

United States Senate

WASHINGTON, DC 20510

August 25, 2022

VIA ELECTRONIC TRANSMISSION

Ms. Nikki Floris
Intelligence Analyst in Charge
Intelligence Division, Washington Field Office
Federal Bureau of Investigation

Mr. Bradley Benavides
Deputy Assistant Director
Counterintelligence Division
Federal Bureau of Investigation

Dear Ms. Floris and Mr. Benavides:

On August 6, 2020, as we were finishing our September 23, 2020, report on Hunter Biden's financial connections to foreign governments and questionable foreign nationals, you provided a briefing to us on behalf of the FBI and Intelligence Community.¹ As we have publicly and privately stated to you and Director Wray since that briefing, the briefing was unnecessary and was only done because of pressure from our Democratic colleagues, including Democratic Leadership, to falsely attack our Biden investigation as advancing Russian disinformation.²

¹ Chairman Charles Grassley, S. Comm. on Fin., and Chairman Ron Johnson, S. Comm. on Homeland Sec. and Governmental Aff. *Hunter Biden, Burisma, and Corruption: The Impact on U.S. Government Policy and Related Concerns*, (Sept. 23, 2020) <https://www.finance.senate.gov/imo/media/doc/HSGAC%20-%20Finance%20Joint%20Report%202020.09.23.pdf>.

² Letter from Chairman Charles Grassley, S. Comm. on Fin., and Chairman Ron Johnson, S. Comm. on Homeland Sec. and Governmental Aff., to Ranking Member Ron Wyden, S. Comm. on Fin., and Ranking Member Gary Peters, S. Comm. on Homeland Sec. and Governmental Aff. (July 28, 2020); Press Release, Sen. Charles E. Grassley, Sen. Ron Johnson, Denounce Democrat Disinformation Campaign In Response To Peters, Wyden, Democrat Leaders' Letters (July 28, 2020), <https://www.grassley.senate.gov/news/news-releases/johnson-grassley-denounce-democrat-disinformation-campaign-response-peters-wyden>; Press Release, Sen. Charles E. Grassley, Grassley (Again) Rejects Democrats' Baseless Claims About Burisma Probe (Sept. 16, 2020), <https://www.grassley.senate.gov/news/news-releases/grassley-again-rejects-democrats-baseless-claims-about-burisma-probe>; Floor Speech, Sen. Charles E. Grassley, Grassley On The Ukraine Investigation (Sept. 29, 2020), <https://www.grassley.senate.gov/news/news-releases/grassley-ukraine-investigation>; Floor Speech, Sen. Charles E. Grassley, Grassley On Democrats Spreading Disinformation To Protect President Biden (Mar. 18, 2021), <https://www.grassley.senate.gov/news/news-releases/grassley-on-democrats-spreading-disinformation-to-protect-president-biden>; Floor Speech, Sen. Charles E. Grassley, The Media Again Takes Liberal Disinformation Bait On Biden Family Oversight (May 11, 2021), <https://www.grassley.senate.gov/news/remarks/the-media-again-takes-liberal-disinformation-bait-on-biden-family-oversight>; Letter from Sen. Charles E. Grassley, and Sen. Ron Johnson to Inspector General Horowitz (July 20, 2021), https://www.grassley.senate.gov/imo/media/doc/grassley_johnson_to_justice_dept.inspectorgeneralaugust2020briefing.pdf;

For example, on July 13, 2020, then-Minority Leader Schumer, Senator Warner, Speaker Pelosi and Representative Schiff sent a letter, with a classified attachment, to the FBI to express a purported belief that Congress was the subject of a foreign disinformation campaign.³ The classified attachment included unclassified elements that, among other things, attempted – and failed – to tie our investigation into the Biden family’s financial deals to foreign disinformation. Those elements were then leaked to the press.⁴ As you are undoubtedly aware, we’ve successfully refuted those false allegations and, most recently, we’ve made public a series of authentic bank records relating to the Biden family’s connections to the communist Chinese government, which Democrats had previously tried – and failed – to claim advanced Russian disinformation.⁵

