

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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January 10, 2023

Mr. Stuart Delery  
White House Counsel  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear Mr. Delery:

The Committee on Oversight and Accountability is investigating President Biden’s failure to return vice-presidential records—including highly classified documents—to the National Archives and Records Administration (NARA) in violation of the Presidential Records Act. The President has previously called the mishandling of presidential records “totally irresponsible.”<sup>1</sup> Recent reports reveal that classified documents in the custody of then-Vice President Biden were discovered in a closet at a Washington, D.C. office.<sup>2</sup> The Committee requests documents and information related to the White House’s handling of this matter.

In a recent *60 Minutes* interview, President Biden spoke candidly regarding his assessment of former President Trump’s handling of presidential records.<sup>3</sup> He asked, “What data was in there that may compromise sources and methods?”<sup>4</sup> Reporting indicates documents retrieved from the personal office of Joe Biden included documents designated as “sensitive compartmented information . . . which is used for highly sensitive information obtained from intelligence sources.”<sup>5</sup> The Committee is concerned that President Biden has compromised sources and methods with his own mishandling of classified documents.

Under the Biden Administration, the Department of Justice and NARA have made compliance with the Presidential Records Act a top priority. President Biden has claimed he was not going to “get myself in the middle of whether or not the Justice Department should move or not move on certain actions they could take.”<sup>6</sup> The Committee expects President Biden will receive equal treatment under the law given that he maintained classified documents in his unsecured office for several years with access to an unknown number of people. President Biden

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<sup>1</sup> Brett Samuels, *Biden: Trump retention of sensitive documents ‘totally irresponsible’*, THE HILL (Sep. 18, 2022).

<sup>2</sup> Shawna Chen, *Classified docs from Biden’s VP days found in private office*, AXIOS (Jan. 9, 2023).

<sup>3</sup> *Supra*, n. 1.

<sup>4</sup> *Id.*

<sup>5</sup> Jamie Gangel, Marshall Cohen, Evan Perez & Phil Mattingly, *Classified documents from Biden’s time as VP discovered in private office*, CNN.COM (Jan. 9, 2023).

<sup>6</sup> *Supra*, n. 1.

and his son, Hunter Biden, also planned to share an office with an individual affiliated with the Chinese Communist Party, which raises questions about who else had access to these highly sensitive documents because of President Biden’s “totally irresponsible” actions.<sup>7</sup>

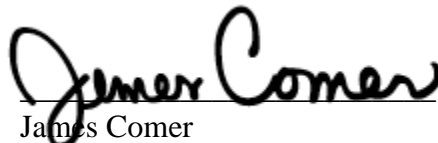
To assist Committee Republicans in investigating President Biden’s recent mishandling of classified information, please provide the following documents and information no later than January 24, 2023:

1. All documents retrieved from President Biden’s personal office at the Penn Biden Center;
2. All internal documents and communications regarding the documents retrieved from President Biden’s personal office at the Penn Biden Center;
3. A list of all people who had access to President Biden’s personal office at the Penn Biden Center;
4. All documents and communications related to the handling of the classified material by President Biden’s personal lawyers—including but not limited to their security clearance status; and
5. All documents and communications between or among the White House and the Department of Justice or NARA regarding the documents retrieved from President Biden’s personal office at the Penn Biden Center.

The Committee on Oversight and Accountability is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X.

Thank you for your prompt attention to this important investigation.

Sincerely,



James Comer

Chairman

Committee on Oversight and Accountability

cc: The Honorable Jamie B. Raskin, Ranking Member  
Committee on Oversight and Accountability

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<sup>7</sup> Email on file with the Comm. Email from R. Hunter Biden (Sep. 21, 2017) (“please have keys made available for new office mates: Joe Biden [and] Gongwen Dong (Chairman Ye CEFC emissary)”).