

Judicial Watch Sues for Records on Possible FBI Obstruction of Hunter Biden Investigation

By [Judicial Watch](#)

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Judicial Watch announced today that it filed a Freedom of Information Act (FOIA) lawsuit against the Department of Justice for all records in the possession of FBI Supervisory Intelligence Analyst Brian Auten regarding an August 6, 2020, briefing provided to members of the U.S. Senate. Ron Johnson (R-WI) and Chuck Grassley (R-IA) raised concerns that the briefing was intended to undermine the senators' investigation of Hunter Biden ([Judicial Watch v. U.S. Department of Justice](#) (No. 1:22-cv-02821))

Judicial Watch filed the lawsuit after the DOJ failed to reply to an August 2, 2022, FOIA request for:

- All unclassified records including emails, email chains, email attachments, notes (digital and / or hand-written), briefings, data, documents, letters, evidence, assessments, in the possession of FBI
- Supervisory Intelligence Analyst Brian Auten concerning an August 6, 2020, briefing provided to members of the U.S. Senate, specifically, Senator's Johnson and Grassley.

In a July 25, 2022, [letter](#) to Attorney General Merrick Garland and FBI Director Christopher Wray, Senator Grassley, ranking member of the Committee on the Judiciary, wrote:

On May 31, 2022, I wrote to you regarding likely violations of Federal laws, regulations and Federal Bureau of Investigation ("FBI") guidelines by Assistant Special Agent in Charge ("ASAC") Timothy Thibault of the Washington Field Office ("WFO") based on a pattern of active public partisanship in his then public social media content.... My letter ... invited individuals, including current and former government employees, to contact me and my office to confidentially report allegations of fraud, waste, abuse and gross

mismanagement by FBI and Justice Department (“Department”) officials including, but not limited to, ASAC Thibault. In response, my office has received a significant number of protected communications from highly credible whistleblowers.

The information provided to my office involves concerns about the FBI’s receipt and use of derogatory information relating to Hunter Biden, and the FBI’s false portrayal of acquired evidence as disinformation. The volume and consistency of these allegations substantiate their credibility and necessitate this letter.

First, it’s been alleged that the FBI developed information in 2020 about Hunter Biden’s criminal financial and related activity. It is further alleged that in August 2020, FBI Supervisory Intelligence Analyst Brian Auten opened an assessment which was used by a FBI Headquarters (‘FBI HQ’) team to improperly discredit negative Hunter Biden information as disinformation and caused investigative activity to cease. Based on allegations, verified and verifiable derogatory information on Hunter Biden was falsely labeled as disinformation.

The basis for how the FBI HQ team selected the specific information for inclusion in Auten’s assessment is unknown, but in more than one instance the focus of the FBI HQ team’s attention involved derogatory information about Hunter Biden. Accordingly, the allegations provided to my office appear to indicate that there was a scheme in place among certain FBI officials to undermine derogatory information connected to Hunter Biden by falsely suggesting it was disinformation.

Importantly, it’s been alleged to my office that Auten’s assessment was opened in August 2020, which is the same month that Senator Johnson and I received an unsolicited and unnecessary briefing from the FBI that purportedly related to our Biden investigation and a briefing for which the contents were later leaked in order to paint the investigation in a false light.

On July 26, 2022, Senator Johnson, the ranking member of the Permanent Subcommittee on Investigations of the Committee on Homeland Security, wrote [a letter](#) to Garland, Wray, Director of National Intelligence Avril Haines, and DOJ Inspector General Michael 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.”

[O]n 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 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[.]”

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.

Auten is reportedly [under investigation](#) for his role in the FBI Crossfire Hurricane investigation targeting Trump and just testified in the Durham Special Counsel trial of Igor Danchenko, who was paid by both the Clinton campaign and the FBI to dig up dirt on President Trump.

“It is no coincidence the FBI operatives implicated in improperly protecting Hunter and Joe Biden were also abusing President Trump,” said Judicial Watch President Tom Fitton. “The Justice Department and the FBI have been irredeemably compromised and their refusal to follow federal transparency law further confirms their corruption.”

Through FOIA, Judicial Watch has uncovered significant information about Hunter Biden, who served on the [board of directors](#) for Ukrainian energy firm Burisma Holdings despite having no previous experience in the energy industry.

Judicial Watch recently [sued](#) the Department of Homeland Security for Secret Service records related to the investigation of Hunter Biden’s gun, reportedly disposed of in a dumpster in Delaware.

In December 2020, Judicial Watch received [records](#) from the State Department tying Hunter Biden’s Burisma Holdings’ lobbying operation to an influence-peddling operation involving the Clinton campaign during the 2016 election. Also uncovered were State Department [records](#) showing that former U.S. Ambassador to Ukraine Marie “Masha” Yovanovitch had specifically warned in 2017 about corruption allegations against Burisma Holdings.

In October 2020, State Department [records](#) that included a briefing checklist of a February 22, 2019, meeting in Kyiv between then-U.S. Ambassador to Ukraine Marie Yovanovitch and Sally Painter, co-founder and chief operating officer of Blue Star Strategies, a Democratic lobbying firm which was hired by Burisma Holdings to combat [corruption allegations](#). The briefing checklist notes that Painter also planned [to meet](#) with Foreign Commercial Service (FCS) Officer Martin Claessens “regarding the Burisma Group energy company.” (Painter was implicated in the Clinton-era [fundraisingscandal](#) exposed by Judicial Watch that involved the alleged sale of seats on Commerce Department trade missions to Democratic National Committee donors.)

In September 2020, State Department [records](#) include a January 17, 2017, email from George Kent, the Obama administration’s deputy assistant secretary of state in charge of Ukraine policy, which was copied to then-U.S. Ambassador to Ukraine Marie Yovanovitch, highlighting Russia-linked media “trolling” Joe Biden over “his son’s business.” An [email](#) was sent four days prior to the inauguration of President Donald Trump to a redacted recipient and CCd to Yovanovitch with the subject line “medvedchuk-linked vesti trolls Biden.” Kent writes: “Burisma - gift that keeps on giving. (With medvedchuk affiliated Vesti pushing the troll like storyline on visit day)”

In June 2020, U.S. Secret Service [records](#) showed that, for the first five and a half years of the Obama administration, Hunter Biden traveled extensively while receiving a Secret Service protective detail. During the time period of the records provided, Hunter Biden took

411 separate domestic and international flights, including to 29 different foreign countries. He visited China five times.

Judicial Watch is also [suing](#) the DHS for Secret Service records on Hunter Biden's travel and security costs, and [suing](#) the State Department for messages sent through the [SMART](#) (State Messaging and Archive Retrieval Toolkit) system that mention Hunter Biden.

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