In addition, on July 16, 2020, then-Ranking Member Peters and then-Ranking Member Wyden wrote to us requesting a briefing from the FBI’s Foreign Influence Task Force on matters purportedly relating to our investigation.⁶ On July 28, 2020, we responded to them and reminded them that in March 2020, the FBI and relevant members of the Intelligence Community had already briefed our committees and provided assurances that there was no reason that our committees should not continue their investigation.⁷ Nonetheless, the FBI succumbed to the Democratic pressure and provided the infamous August 6, 2020, briefing.

With respect to the substance of the briefing, it consisted primarily of information that we already knew and information unconnected to our Biden investigation. We made clear to you at the briefing that it was not relevant to the substance of our work. In response, you stated that the FBI is not attempting to “quash, curtail, or interfere” in the investigation in any

³ Letter from Minority Leader Charles Schumer, Vice Chairman Mark Warner, S. Select Comm. on Intelligence, Speaker Nancy Pelosi, and Chairman Adam Schiff, H. Select Comm. on Intelligence, to Fed. Bureau of Investigation (July 13, 2020), https://intelligence.house.gov/uploadedfiles/20200713_big_4_letter_to_fbi_director_wray_-_defensive_briefing_signed.pdf.

⁴ Natasha Bertrand, Andrew Desiderio, and Kyle Cheney, *Democrats: Packets sent to Trump allies are Part of Foreign Plot to Damage Biden*, POLITICO (July 23, 2020), [foreign-plot-to-damage-biden-380217](https://www.politico.com/news/2020/07/23/democrats-packets-sent-to-trump-allies-are-part-of-foreign-plot-to-damage-biden-380217); As the Ranking Members have repeatedly said, they and their staff have not received, relied upon, or solicited information from Derkach.

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

⁶ Letter from Ranking Member Ron Wyden, S. Comm. on Fin., and Ranking Member Gary Peters, S. Comm. on Homeland Sec. and Governmental Aff., to Chairman Grassley, S. Comm. on Fin., and Chairman Ron Johnson, S. Comm. on Homeland Sec. and Governmental Aff. (July 16, 2020), https://www.hsgac.senate.gov/imo/media/doc/200716_Letter_PetersWyden_IntelligenceBriefingRequest.pdf.

⁷ Letter from Chairman Charles Grassley, S. Comm. on Fin., and Chairman Ron Johnson, S. Comm. on Homeland Sec. and Governmental Aff., to Ranking Member Ron Wyden, S. Comm. on Fin., and Ranking Member Gary Peters, S. Comm. on Homeland Sec. and Governmental Aff. (July 28, 2020).

way.⁸ We also made clear our concern that the briefing would be subject to a leak that would shed a false light on the focus of our investigation. Indeed, on May 1, 2021, the Washington Post did exactly that and so did the other inaccurate media articles during the course of our investigation which falsely labeled our investigation as advancing Russian disinformation.⁹ Moreover, whistleblowers have recently alleged that in August 2020, the same month you provided the briefing to us, FBI officials initiated a scheme to downplay derogatory information on Hunter Biden for the purpose of shutting down investigative activity relating to his potential criminal exposure by labeling it “disinformation.”¹⁰ Whistleblowers have also alleged that local FBI leadership instructed employees not to look at the Hunter Biden laptop immediately after the FBI had obtained it.¹¹

At the briefing as well as after, we requested relevant records relating to what happened at the briefing, including the 302 or similar summary, the intelligence basis for the briefing and the personnel involved in making the decision to brief us. On August 12, 2020; May 3, 2021; July 25, 2022; and August 11, 2022, those requests were made.¹² The FBI has consistently failed to respond in full to each request and failed to provide those critical records which casts further doubt on the true purpose for the briefing.

