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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

July 26, 2022

The Honorable Merrick Garland
Attorney General
Department of Justice

The Honorable Avril Haines
Director of National Intelligence

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation

The Honorable Michael E. Horowitz
Inspector General
Department of Justice

Dear Attorney General Garland, Directors Haines and Wray, and Inspector General Horowitz:

Yesterday, Senator Grassley sent a letter to the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) revealing information that may confirm what I have suspected for years: “[T]here was a scheme in place among certain FBI officials to undermine derogatory information connected to Hunter Biden by falsely suggesting it was disinformation.”¹

Based on whistleblower information, Senator Grassley wrote that, “in August 2020, FBI Supervisory Intelligence Analyst Brian Auten opened an assessment which was used by a FBI Headquarters team to improperly discredit negative Hunter Biden information as disinformation and caused investigative activity to cease.”² That same month, on August 6, 2020, Senator Grassley and I received a briefing from the FBI which we always assumed was a set up to intentionally discredit our ongoing work into Hunter Biden’s extensive foreign financial entanglements. Indeed, months after that briefing—which was not specific and unconnected to our investigation—it was leaked to the *Washington Post* who reported on it and tied it to “an

¹ Letter from Sen. Charles E. Grassley, Ranking Member, Committee on the Judiciary, to Merrick Garland, Attorney General, Dep’t of Justice, and Christopher Wray, Director, Federal Bureau of Investigation, July 25, 2022, https://www.grassley.senate.gov/imo/media/doc/grassley_to_justice_deptfbipoliticalbiasfollowup.pdf.

² *Id.*

extensive effort by the [FBI] to alert members of Congress . . . that they faced a risk of being used to further Russia’s attempt to influence the election’s outcome[.]”³

If these recent whistleblower revelations are true, it would strongly suggest that the FBI’s August 6, 2020 briefing was indeed a targeted effort to intentionally undermine a Congressional investigation. The FBI being weaponized against two sitting chairmen of U.S. Senate committees with constitutional oversight responsibilities would be one of the greatest episodes of Executive Branch corruption in American history.

For nearly two years I have sought to get information from the FBI and the Office of the Director of National Intelligence (ODNI) about the purpose of, and who ordered, this briefing. On May 3, 2021, Senator Grassley and I reiterated these requests in a letter to Directors Wray and Haines.⁴ Both failed to provide complete responses.⁵

The inability of FBI and ODNI to be transparent with Congress on this matter and other matters relating to Hunter Biden is deeply concerning. Once again, the FBI’s integrity has been called into question. If these whistleblower allegations are accurate, how can your agency, Director Wray, be capable of investigating the president’s son? Unfortunately, the FBI can no longer be trusted to investigate Hunter Biden with integrity and the equal application of law.

Attorney General Garland, you have failed to provide Senator Grassley and me with assurances that any DOJ investigation into Hunter Biden’s potential criminal activity will be free of conflicts of interest. The American people should not have to tolerate your silence any longer.

Inspector General Horowitz, on July 20, 2021, Senator Grassley and I requested you “begin an immediate review and investigation relating to the Justice Department’s and FBI’s process and procedure to prepare for and provide defensive and counterintelligence briefings **with particular emphasis on the August 6, 2020, briefing[.]**”⁶ Has your office requested records and materials from the FBI and DOJ relating to the August 6, 2020 briefing? If not why not? If so, when did DOJ and FBI produce records, and when will you report your findings to us?

³ Ellen Nakashima, Shane Harris and Tom Hamburger, *FBI was aware prominent Americans, including Giuliani, were targeted by Russian influence operation*, Wash. 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.

⁴ Letter from Sen. Ron Johnson, Ranking Member, Permanent Subcommittee on Investigations, and Sen. Charles E. Grassley, Ranking Member, Committee on the Judiciary, to Christopher Wray, Director, Federal Bureau of Investigation, and Avril Haines, Director, Office of the Director of National Intelligence, May 3, 2021.

⁵ The FBI responded on June 11, 2021 refusing to provide the materials requested in Sens. Johnson and Grassley’s May 3, 2021 letter.

⁶ Letter from Sen. Ron Johnson, Ranking Member, Permanent Subcommittee on Investigations, and Sen. Charles E. Grassley, Ranking Member, Committee on the Judiciary, to Michael Horowitz, Inspector General, Dep’t of Justice, July 20, 2021 (emphasis added).

The Office of the Inspector General (OIG) may be able to provide an objective review of this matter, but it has not been forthcoming to Senator Grassley or me. If the OIG is unwilling or unable to conduct an investigation into the potential political targeting of U.S. Senators by federal law enforcement entities, then the appointment of a Special Counsel would be fully justified and long overdue.

Sincerely,

A handwritten signature in blue ink that reads "Ron Johnson". The signature is written in a cursive, flowing style.

Ron Johnson
Ranking Member
Permanent Subcommittee on Investigations