All records related to derogatory information on Hunter Biden, James Biden, Joe Biden, and their foreign business relationships.
8. All records derived from reporting on derogatory information linked to Hunter Biden, James Biden, Joe Biden, and their foreign business relationships that was overseen under the approval, guidance, and purview of ASAC Thibault from January 1, 2020, to his last day at the FBI.
9. All opened and closed cases initiated by the Washington Field Office under the purview of ASAC Thibault that were ordered closed by ASAC Thibault and/or denied for opening by the Justice Department's Public Integrity Section, and/or the United States Attorney Offices in the District of Columbia and Eastern District of Virginia.
10. All records between and among the Foreign Influence Task Force, FBI Seattle Field Office, FBI Baltimore Field Office, and FBI HQ using the terms "Russian Disinformation" or "foreign disinformation" from January 2019 to the date of this letter.
11. From September 2020 through December 2020, all records between and among FBI Baltimore Field Office, FBI Washington Field Office, and Delaware FBI agents regarding the Hunter Biden matter, including but not limited to ASAC Alfred Watson, SSA Joe Gordon, SA Susan Roepcke, and SA Joshua Wilson.
12. All records from January 1, 2020, to the date of this letter between and among the FBI's Foreign Influence Task Force (1) regarding the liquidation of human source reporting

¹⁹ "Records" include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (e-mails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

- relating to Hunter Biden and Joe Biden; (2) Biden family 1023; (3) and all references to "Biden."
13. All records from January 2019 to the date of this letter between and among the FBI Washington Field Office; FBI Baltimore Field Office; FBI Seattle Field Office; Delaware FBI agents; and FBI management personnel relating to the Hunter Biden matter, to include ASAC Alfred Watson, SSA Joe Gordon, ASAC Tim Thibault, SA Susan Roepcke and SA Joshua Wilson.
 14. All records between and among Washington Field Office SAC James Dawson, Acting Assistant Special Agent in Charge Giulio Arseni, SA William Novak, and SA Garrett Churchill relating to Tony Bobulinski.
 15. All records between SSA Eric Miller and ASAC Thibault regarding CHS reporting on all Hunter Biden related matters.

Transparency brings accountability.

Sincerely,



Charles E. Grassley
Ranking Member
Committee on the Budget