Simply put, the unnecessary FBI briefing provided the Democrats and liberal media the vehicle to spread their false narrative that our work advanced Russian disinformation. Although you stated that the FBI didn’t intend to “interfere” in our investigation, the practical effect of such an unnecessary briefing and the subsequent leaks relating to it created interference, which frustrated and obstructed congressional oversight efforts.

⁸ S. Rep., Hunter Biden, Burisma, and Corruption: The Impact on U.S. Government Policy and Related Concerns, S. Comm. on Homeland Sec. and Governmental Aff. and S. Comm. on Fin., 116TH CONG. (2020) at 59, https://www.hsgac.senate.gov/imo/media/doc/HSGAC_Finance_Report_FINAL.pdf.

⁹ Ellen Nakashima, Shane Harris and Tom Hamburger, *FBI was aware of prominent Americans, including Giuliani, were targeted by Russian influence operation*, The Washington Post (May 1, 2021), https://www.washingtonpost.com/national-security/rudy-giuliani-fbi-warning-russia/2021/04/29/5db90f96-a84e-11eb-bca5-048b2759a489_story.html; See Natasha Bertrand, Kyle Cheney, and Andrew Desiderio, *Dem leaders demand FBI briefing on 'foreign interference campaign' targeting lawmakers*, POLITICO (July 20, 2020), <https://www.politico.com/news/2020/07/20/democrats-fbi-briefing-foreign-interference-campaign-373134>.

¹⁰ Press Release, Sen. Charles E. Grassley, Whistleblowers’ Reports Reveal Double Standard In Pursuit of Politically Charged Investigations By Senior FBI, DOJ Officials (July 25, 2022), <https://www.grassley.senate.gov/news/news-releases/whistleblowers-reports-reveal-double-standard-in-pursuit-of-politically-charged-investigations-by-senior-fbi-doj-officials>.

¹¹ Letter from Sen. Ron Johnson, to Justice Department Inspector General Michael Horowitz (Aug. 23, 2022) <https://www.ronjohnson.senate.gov/services/files/7CD44E16-BF0B-495E-8B87-900467F69E50>.

¹² Letter from Chairman Charles Grassley, S. Comm. on Fin., to Attorney General Garland and Director Wray (Aug. 12, 2020) https://www.grassley.senate.gov/imo/media/doc/grassley_to_justice_deptfbibriefing.pdf; Letter from Chairman Charles Grassley, S. Comm. on Fin., and Chairman Ron Johnson, S. Comm. on Homeland Sec. and Governmental Aff., to Director Wray and Director Avril Haines (May 3, 2021) https://www.grassley.senate.gov/imo/media/doc/grassley_johnson_to_fbi_odni_-_briefing.pdf; Letter from Ranking Member Charles Grassley to Attorney General Garland and Director Wray (July 25, 2022) https://www.grassley.senate.gov/imo/media/doc/grassley_to_justice_deptfbipoliticalbiasfollowup.pdf; Ranking Member Charles Grassley, Questions for the Record - FBI Oversight Hearing (Aug. 11, 2022) https://www.grassley.senate.gov/imo/media/doc/fbi_oversight_hearing_questions_for_the_record_-_senator_grassley.pdf.

The FBI answers to Congress and the American people; therefore, we request that you appear before us for a transcribed interview on these and related matters no later than September 8, 2022. In addition, at the time of our initial request in August 2020, all records relating to the briefing should have been preserved.¹³ This letter reiterates that request.

Sincerely,



Charles E. Grassley
Ranking Member
Committee on the Judiciary



Ron Johnson
Ranking Member
Permanent Subcommittee
on Investigations

cc: The Honorable Richard Durbin
Chairman
Committee on the Judiciary

The Honorable Jon Ossoff
Chairman
Permanent Subcommittee on Investigations

The Honorable Michael Horowitz
Inspector General
Department of Justice

¹³ “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). This definition applies to all requests for records in the questions for the record.