

United States Senate
WASHINGTON, DC 20510

January 23, 2023

VIA ELECTRONIC TRANSMISSION

Ms. Debra Steidel Wall
Acting Archivist
U.S. National Archives and Records Administration
700 Pennsylvania Ave, NW
Washington, DC 20408

Dear Ms. Wall:

We write today relating to the discovery of “documents marked classified from Joe Biden’s vice presidency” that have been found at multiple locations.¹ Since July 30, 2021, we have raised concerns about whether then-Vice President Joe Biden stored and archived government records in compliance with federal records laws. We request that NARA provide full transparency regarding its involvement, knowledge and role with respect to the existence of these classified and unclassified documents.

By way of background, on June 7, 2021, we requested that NARA provide documents in furtherance of our investigation into the Biden family’s financial dealings and potential conflicts of interest.² NARA declined to provide those records. On July 30, 2021, and June 28, 2022, we asked the White House about then-Vice President Joe Biden’s use of non-government email for government business, the transmission of government information to his son, Hunter Biden, and compliance with federal records laws.³ To date, the White House has failed to respond to those requests.

¹ Adriana Diaz, Andres Triay, Arden Farhi, More Biden documents marked classified found in at least one other location, Jan. 11, 2023, CBS News, <https://www.cbsnews.com/news/more-biden-documents-marked-classified-two-other-locations/>.

² Letter from Ranking Member Ron Johnson, Permanent Subcomm. on Investigations, and Ranking Member Charles Grassley, S. Comm. on the Judiciary, to David S. Ferriero, Archivist of the United States, U.S. National Archives and Records Administration, (June 7, 2021).

³ Letter from Ranking Member Ron Johnson, Permanent Subcomm. on Investigations, and Ranking Member Charles Grassley, S. Comm. on the Judiciary, to Dana Ann Remus, Counsel to the President, White House (July 30, 2021), https://www.grassley.senate.gov/imo/media/doc/grassley_johnson_to_white_house_counsel_-_biden_email.pdf; Letter from Ranking Member Ron Johnson, Permanent Subcomm. on Investigations, and Ranking Member Charles Grassley, S. Comm. on the Judiciary, to Richard Sauber, Special Counsel to the President, White House (June 28, 2022), <https://www.ronjohnson.senate.gov/2022/6/sens-johnson-and-grassley-the-whitehouse-has-failed-to-explain-whether-joe-biden-continues-to-use-non-government-email-for-official-business>; Miranda Devine, Veep Joe Biden skirted ‘no see’ mail law with private accounts, The New York Post (July 23, 2021), <https://nypost.com/2021/07/23/vp-joe-biden-skirted-no-see-mail-law-with-privateaccountsdevine/>.

See also, Senate Judiciary Committee Hearing: Oversight of the Federal Bureau of Investigation,

In order for Congress to perform an independent and objective review of NARA's involvement in this matter and whether other federal agencies have properly involved NARA, please answer the following questions relating to NARA's process and procedure to ensure that its federal responsibilities have been met no later than February 2, 2023:

1. A timeline of NARA's interactions relating to the discovery of records, including those marked classified, from Joe Biden's vice presidency with the White House, Department of Justice, Federal Bureau of Investigation, Department of Homeland Security, NARA Office of Inspector General, Penn Biden Center for Diplomacy and Global Engagement, Joe Biden's attorneys, and any other federal or private entity involved.
2. How many documents were stored at the Penn Biden Center? Has NARA requested to review all of the other documents at this location or at any other? If not, why not?
3. Are there other locations where President Joe Biden has stored records from his time as vice president? If so, has NARA requested to review those records? If not, why not?
4. Has there been any other instance in which NARA was apprised of or discovered that records marked classified from Joe Biden's vice presidency were located outside a government facility? If so, please provide all details.
5. Has NARA requested the White House to provide all documents that include the pseudonyms and email addresses listed below that then-Vice President Biden used?

- a) "RobinWare456@gmail.com";
- b) "Robert.L.Peters@pci.gov";
- c) "JRB Ware"; and
- d) "67stingray".

Sincerely,



Ron Johnson
Ranking Member
Permanent Subcommittee on Investigations



Charles E. Grassley
Ranking Member
Committee on the Judiciary

Questions for the Record from Ranking Member Charles Grassley (August 11, 2022) [asking questions relating to the FBI raid on former President Trump's residence and requesting related predicated documents to publicly show the basis of the criminal investigation including any alleged federal records violations].

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cc: The Honorable Jon Ossoff
Chairman
Permanent Subcommittee on Investigations

The Honorable Richard Durbin
Chairman
Committee on the Judiciary

Dr. Brett M. Baker
Inspector General